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GLOBALIZATION AND THE IMPACT ON CRIME, CORRUPTION AND JUSTICE¹

ABSTRACT - The economic assumptions of globalization suggest that the global network would lead to poverty eradication, improved education, greater gender equality, and improved health. But the reality is that the positive aspects of globalization are disproportionately distributed and relative deprivation, has become a motivating factor in crime. A trend analysis of the United Nations Crime surveys by region suggests that the most negative impact is in the emerging economies experiencing rapid social change. Organized crime is significantly and negatively correlated with the Human Development Index and with Gross Domestic Product, education, and corrupt tax system. It is positively related to unemployment and poverty but negatively related to the number of drug arrests, the extent to which the police protect property rights, total crime and the total crime prosecuted. High levels of organized crime are also highly correlated with corruption at both the bureaucratic and high government levels.

Globalization became a word commonly used in the 1990s to describe the widening and deepening of international flows of trade, finance and information in an

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integrated economic market. The move was to liberalize the national and global markets in the belief that the results would be economic growth and an improvement in human welfare (United Nations Development Programme (UNDP), 1997). The economic assumptions of globalization suggest that the global network would lead to poverty eradication, improved education, greater gender equality, and improved health (UNDP, 2003). The benefits of globalization are seen to outweigh the costs. There are indications that life expectancy has increased by eight years, illiteracy cut in half to 25% and in East Asia the number of people surviving on less than one dollar a day has almost halved (UNDP, 2003).

But, the wonders of commercial, communicational, cultural and even political globalization have had their negative consequences. The reality is that the positive aspects of globalization are disproportionately distributed. According to McMichael (2004), while 75% of the world's population have access to daily television reception, and therefore exposure to the latest consumer goods, only 20% have access to consumer cash or credit. Distribution of the world's material wealth is dramatically unequal with 20% of the population consuming 86% of the goods and services (McMichael, 2004). According to the UNDP (2003) some 54 countries are poorer now than they were in 1990. In 21 a larger proportion are going hungry and in 34 life expectancy has actually fallen. Poverty rates actually increased in 37 of 67 poor countries. Today, more than 1.2 billion people – one in every five on earth – survive on less than one dollar a day (ONDP,2003:5) with the increase most evident in the Caribbean, Arab States, Central and Eastern Europe and Sub-Saharan Africa; one sixth of the world's adults are still illiterate.

Globalization is more than rapid communications and economic markets. The U.N.'s *Human Development Report*, 1990 (Rist, 1997:9) stated:

[The] basic objective of human development is to enlarge the range of people's choices to make development more democratic and participatory. These choices should include access to income and employment opportunities, education and health, and a clean and safe physical environment. Each individual should also have the opportunity to participate fully in community decisions and enjoy human, economic and political freedoms.

The democratic, economic, and social changes associated with development and globalization have become identified with a Western life-style. This is a life style perpetuated though the media where there are now more than 1.2 billion TV sets around the world to which the United States exports more than 120,000 hours of

programming a year to Europe alone with global programming growing at a rate of 15% per year (UNDP, 1997:83).

It should be evident from the political turmoil of the first years of the 21st Century that countertrends have been emerging from religious fundamentalists who challenge westernization to environmentalists who fight against a resource-dependent consumer lifestyle that is seen to not be sustainable. Others have developed underground or informal economies such as those operating in the former Soviet Union that dealt in "hard currency" when the Rupple was not recognized as an international currency. There is a hidden economy that continues to finance trafficking in arms, people and drugs as well as terrorism.

It is within this context of both globalization and resistance that the pattern of crime has changed. Communication networks are being equally exploited by terrorists and drug smugglers. Terrorists and transnational criminal elements proliferate because these crime groups are major beneficiaries of globalization. They take advantage of increased travel, trade, rapid money movements, telecommunications and computer links, and are well positioned for growth.

