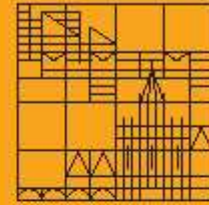


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UNIVERSITY OF KONSTANZ
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Crime

& Culture

Crime as a Cultural Problem

The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom

Zeynep Sarlak, Besim Bulent Bali

Politics in Turkey: Condemned to Corruption?



Sixth Framework Programme of the European Commission
Specific Targeted Research Project



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SIXTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION



RESEARCH PROJECT: CRIME AND CULTURE

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Zeynep Sarlak (M. A.): Ecole des Hautes Etudes en Sciences Sociales, Centre d'Histoire du Domaine Turc, Paris, France, Political Science, PhD Student ; Institut d'Etudes Politiques de Paris, France, Comparative Politics, M.A. ; The University of Sorbonne, Paris, France, French Language and Civilization Certificate; Boğaziçi University, Istanbul, Turkey, Political Science and International Relations, M. A.; Boğaziçi University, Istanbul, Turkey, Economics, B. A., Ecole des Hautes Etudes en Sciences Sociales, Centre d'Histoire du Domaine Turc, Paris and Galatasaray University, Istanbul; Galatasaray University, Research Assistant, Lecturer in the Department of Political Science (democracy and globalisation, poetry and politics courses).

Dr. Besim Bulent Bali is an assistant professor of economics at Isik University, Istanbul. He has held this post since June 2002. Previously, he served as a research and teaching assistant at Marmara University between 1993-2002. He received his BA in economics from Bosphorus University, his MA in public finance from Marmara University, his MSc. in economics from Katholieke Universiteit Leuven and his PhD. in public economics from Marmara University. Since 2003 he is a member of the International Institute of Public Finance (IIPF). Bali is teaching microeconomics, macroeconomics, managerial economics, international political economy, Turkish economy and public economics. He is also a visiting professor at the Turkish Naval Academy and Galatasaray University. His domain of interest includes Turkey-EU relations, corruption, local public finance, fiscal decentralisation, pension reforms, and subnational capital markets.

Studies on corruption in Turkey typically shine the spotlight on the triad of politician-bureaucrat-businessman and restrict their focus to irregularities and abuses in the public domain. Such studies, framed by the paradigm set forth in the international campaign against corruption by the World Bank/Transparency International (TI) naturally, overlook the sociology of corruption or the political economy of corruption. Rather, they consist in the repetition of formulae of this paradigm on waging war against corruption and offer recommendations in this vein to the political authority. This is not to deny the fact that the battle against corruption is a subject whose responsibility solely belongs to the politician. Moreover, at least in appearance, numerous legal and institutional organizations in keeping with the paradigm for the battle against international corruption have been executed and numerous instances of corruption have been delivered to the judiciary by the police forces. Nonetheless, it is obvious that Turkey has been less than successful in waging an effective war against corruption on both the small and large-scale levels.

In our opinion, success in the battle against corruption will depend on close scrutiny of two fundamental aspects, apart from the conventional measures. The first of these is the state mentality, which demarcates the boundaries of political life in Turkey and suppresses the dynamics of social life. Ever since the founding of the republic in 1923, the sphere left open to politicians in Turkey has been under the control of the government bureaucracy and it has been successively reduced in the wake of every military takeover. Particularly since the takeover in 1980, the economic sphere now comprises the sole instrument remaining to the politician for the conduct of politics. The civil society and government relations have traced a parallel path during this period in Turkey.

Second is the legal and institutional framework, which, to all appearances has no direct relation with corruption, but which marks off the framework of the internal dynamics of political life and, correspondingly, relations between the politician and society. Unfortunately, this framework weakens Turkish political life in terms of representation, participation, and democracy and prepares the ground for corruption by facilitating patronage and clientelistic relations, both at the center and in the periphery. This infrastructure boasts two major underpinnings—the Law on Political Parties and the bylaws of the Turkish Grand National Assembly.

