

**CORRUPTION IN ILLINOIS:  
AN ENDURING TRADITION**

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# **Corruption in Illinois: An Enduring Tradition**

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Corruption has been an enduring habit in Illinois and Chicago governments throughout the state's history. And habits are hard to break.

In this paper I discuss the realities and perceptions of corruption in Illinois and of the costs those perceptions impose on the state.<sup>1</sup> I also offer observations and options for transforming the culture of corruption I believe exists in the state. I begin by noting that corruption is anything but a recent phenomenon in Illinois and by highlighting some of the low points in a parade of ethical offenses across the history of the state.

## **Corruption through Illinois History**

Ninian Edwards served as both the territorial governor of Illinois (1809-1818) and the third elected governor of the state (1826-1830). Early in our statehood, he issued concerns about the corrupting role of money in elections by decrying what he called the "common practice" of the time of "treating" prospective voters with whisky to win their votes.<sup>2</sup>

Those who do so, declares Edwards, "establish a school of vice and depravity in our country tending to contaminate not only the present but succeeding generations. . . .The precedent, once established, will become less and less objectionable by becoming more familiar to you; it will finally become

fashionable, and ultimately necessary to success. . . .All distinctions will then be confined to the rich, for they alone will be able to meet the expenses of an election.”<sup>3</sup>

The history of vote fraud in Chicago elections goes back to at least 1884. In *Grafters and Goo Goos* (2004), James L. Merriner takes a romp through corruption in the Chicago area from 1883 to 2003 and of efforts to combat the corruption. He notes, for example, that reformers were highly suspicious of the mayoral victory in 1884 of Carter Harrison Sr.<sup>4</sup> So the Union League Club hired detectives to investigate a typical precinct. The sleuths found that George Washington, Thomas Jefferson, John Hancock and other notables had registered and voted. (Merriner notes that parallel ruses were discovered in a 1969 investigation of vote fraud in Chicago.) Of 1,112 votes cast in the precinct, 907 were fraudulent. Of 171 precincts ultimately examined, only seven seemed to be without irregularities!

By the 1890s, declares Robert J. Schoenberg, “Chicago routinized corruption as never before—politicians, police, prosecutors, defense bar, judiciary, citizenry and lawbreakers became so bound by ties of graft, bribery and intimidation that honesty appeared eccentric.”<sup>5</sup> During this decade, traction magnate Charles T. Yerkes paid bribes of up to \$50,000 each to Chicago aldermen in return for particularly favorable traction line franchises. Yerkes simply bought most of the 68 members of the city council. Yerkes set market prices for council favors: \$100 for a saloon license, \$500 to restore a license that

had been revoked for cause.<sup>6</sup> The \$200-a-year job of alderman became worth \$25,000, often more, to the boodling lawmakers (boodler: participant in graft).

Yerkes also tried, with some success, to buy the state legislature. The bribery was so blatant that a reporter for the *Chicago Evening Journal* was inadvertently offered money for his “vote.” Sitting in the seat of a member of the House before the day’s session got underway, the journalist was mistaken for that member by a near-sighted old state senator.<sup>7</sup> “The lawmaker sat down beside me,” recalled the reporter, “and opened with the explicit statement he would pay \$2,500 for my vote on the traction bill. He quickly discovered his mistake, and there was much scurrying in the ranks of the grafters.”<sup>8</sup>

In the first decade of the 20<sup>th</sup> Century, supporters of Congressman William J. Lorimer created a national sensation when they apparently paid \$100,000 in bribes to as many as 40 state lawmakers in Springfield to elect Lorimer to the United States Senate.<sup>9</sup> Bribes of up to \$2,500 per bribed lawmaker were split between pre-vote payments and then as part of a post-session “jackpot” of payments from the major interest groups to lawmakers who had voted favorably to their interests. At the time, a new Model T Ford cost \$850. In 1912, Lorimer was expelled from the United States Senate on the grounds that he would not have been elected absent the bribery. The scandal generated renewed interest in passage of the 17<sup>th</sup> Amendment to the U.S. Constitution, adopted in 1913, which provides for popular election of senators.

By the time Al Capone hit town a few years later, one alderman declared, “Chicago is unique. It is the only completely corrupt city in America.”<sup>10</sup> In such

an environment and with much of the citizenry thirsty for the beer and spirits prohibited by the 18<sup>th</sup> Amendment to the U.S. Constitution, “a Capone became not just logical but inevitable.”<sup>11</sup> Capone and his ilk of gangs gained power through the corruption already in place, through willing accomplices in government and through the citizenry. Under the reigns of mayor William Hale (Big Bill) Thompson and of supportive Capone, Police Chief Fitzsmorris himself admitted that about half his force of 6,000 was involved in bootlegging—not just as solicitors and recipients of bribes, but actively pushing booze.<sup>12</sup> As Merriner noted, “The Bureau of Internal Revenue estimated the 1927 income of Capone’s gang at \$100 million, of which \$10 million was Capone’s profit. Thirty million dollars was budgeted for graft to buy politicians and the police.”<sup>13</sup>

As Kenneth Alsop observed, writing of Chicago: “But, after the start of Prohibition, who was the crook? Millions of people who regarded themselves as upright, law-respecting began to cheat and lie, and entered into routine conspiracy with the underworld.”<sup>14</sup> As Capone once put it: “Nobody’s on the legit. . . .Your brother or your father gets in a jam. What do you do? Do you sit back and let him go over the road, without trying to help him? You’d be a yellow dog if you did. Nobody’s legit when it comes down to cases.”<sup>15</sup>

Corruption was so pervasive in the Capone era that observers at the time said even honest politicians “had to make compromises with evil, in their judgment, in order to create a greater good.”<sup>16</sup> The system, as it had developed, made them do it.