Banks and banking have become so complex that money laundering of illegal funds is a major international problem. The U.S. Congress passed the first money-laundering laws in the early 1970's — requiring, among other things, that banks report any cash transaction over \$10,000 — but the laws were loosely enforced. Some international cooperation has occurred between states participating in the Financial Action Task Force's (FATF) Non-Cooperative Countries and Territories (NCCT) process has helped in the monitoring of large financial transfers and money laundering. However, China and some other states do not participate in the FATF, and don't have transparent financial transaction practices. In addition, several governments that are members of FATF have been slow in enacting or implementing antimoney laundering legislation (National Defense University, 2002). Official corruption at various levels of government, from customs officers to senior executives compounds these problems. Criminal organizations and terrorists use corruption to breach the sovereignty of many states which ultimately impacts how societies are able to respond to the population's needs.

CRIME AND DEVELOPMENT

Crime has often been linked to economic change and development (Clinard and Abbott, 1973; Messner, 1982; Shelley, 1981). Concomitants of change associated

with crime are population growth, migration and urbanization. The effects of industrialization on crime were the focus of Tobias' (1997) early work followed by discussion of modernization and crime (Shelley, 1981). Kick and LaFree (1986) suggest that development generates two structural conditions that foster crime rate changes: (1) industrialization increases the amount of material goods that are desirable and available and (2) urbanization increases the number of potential offenders.

Two models of the relationship between development and crime, Durkheimian and Opportunity, were tested and explored by Bennett (1991). From a modernization perspective, migration decreases interpersonal and informal social controls and increases anomie or normlessness which in turn increases the likelihood of engaging in deviant and criminal behavior as an adaptation. Kick and LaFree (1986) noted that with development came a major change in the nature of crime as well, which could not be explained solely by the modernization concept. They found that the nature of crimes shifted from homicide to property (Kick and LaFree, 1986) and the overall rate of crime increased with development. The general shift from violent crimes to property crimes is evidenced in the Nordic countries and Germany (Joutsen, 1991; Heiland, 1991). The violence rate in the United States has always been an anomaly to this pattern.

Homicide rates, calculated from police statistics, are negatively correlated with the Human Development Index developed by the United Nations Development program to measure the average achievements in a country in three basic dimensions: a long and happy life –measured by life expectancy, knowledge as measured by literacy, and a decent standard of living as measured by Gross Domestic Product per capita. In contrast to Kick and LaFree's (1986) finding of an overall increase in crime with development, recent victim surveys show that overall victimization correlates negatively with human development ((UNODC, 2005). This suggests that developing countries are impacted by crime to a much higher degree than developed countries.

If modernization and globalization occur without major shifts in the inequality of income and resources, crime patterns shift from crime typical of poverty to crimes typical of affluence. Relative deprivation, the perception of being poor in relation to others rather than the realization of absolute or real poverty, becomes a motivating factor in crime. Thus, many property crimes in developed countries are not seen to be caused by individual crises of unemployment but by wealth and the abundance of goods (Heiland and Shelley, 1991). In many developed countries, conventional crime has declined over the last decade. Where it occurs, it occurs within a

given sub-population that continues to be excluded from the positive economic effects of modernization.

Development has different effects depending upon the economic conditions of a particular country. Bennett's (1991) time-series analysis of development indicators and crime has important implications for understanding the effects of globalization. Bennett finds that development level and growth rate show crime specific impacts: the *level of development* insignificantly affects homicide but significantly affects theft; neither urbanization nor the *rate of growth* affects either type of crime (Bennett, 1991:351). Significantly, Bennett finds a *curvilinear* relationship between crime types and the form of development level (agricultural v. industrial), the proportion of juveniles, and inequality (Bennett, 1991:352;355).

The significance of this in the era of globalization is to reduce any of the direct time-related effects of urbanization and industrialization. The curvilinear *process* is minimized so that there is less and less of a difference (or gap) in rates and in types of crime. Prior to the impact of globalization, the development processes in regions occurred more or less independently; today the process is exacerbated by the knowledge and awareness of economic and social conditions beyond the boundaries of the individual country or region creating expectations beyond any one system's ability to meet them. Conceptually if one sees the curvilinear process as a "U"- high violent –decline with development – then an increase in prosperity. Globalization elongates the process and compresses the time frame creating more of a "flat line" over time. The result of globalization is that crime rates, regardless of region, will become increasingly similar.