In short, we believe that the manner of conducting politics in Turkey must be subjected to examination and changed in order to wage an effective battle against corruption. Consequently, the two basic characteristics of Turkish political life to be emphasized in the present paper represent those that veritably doom the politician to corruption. Without question, it is feasible to alter these characteristics. But, in the event there is no common ground to unite both the politicians and the voters with regard to changing the way politics is conducted, it is anticipated that the persons or groups

who demand changes in the way it is conducted, regardless of whether or not they are political, will be perceived as “spoilsports” and exposed to injury in the medium and long term.

Throughout the history of the country, the reflexes displayed by the government vis-à-vis the civil society have been shaped by a lack of trust of the latter: an ongoing state of conflict exists between the state and the civil society and which winds up with the latter being the inevitable loser. Unlike in the West, in playing by rules that hinder and penalize civil society at every turn, the government in Turkey represents a true aristocracy that imposes its own values on society and prevents the emergence of a bourgeoisie on the western model in the political development of Turkey.¹ The chain of these rules is fashioned by a society envisioned in the mind of the bureaucracy, which has periodically urged the adoption of its own version of a civil society by a Jacobin and/or oppressive stance. Inasmuch as the members of the civil society have not participated in their making and are unable comprehend their rationale, they have failed to assimilate these rules and incorporate them into their own value systems. The natural outcome is that they, along with those who represent them politically, show no hesitation in breaking the said rules in the belief that they will not be caught, and they tirelessly seek to ascertain ways of benefiting from the loopholes in these rules.

The fact that social conflicts in Turkey have not yet been resolved and that individuals feel a lack of trust of those outside their own group is a consequence of the authoritarian character of the government.² Because of the paternalistic and patriarchal properties of the culture, this lack of trust has pervaded even deeper a society that has not internalized the reality of individual freedom and has led to the search for a group/community by the individual to obtain a sense of trust. This circumstance is an important factor in effecting the internalization of the forms of relations that can be described as patronage and clientelism. It forms one of the most critical obstacles to political parties’ making the transition from “politics,” wherein they take care of their own, to “policy,” whereby the public interest is promoted.

The field for manoeuvring reserved for politics and the politician has been gradually eroded as an outcome of the military takeovers that occurred at intervals of roughly one per decade (1960, 1971, and 1980). Authoritarianism ultimately reached a peak during the military regime of 12 September 1980, which by means of its legislative activities, its impact permeated almost every area, and the reins of the power of the state over the political and social dynamics, were held by the military bureaucracy, which was institutionalized in a manner unlike any such in democratic countries. The upshot of this

¹ Metin Heper, “Türkiye’de Siyasal Ahlakın Tarihsel Boyutları,” in Türker Alkan, ed., *Siyasal Ahlak ve Siyasal Ahlaksızlık* (Ankara: Bilgi Yayınevi, 1993), 369.

² According to the data in the 2007 World Values Survey report, Turkey possesses the lowest percentage of “trust” of all the countries surveyed. For the data see <www.betam.bahcesehir.edu.tr/UserFiles/File/sunum/betamsunum7.2.08.ppt>. Similarly, the BBVA Foundation survey conducted in 2006, “Social Capital: Trust, Networks, and Involvement in Associations in 13 Countries,” the results showed that “those who least trusted others were Turks with a rating of 4.4 out of a possible 10. For the full text of the report, see <http://www.fbbva.es/TLFU/dat/social_capital_survey.pdf>.

period and afterwards, during which liberal economic policies came into force, is that the direction of the economy became the only sphere remaining open to the free exercise of power by the politicians.

The legal system that was constructed along with the shift to a liberal economy during the 12 September military regime and directed toward penalizing ideological crimes rather than the protection of economic, social, and individual rights was a factor motivating the politician's opportunistic exploitation of the economic sphere for himself and his cronies.

On the other hand, the Law on Political Parties, which was drawn up under the 12 September military regime and which has preserved its essential outlines despite a few emendations, was intended to bind the political parties to the authority of the leader authority and the politician to that of the leader. It was injected wholecloth into the fabric of the political parties, which, on the macro level, revealed a democracy deficiency and, on the micro level, a full-blown authoritarian mentality, which found expression in the organization of the political parties in an hierarchical and oligarchical manner. The law, whose aim was to formulate the basic principles pertaining to political parties, has unfortunately resulted in parties whose internal organization today is a far cry from democracy in action. The law, which imposes no restrictions on the duration of the term of general secretary of the party, in practice, permits the general secretary such privileges as arbitrarily dissolving party memberships, removing from office the administrative heads of provinces and districts and provincial and district administrators, and determining the deputy candidates and their ranking.³

This phenomenon, known as the "leader oligarchy" is preserved by all political parties. Furthermore, according to the party bylaws that are drawn up in the spirit of the Law on Political Parties, the initiative of the party members, in particular, that of the deputies, is eliminated, so that, as has been observed by Çaha, political parties have been reshaped into "modern-day religious communities."⁴ In terms of the center, the function of the deputy in this composition remains limited to raising his finger whenever the party leader calls for a vote and registering an "aye" or "nay" as desired by the party leader. The reflection of the will of the voters for those whom the party head had elected or appointed should, naturally, not be anticipated. The deputies, acutely aware of the pressure of the head of the party and the party group, generally participate in the voting without knowing precisely what they are voting for. In any case, a "group decision" is usually taken. Moreover, the bylaws of the Turkish Grand National Assembly were changed to support this situation.⁵ The bylaws have reduced the time allotted for consideration of the bills and proposal in the interest of accelerating the parliamentary procedures and limited the number of speakers and time periods for the recommendations of the

³ Süheyl Batum, *Türkiye'de Demokratikleşme Perspektifleri ve AB Kopenhag Siyasal Kriterleri—Görüşler ve Öncelikler, No. 1: Siyasal Partiler*, (Istanbul: TÜSİAD Publications, 2001), 15-39.

⁴ Ömer Çaha, "Türkiye'de Siyasal Partiler ve Avrupa Birliği" <www.fatih.edu.tr/~omercaha/Makaleler/Turkce???20Makaleler/.../SiyasiPartilerveAvrupaBirligi.doc, 233>.

⁵ The proposal for changing the by-laws to accelerate the process for bills and proposals was accepted in the Turkish Grand National Assembly Plenary Session in February, 2001.

deputies. Under the circumstances, the bylaws lead to an inadequate airing of any proposal or bill by the deputies, who are compelled to conform to party discipline.

Nonetheless, the swearing by the deputy of an unconditional oath of allegiance to the leader may not suffice to guarantee his re-election. This is revealed by a review of the turnover in the parliament over the past terms, coming to a very high value of nearly 62%.

Table 1. Percentage of Newcomers to the Turkish Grand National Assembly

Election Year	New Deputies (%)	Election Year	New Deputies (%)
1950	76	1977	58
1954	51	1983	86
1957	61	1987	51
1961	74	1991	59
1965	61	1995	55
1969	60	1999	56
1973	64		

Source: Tarhan Erdem, "Meclis'te Yenilenme," *Radikal* (10 September 2002), <<http://www.radikal.com.tr/haber.php?haberno=49344>>.

Another critical aspect is the tangible assets required by deputies for their election. It is a rational expectation that any deputy who fears that the leader may hesitate in placing his name on the list of candidates for re-election will wish to recover his expenses in the shortest time possible and maximize his earnings.

Therefore, on condition that the deputy does not to make himself a public spectacle, serve as fodder for the opposition, serve as the focus of excessive criticism by the press, and thus not result in a loss of votes for the party, his full allegiance usually causes the leader to develop a greater tolerance towards his arrangements for securing benefits for himself.

Another significant drawback of the Law on Political Parties, which directly opens the door to corruption, pertains to "the transparency and oversight of the party accounts and election spending for both the party and the candidate." Financial support, which is wholly entrusted to the honesty of the leader, is a customary element of Turkish political life.

To sum up, in this scene where politics is confined to the economic sphere and the political parties are hemmed in by the authority of the leader, and the individual takes refuge in the "community," the

political expectations of the politician as well as the political expectations of the society are resigned to the maximization of the economic interests of the individual/group *regardless of their form*.