This merging process can be seen in a trend analysis of the United Nations Crime surveys 5 through 7. The United Nations surveys record data for individual countries and has collapsed them into specific identifiable regions: Sub-Saharan Africa, Arab States, East Asia, South-East Asia and The Pacific, South Asia, Latin America and the Caribbean, North America, Eastern Europe and the Commonwealth of Independent States (CIS), and Western Europe. These data are flawed in that a number of countries did not report their statistics among them China, South Africa, and England.

But, considering these data for heuristic purposes only and combining the data from the fifth through seventh surveys and collapsing the responses into the regions, there is evidence that the rates of reported offenses for both adults and for juveniles are approaching greater consistency with the difference in range substantially smaller. The rates from the Fifth Survey for 1990 show that North America had the high-

est adult overall average rate $-2.821/100.000^2$ and South East Asia and The Pacific Region had the lowest -446/100.000. Regional data from 2000 from the Seventh Survey show a decline in the North American adult rate to 1409/100.000 (-50.0%) and an increase South-East Asia and Pacific Region to 773/100.000 (+73.3%). The region with the lowest adult rate in 2000 was Eastern Europe with 630/100.000 and the region with the highest adult rate in 2000 was Latin America and the Caribbean with 2.267/100.000.

Figure 1 illustrates that during this ten year period of major political change and globalization there is a general upward trend in the adult rates across regions but also a tendency for the rates to come within a relatively close range of each other. In 1990 the range in rates was 2,375 (2,821-446); in 2000 the range was 1,637. Combining all countries in the database gives a World Mean Rate in 1990 of 1079/100,000 and in 2000 the Mean World Rate was 1,288/100,000, an increase of 19.4%.

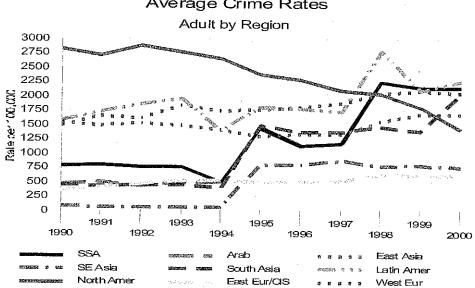


Figure 1. Average Adult Crime Rates/100,000 by Region, 1990-2000

Average Crime Rates

In a review of conditions in a number of new states emerging from colonialism, higher crime rates have been found. While not disproportionately higher than crime rates in developed countries, the trend has been for the crimes to be increas-

² To provide an over-arching picture we have generated basic, crude rates using the available data from the United Nations found at www.unodc.org/unodc/en/crime_cicp_surveys.html.

ingly more violent and predatory in nature (UNODC, 2005), especially in societies like Nigeria (Olloruntimehin, 1991) and Venezuela (Birkbeck, 1991), which benefited from new oil wealth in the 1980 and which ultimately increased the economic gap within the populations.

TRANSNATIONAL ORGANIZED CRIME

What compounds this process is the evolving pattern of transnational organized crime, which has an increasing and compounding effect on the pattern of world crime. Transnational crime has many variants but the bottom line fact is that it survives and functions as a mechanism of providing illegal goods and services from one society or social system for the consumption and pleasure of those in other societies and systems. Organized criminal syndicates have transcended the history of Al Capone and Mafia or Cosa Nostra. The instability of parts of the world has created massive arms smuggling, people smuggling, and high sea piracy. And, of course, let us not forget about the ubiquitous drug trade – few countries are untouched by it. These are lucrative activities which consume an increasing share of the world economy fostered by globalization. Other activities which support transnational criminal activities include the counterfeiting of money and goods.