Today, the activities that are categorized as corruption by TI, the World Bank, and similar international organizations are the forms of conducting politics in Turkey that have been adopted and/or whose adoption has been compelled. In this context, the principal difference that emerged with economic liberalism is the size of the resources controlled by the politician and the broadening of the opportunities for distribution, along with the increase in the number of players who wish to take advantage of these resources. In other words, on condition that the rules of the game remain the same, the “amount of the money on the table” and the number of players have increased.

Hence, the distribution of public resources ever since the era of the single-party regime at the time of the republic differs from that of the welfare state, which implements policies of distribution in a more systematic fashion and is carried out by focussing on certain groups. In the process, characterized by the desire to create one’s own wealth, the poor who comprise the majority of the voters are provided with what Herbert Kitschelt, in his definition of clientelism, calls “hush money” and this form of distribution is pursued in the context of patronage relations rather than of public service.⁶ In other words, the focus today on exposing the politician as a target in relation to corruption is an unsatisfactory approach for the reason that, not only businessmen but also a significant proportion of the voters have been profiting by this same skewed mechanism of distribution since the establishment of the republic. While keeping in mind the religious community-type structure that was noted above and the constricted political arena, it can yet be stated that the way in which the relations develop between the politician-businessman and the politician-voter makes it clear that the politician is not solely responsible for the corruption economy, but rather that he is only one of the parties.

Relations between the Politician and Businessman

Wealth in Turkey differs from that in the West in that it has developed through dependence on public resources; in other words, it is created rather than acquired. On the other hand, the politician’s disposal power makes itself constantly felt in the business world, whether for fair or unfair reasons. This circumstance has encouraged the business world to constantly cultivate close ties with the government in power. At present, this form of relationship, whose viability strongly persists, is shaped by an explicit oath of allegiance by the business world to the politician or is indirectly shaped by the climate of lack of trust and/or opportunism.

⁶ Herbert Kitschelt, “Linkages Between Citizens and Politicians in Democratic Polities,” *Comparative Political Studies* 33, 6/7 (August/ September 2000): 873.

The chief issues that can serve to “breakdown trust” between politicians and the political-business world may be identified, as follows: a) arbitrary practices with regard to the nationalized (sector), most especially in connection with compensation paid for buildings and land; b) arbitrary use of authority in granting permits and oversight of construction projects by local administrators (such as introducing bureaucratic obstacles or facilitations in the course of granting permits or the illegal granting of construction permits); c) the authority of the prime minister to intervene directly in economic life without the approval of the parliament or in the coverage of a law by means of a governmental decision; d) the power to make certain decisions retrospective and which bear extremely critical import on the private sector;⁷ e) the authority to have regulatory bodies (for example, the Energy Market Regulatory Commission, the Ministry of Finance, the Prime Ministry Customs Permanent Undersecretariat, and the Radio and Television Broadcasting Board) act in accordance with the preferences of the government in power; f) the possibilities to personally produce a rival to businessmen whom they believe has not provided sufficient support of the political government.

On the other hand, those with political power can open the doors of opportunity for the business world by making their presence felt in a) revising public works plans, so as to create urban economic rent by means of the local administrations; b) determining the recipients of credit extended by the national banks; and c) distributing incentives to the private sector by the relative criteria of political distance rather than economic rationality distance, and tailoring the requirements for bidders in the letting of public contracts on the basis of simple preference.

Then again, in order to gain insight into the mechanism of corruption, notice must be taken of the other side of the relation between the businessman and politician. Hence, it is apparent that every government that has managed to stay in power for an extended period of time has tended to embark on the path of creating a rich class of its own during its term in power and that efforts are made to form an alternative source to provide benefits strictly for itself. It has been a given that, whenever the resources of political parties are insufficiently regulated, the financing of the political party by a businessman would be secured and/or that the financing activities of an individual who will increase the percentage of votes of the party would be mobilized. At this point, a distinction needs to be made between the financing of politics and the financing of a politician in the relation between the businessman and politics. The first situation is the offering by the businessman of the resources for which the political party as an institution feels the need in exchange for becoming wealthy.