The blending of legitimate and illegitimate activities characterizes the financial operations of crime in a global environment. The resources of terrorists or the profits of transnational crime groups are combined with legitimate funds from a variety of sources and it destabilizes the economies of developing societies and decreases security in developed countries. Money laundering is the bridge that links the illicit and licit economies and was a process used by the Al Qaeda network (Jones et al., 2000; Shelley, 2002; Shelley et al., 2003).

With development often comes major international and internal migration and many countries are often unable to handle the influx of people. In 1998 the United Nations estimated that more than 125 million people were living outside of their country of birth or citizenship and that half of them were from developing countries (Schmid, 1998). The force behind these moves is related to a global wealth imbalance coupled with a demographic explosion and economic stagnation and these factors are exacerbated by satellite television images of affluence and luxury.

A National Institute of Justice workshop concluded that transnational crime is affected by globalization of the economy, increased numbers and heterogeneity of immigrants, and improved communications technology (Reuter and Petrie, 1999).

Finckenaur (2000) subsequently states that most of the causes of transnational crime are not new but are the same that generate crime in general: disparate socio-economic conditions, the desire for illegal goods and services, and universal greed for money and power.

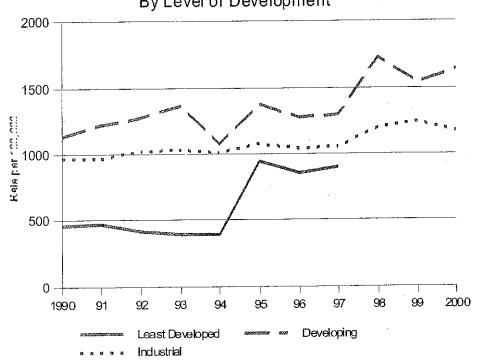
Internal moves from rural areas to urban areas in search of employment, without the accompanying development to create jobs or facilitate integration, is a factor associated with increased crime (Clinard and Abbott, 1973). Unless socially and economically integrated, the result of migration is the creation of a significantly large underclass or, as they are referred to in China, the "floating" population who are at higher risk to engage in crime (Rojek, 2001) or be part of the illegal immigrants caught in the web of trafficking in people. The increase in demand for consumer goods and status symbols, especially when the demand and supply are in different countries, feeds the profit opportunities in transnational crime. The proliferation of the demand for drugs is an economy all of its own.

The rapid and often destabilizing effects of globalization, political change and the reorganization of societies and social systems have created a vacuum that has been filled by transnational crime. The concept of transnational crime - essentially criminal activity that crosses national borders -was introduced in the 1990s. In 1995, the United Nations identified eighteen categories of transnational offences, whose inception, perpetration and/or direct or indirect effects involve more than one country. A subsequent survey to UN member states by UNODC revealed that definitions of organized crime were often blurred between the national and transnational nature of offences. It was recognized that the characteristics of organized crime reflected more the characteristics of actor than of acts. Transnational organized groups shift from one activity to another. Thus, an organized criminal group is a "structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences in order to obtain, directly or indirectly, a financial or other material benefit." (UNODC, 2005:26). Characteristic of transnational organized crime is that it differs from other crime groups in that it specializes in enterprises as opposed to predatory crimes, has a durable hierarchical structure, employs systemic violence and corruption, obtains abnormally high rates of return relative to other criminal organizations, and extends their activities into the legal economy (Naylor 1997:6).

THE LINK BETWEEN CRIME, ORGANIZED CRIME, CORRUPTION AND DEVELOPMENT

1. The pattern of rising crime (especially organized crime) is most evident in countries experiencing rapid social change and development. Despite the under-reporting of many crimes in developing countries and the high levels of reporting of many petty crimes in developed countries for insurance purposes, the overall crime rates, as reported in the United Nations Crime Surveys, is highest in developing nations. This conclusion is illustrated in the chart below where the average over all crime rates per 100,000 is compared by level of development.

Figure 2. Adult Crime Rate
Adult Crime Rate per 100,000
By Level of Development



2. The juvenile rates parallel the adult rates, but the increase, especially since 1998, is greater. There is an overall increase across all regions in the average rate per 100,000. In 1990 the World Mean Rate for Juveniles was 139/100,000. This in-

creased to 245/100,000 in 2000, an increase of 76.2% compared with the 19% increase for adults. To adjust for the significantly higher number, Figure 3 shows the juvenile rate per 100,000 and the adult rate per million.

The comparison between adult and juvenile rates becomes more evident when they are graphed together.

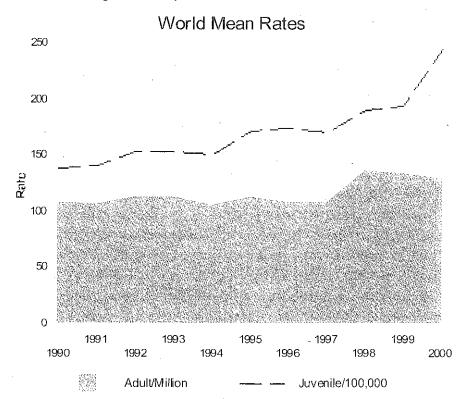
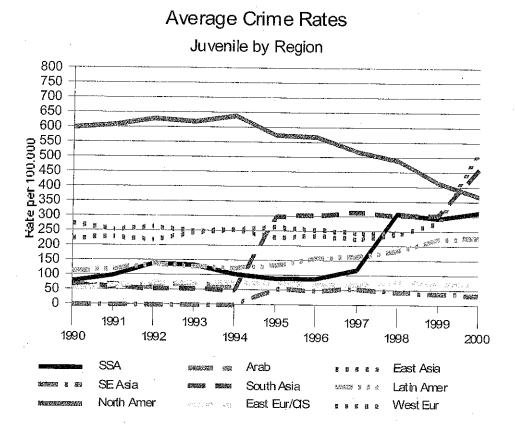


Figure 3. Comparison: Juvenile and Adult Mean Rates

Regional variations account for much of the juvenile trend. Using the UN Survey data for juveniles and dividing it into regional data, the only rate to actually decline was in North America which declined from 598/100,000 in 1990 to 369/100,000 in 2000. (-38.3%). The greatest increase was in Western Europe, 276 to 525/100,000 (+90.2%) and in South Asia which climbed from 305/100,000 in 1995 to 461/100,000 in 2000 (+52.6%). There appear to be three clusters of rates – The Highest rates cluster is Western Europe and South Asia; the Middle Cluster includes

North America, Sub-Saharan Africa, Latin America and East Asia; the low cluster is Eastern Europe and CIS and South East Asia. (See Figure 4).

Figure 4. Average Juvenile Rates by Region



3. There is one driving force for this crime: maximizing profits and minimizing costs. There is increasing profit by capitalizing on the desire of people to economically and socially improve upon their conditions. The root is basic capitalism which, without adequate controls, is exploitive. While drug trafficking remains a primary source of profit, there is increasing profit in the trafficking of stolen vehicles, trafficking in human beings, kidnapping for purposes of extortion, trafficking in cultural artifacts and financial crimes including money laundering and cyber-crime. The

population and goods within the emerging economies provide the natural resources – drugs and people – to perpetuate the process of having supply meet demand.

To effectively operate and to minimize costs, organized crime is intimately connected with the corruption of public officials, including the police. The misuse of power for private gain is, according to Transparency International (Pope, 2000) endemic and ubiquitous. It not only involves public officials abusing their positions but other people who take advantage of any opportunity to make easy money.

Corruption is a serious obstacle to democratic government, quality growth, and national and international stability. Economic growth, per se, is not enough to reduce poverty; poverty and relative deprivation fertilize the seeds of desire making people victims not only of their present condition but potential victims of traffickers, terrorist groups and rouge revolutionaries. Corruption blocks development by siphoning valuable resources and depleting the population's sense of hope and collective ideology.

E. Europe
Central Asia
SE Europe
E. Africa
Latin Amer.
North Amer

Oceania

0
20
40
60
80
100
Index - High Score - High O.C.