What needs to be understood concerning the latter situation, however, is the relation between the businessman (principal) and the deputy (agent) who is financed by the former . At times, some businessmen who wish to expand their business and gain more wealth prefer to enter politics directly, without the benefit of an intermediary. In fact, apart from those persons who form a showcase for the party, the existing political system tends to permit those who furnish financial support for the political

⁷ Ayşe Buğra, *Devlet ve İşadamları* (Istanbul: İletişim Publications, 1995), 233-239.

party to enter politics. A glance over the parliaments of the past twenty years reveals the important fact that the small number of “worker” deputies constitutes a failure to reflect the masses-representative relationship in the political arena.

The Politician-Voter Relationship

Though a significant proportion of the voters in Turkey express the view that they are generally disturbed by the corruption economy, they do not refrain from taking advantage of any such opportunities when offered them. As a number of academic studies have shown, the primary expectation of politics by the average voters in Turkey is an increase in economic prosperity.⁸ We are convinced that the voters are aware of the restrictions placed on the politician by the government. That is why they possess a realistic attitude with regard to what and how much the politician can do. Despite the negative impact of corruption on economic prosperity in the medium and long term, the *myopic* voters directed toward increasing their own prosperity in the short term find no difficulty in discovering justifiable reasons on their own and in entering into the relational networks that nurture corruption.

At base, the way of conducting politics in Turkey does not require the politician to establish close ties with the voters for whom he wishes in appearance to represent. Particularly, the type of relation that exists between those involved in the making of politics at the centre and the voters that prevails in democratic countries is not valid for Turkey. In Turkey, the voters seek a resolution to the problems faced in their own daily life rather than the success of the person elected in solving the structural issues of the locale or the country.

Voters who display distinctive properties, such as being a fellow countryman, kinsman, acquaintance, or occupying a place in a political party organization may be said to possess a much higher possibility of reaching those who conduct politics at the centre or at the local level and of being included in the relational network noted above. They make use of such possibilities in order to facilitate practical aspects of their lives, such as getting an appointment, obtaining employment, and locating a place to admit a patient in a government hospital.⁹ In the eyes of the voter, this is an affirmation in itself of a politics of favoritism. Hence, for the Turkish citizen, the first step in establishing one’s relations with

⁸ Fikret Adaman, Ali Çarkoğlu, and Burhan Şenatalar, *Türkiye’de Yerel ve Merkezi Yönetimlerde Hizmetlerden Tatmin, Patronaj İlişkileri ve Reform* (Istanbul: TESEV, 2004); Bekir Ağır, “Elections ’07: What Determined the Contents of the Ballot Box?” Konda Research and Consultancy, *Radikal* (25–28 July 2007). <http://www.konda.com.tr/html/dosyalar/inside_of_the_box.pdf>, 2.; Ersin Kalaycıoğlu, “Turkish Politics: A Look at Voters, Institutions, and Democracy in Turkey,” a paper presented at CEPS/Brussels (13 October 2008).

⁹ Can Dündar, “Meclis’teki danışmanlar ne işe yarar?” *Milliyet* (12 Ekim 2008), <<http://www.milliyet.com.tr/Yazar.aspx?aType=YazarDetay&ArticleID=1001949&AuthorID=75&b=Meclisteki???20???20danismanlar???20one???20ise???20yarar&a=Can???20Dundar>>.

the state is to “find one’s man.” On the other hand, it is an undeniable reality that certain activities that could be described as corruption today keep the poor, in particular, from going under.