Figure 5.

Source: Generated from Alvazzi del Frate, 2004.

Table 1. Correlations With Organized Crime Index

Indicators	Correlation with Organized Crime Index (High Score – High O.C.)	Correlation with High Level Corruption Index (High Score – High Corruption
Socio-Economic Indicators		Gorraption
Human Development Index	691	733
Gross Domestic Product	686	779
Education	518	638
Unemployment	.340	NOT AVAILABLE
Poverty	.556	660
Economic Policy Indicators	1	.900
Tax System Prone to Evasion	-:700	728
Price Controls	354	395
Direct Foreign Investment	545	687
Political Indicators		.001
Political Corruption	463	X
High-Level Corruption	.723	X
Democracy Score	359	488
TV sets per 1,000	443	576
Criminal Justice Indicators		.070
Police Protection of Property Rights	678	NOT AVAILABLE
Drug Arrests per 1,000	-,540	NOT AVAILABLE
Total Crime Reported to Police	+406	-684
Total Crime Prosecuted	- 462	523
Mean Total Conviction Rate	692	776
ndependent Judiciary		792

Source: United Nations (2004a) http://www.unodc.org/pdf/crime/forum/stat_tables.pdf Appendix A, Tables: A1, A2, A3,A4, A8, A9; Appendix C, Tables: C23, C24, C25, C27, C38, C39, C49

The United Nations (UNODC, 2005) analyzed 40 organized crime groups and found that they were characterized by their extensive use of violence (80%), corruption of law enforcement and judicial officers (75%) and the infiltration into legitimate businesses (75%). These groups were also disproportionately located, according to the experiences reported in the 2000 International Crime Victim Survey, in South-East Europe, East Europe and Sub-Saharan Africa – all areas of rapid economic development and/or political and social change.

The perception of organized crime activity and the perception of corruption are parallel. Using a composite index of the perceived extent of organized crime based on surveys of business leaders and experts, the region with the most activity is East Europe followed by Central Asia and Tran Caucasian Countries and Southeast Europe (Alvazzi del Frate, 2004).

The presence of organized crime is highly correlated with both economic factors and criminal justice system factors. An index of organized crime generated by the United Nations (United Nations, 2004a) is significantly and negatively correlated with the Human Development Index and with Gross Domestic Product, Education, and with a tax system that is seen to be prone to evasion. It is positively related to unemployment and poverty but is negatively related to a few key criminal justice indicators: the number of drug arrests, the extent to which the police protect property rights, total crime reported to the police and the total crime prosecuted and offenders convicted. High levels of organized crime are also highly correlated with corruption at both the bureaucratic and high government levels.

THE RULE OF LAW

As the table above suggests, there is a significant inter-relationship between the socio-political-economic development concomitant with globalization and organized-transnational crime, corruption and the commitment of the police and criminal justice systems to the rule of law.

The Rule of Law consists of several important concepts:

- Government decisions are made according to written law and rules
- Government sanctions cannot be made up after the fact (ex post facto)
- Rules are applied as much as possible consistently to all
- Courts provide citizens consistent, written process (due process) before life, liberty, or property is taken
- Courts provide reasons based upon the law for their decisions

A country's prospects for economic development without significant increases in crime depends on responding effectively to the threats posed by both conventional and what can be referred to as non-conventional transnational organized crime (TOC). The two appear to be related since transnational crime operates best in locations where social controls are weak and there is a ready-made source of participants. TOC functions best when the criminal justice system is weak and/or inefficient and

it is for this reason that the rates of organized crime are highest in developing societies and societies in transition where there are also high rates of corruption. Therefore, well-performing police services and independent professional judiciaries make a difference in controlling non-conventional crime.

THE CHALLENGE FOR POLICING

The burden falls disproportionately on the police. But, this is a complex process and the development of policing is globally at different stages of professionalism. But it is the professionalism of the police that can make a difference. UN researchers factor-analyzed the significant correlations with corruption and organized crime. Within the criminal justice area, two important factors emerged: (1) The independence of the judiciary and (2) police protection of property rights from criminal actions. When these two factors were included in a regression analysis with the Human Development Index, only the criminal justice factors remained significant.

What stands out as significant is the relationship between the public's confidence in the police and the economic and other correlates with both organized crime and corruption. In regions where crime is comparatively higher, the numbers judge is significantly lower. Calculating the average number of judges per 100,000 from the Eighth UN Crime Survey (United Nations, 2005b) the least developed countries have 4.3 judges per 100,000, developing countries have 8 and industrialized countries have 12.9. The world average is 11.9.

Using data from the Fifth UN Crime Victim survey, confidence in the police varies by region and development. In Western Europe, 63.8% of the respondents feel that the police do a fairly good or good job at controlling crime. This figure jumps to 83.3% in other industrialized regions but only 45.6% of respondents in East-Central Europe feel the police are doing a satisfactory job. Citizens from developing countries gave the lowest ratings of satisfaction with the police (United Nations, 2005b:19).

This suggests that a good perception of the police may increase both public cooperation with law enforcement and the likelihood of victims reporting crimes. The low proportion of citizens with positive views of the police from regions with high perceptions of organized crime and corruption should also give us some food for thought. It could be that in the regions with high satisfaction, there are specialized police units to deal with corruption or that the police are not perceived as being corrupt and visa-versa. Police, above all, must be free from corruption. American policing went through this same struggle to break a corrupt link by increasing its professionalism. Since the work of August Vollmer's treatise, *The Police in Modern Society* (1936), there has been a constant effort to raise the status of police in society, increase efficiency, and reduce the incidences of corruption. Richard Ward (2004) has outlined a number of measures that should be taken to do this.

The challenge is even greater in developing countries, but failure to address corruption only facilitates organized crime and human exploitation. Corruption undermines the rule of law and cripples society's capacity to raise the level of human development. Corruption facilitates drug trafficking, human trafficking and enables money laundering and illicit international money transfers that enable terrorism and global destabilization.

A country's prospects for safety and security, with the rule of law, are necessary conditions for economic development. While economic development brings with it its own set of problems, it can serve as a prophylaxis to corruption and organized crime. Crime and particularly organized crime not only undermine personal and state security, but have a potential impact on other critical areas of human security, be they social, political, economic or environmental.

CONCLUSION

The UN Secretary-General's High-level Panel on Threats, Challenges and Change (United Nations, 2004b) identified six key security challenges and high-lighted the inter-action between them as being the foremost challenges of the contemporary age. These are:

- economic and social threats, including poverty, infectious disease and environmental degradation;
- inter-state conflict;
- internal conflict, including civil war, genocide and other large scale atrocities;
- nuclear, radiological, chemical and biological weapons;
- terrorism; and
- transnational organized crime.

Globalization is an irreversible phenomenon and we all need to be cognizant of both the positive and negative effects of it. In short, the pursuit of individualism, individual rights, individual advancement and the fulfillment of individual needs and profits decrease commitment to and belief in collective and communal goals. When juveniles are socialized into this focus on self and independence, the cycle of self-centered behavior continues. Individualism and narcissism allow one to see a wider range of behavioral options, legitimate and illegitimate, to achieve individual goals.

In short, development and modernization bring economic and behavioral changes in routine activities (Anderson and Bennett, 2002) and globalization brings a set of individualistic values (Feldman, 1987; Heferkamp, 1992; Friday et al., 2005) and illegal opportunities (UNICEF, 2000; Klevens et al., 2000). Globalization has outpaced development and the negative effect is an increase in individually oriented behavioral choices and increases in criminal activity.

Besides expanding individual opportunities, globalization has expanded opportunities for transnational organized crime, which is now involved in a greater diversity of activities than ever before. As structures of governance change in many parts of the world, it will be imperative to ensure that the rule of law is basic to the process. If not, organized crime groups, warlords, terrorists, and others will continue to benefit from institutional and legal weaknesses and thereby compromise the whole process of development.

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