Due to the consistent mismanagement of limited resources, insufficient employment opportunities, high levels of migration from the rural areas to the towns and the increase in population, the informal sector has attained incredible proportions; particularly since 1980, the broad masses of the poor, in an atmosphere that better affords a sphere for action by comparison with the earlier social actors, have sought means of bettering their own standards of living by utilizing the opportunities of this sector.¹⁰ The newcomers, by joining the existing webs of solidarity fostered by cultural or ethnic origins, and, most notably, by the essential factor of hailing from the same hometown, have solved the problems of finding a job and a place to stay—the basic conditions for being able to keep a foothold in the town. Over time, thanks to these networks, the poor segments have even been able to grasp the possibility, however small, of becoming wealthy. However, the maintenance of a foothold in the cities and, if possible, become prosperous for such a huge population in the informal sector depends on two conditions: squatting on the expansive public lands in the urban outskirts and offering them to their close ones and the willingness of politicians to overlook this fait accompli.¹¹

A glance over even only the past few years will furnish numerous examples illustrating complete agreement with regard to the creation of economic rent among the political parties, particularly at the level of the local administrators in the metropolitan areas, with such actions as distributing deeds to buildings constructed without permits or on public land, to the poor segment in exchange for votes.

Conclusion

The present conditions for the conduct of politics (the restrictions placed by the will of the government on politics and the lack of democracy within the party due to the leader oligarchy) and for the politician to survive today under these natural outcomes (the lack of trust in the social structure as a consequence of the never-ending clash between state and society, the desire to overcome this failure by the networks of communal solidarity, the fact that too few of the voters enter into the quest for democracy, and the constant demand by businessmen for government support) means becoming involved to a lesser or greater extent in a number of activities that are defined as corruption in the West. To perceive the politician as the chief culprit of corruption means to ignore his cohorts in the corruption relationship, so that this presents an obstacle in the consideration of this issue and in developing proposals for its resolution.

¹⁰ Oğuz Işık and M. Melih Pınarcıoğlu, “Nöbetleşe Yoksulluktan Kuralsız Yoksulluğa,” *Görüş* (Temmuz 2003): 51.

¹¹ *Ibid.*, 52.

Today, to be able to battle against the corruption in Turkey in a realistic manner and to be able to achieve successful results, first of all, a political will directed at changing the conditions that have been noted and, behind that political will, a broad voter support are necessary. One must see the necessity of a broad package of countermeasures for the battle strategy against corruption in Turkey that places highest importance on the creation of an understanding of participatory democracy and institutional instruments. Similarly, participatory democracy will produce free will and free will be accompanied by control. The problems that have arisen due to the eternal conflict between state and society and the state and the politician form today in a number of areas an obstacle to the formation of a sound public conscience. In this picture, the composition of the relation established generally in the society by the political representative focii is far removed from achieving activity en masse.

On the other hand, so long as the boundaries that the state itself has established remain intact, one cannot expect the politician to abandon his economic tools that grant him the authority to award or, in certain instances, to penalize both the businessman and the voting masses, i.e., the sources of his subsistence in the political arena. To state it differently, so long as being in the political arena is limited to the distribution of economic resources, it is quite unrealistic to imagine the relinquishing of a system that veils the “corrupt” aspects of this relationship chain.

Therefore, the distribution mechanism of economic rent on which all the political parties are in agreement or the transformation of what is otherwise known as the corruption economy to an instrument of propaganda by rival political parties deserves only to be called hypocrisy and is entirely devoid of the concept of a clean society. Today, any strategy waging war against corruption in Turkey that fails to place democratization at its centre will be doomed to failure in securing the desired success.

**SIXTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION
PRIORITY 7, FP6-2004-CITIZENS-5**



SPECIFIC TARGETED RESEARCH PROJECT: CRIME AND CULTURE

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A Comparative Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-
Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom**

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Center for Research and Policy Making (CRPM), FYR Macedonia (Affiliated)

Contact

- Prof. Dr. Hans-Georg Soeffner, Person in Charge
Hans-Georg.Soeffner@uni-konstanz.de
- Dr. habil. Dirk Tänzler, Scientific Co-ordinator
Dirk.Taenzler@uni-konstanz.de
- Dr. Angelos Giannakopoulos, Head of the Project Office
Angelos.Giannakopoulos@uni-konstanz.de



University of Konstanz
Research Group Sociology of Knowledge
Universitätsstr. 10
Box D 35
D-78457 Konstanz
Germany
Phone: ++49 (0)7531 88 3129
Fax: ++49 7531 88 3194

Project Homepage: www.uni-konstanz.de/crimeandculture/index.htm

Email: crimeandculture@uni-konstanz.de