In 1956, Illinois Auditor of Public Accounts Orville Hodge pleaded guilty to stealing at least \$1.5 million from state coffers.<sup>17</sup> At that time, the auditor of public accounts was responsible for doing both the pre-audit and the post-audit of Illinois spending. So, for several years, Hodge was able to issue warrants to persons who had formerly done business with the state and have the warrants secretly cashed.

Not even the state's high court was immune from at least the charges of ethical lapses. In 1969, Illinois Supreme Court chief justice Roy Solfisburg and former Chief Justice Raymond Klingbiel resigned, under great pressure, from the high court because of the appearance of improprieties.<sup>18</sup> The two justices had received stock in a new bank issued by a Theodore Isaacs at a time circuit court charges against Isaacs for defrauding the state were being dismissed by the state Supreme Court in a decision written by Klingbiel.

In 1970, Illinois Secretary of State Paul Powell died, leaving behind \$800,000 in big bills stuffed in shoe boxes and found in his Springfield hotel room.<sup>19</sup>

The most distressing examples of public corruption were brought to light in the late 1980s and early 1990s as a result of Operations Greylord and Gambat, U.S. Department of Justice investigations into the court system of Cook County.<sup>20</sup> Nearly 100 court officials and lawyers, including 18 judges, were convicted of systematic bribery as a result of Greylord. Gambat used a corrupt lawyer turned informant to reveal that associates of the Chicago Mob were paying off judges to dismiss cases against even murderers and hit men.

Operation Gambat resulted in convictions of 24 corrupt judges, lawyers and cops, including the presiding judge of the Chancery Court, the assistant majority leader of the Illinois State Senate and a judge convicted of fixing murder cases, the only such judge in the U.S.

In the past 35 years a total of 30 Chicago aldermen have been convicted of federal crimes such as bribery, extortion, embezzlement, conspiracy, mail fraud and tax evasion.<sup>21</sup>

The Illinois convictions included a first in 2003 when the Gov. George Ryan Campaign Committee, rather than a person, was convicted on racketeering charges. In 2006, Ryan himself was convicted on all 24 counts charged, including racketeering, mail fraud, filing false tax returns and lying to investigators. Indeed, four of the past seven governors (Otto Kerner, Dan Walker, George Ryan and Rod Blagojevich) have been convicted of wrongdoing by federal courts.

Rod Blagojevich became governor in 2003 on a reform platform, proclaiming there would be “no more business as usual” in Illinois government. In 2006, however, a top fundraiser and advisor to Blagojevich named Antoine (Tony) Rezko was indicted on 24 counts of corruption on what U.S. Attorney Patrick Fitzgerald called “a pay-to-play scheme on steroids.”<sup>22</sup> Prosecutors accused Rezko of “trying to collect nearly \$6 million in kickbacks from government deals and trying to shake down a Hollywood producer for \$1.5 million in campaign contributions to Blagojevich.”<sup>23</sup>

Blagojevich himself was convicted June 27, 2011 of 17 criminal counts, including wire fraud, attempted extortion, bribery and conspiracy, on top of an earlier conviction for lying to the FBI.<sup>24</sup>

In 2006, the *Chicago Tribune* ran an editorial titled “Corruption on parade,” which declared that Illinois and Chicago are close to unique in the level of corruption manifest: “But as you plow through the daily digest of indictments, not-guilty pleas, convictions, the occasional acquittal, sentencings and look-whose-heading-off-to-prison stories, it’s possible to lose the big picture. This is a unique time in Illinois. . . . Illinois produces enough guilty pleas for these kinds of crimes to establish that this state’s problem is close to unique.”<sup>25</sup>

### **Realities and Perceptions of Corruption in Illinois**

Illinois is perceived by the American public to be the third most corrupt state in the nation, and metropolitan Chicago is in fact the worst corruption offender among all federal court districts in the nation, based on an analysis of federal convictions for public corruption over a 35-year period.<sup>26</sup> And corruption is bad for business in Illinois, as we will see.

Based on an analysis of U.S. Department of Justice reports of convictions for public corruption from 1976-2010, 1,828 persons in Illinois have been found guilty of public corruption over the three-plus decades of U.S. Department of Justice data studied, more than any states but New York and California.<sup>27</sup>

A 2012 poll that I had taken of 1,000 respondents across the country found that Americans confirm the data. One-third of those surveyed identified



Illinois, unsolicited, as one of the most corrupt states in the nation, following only New York and California; 45 percent of the respondents over age 35 named Illinois as one of the most corrupt states.<sup>28</sup> Other Midwestern neighbor states were rarely mentioned as among the most corrupt, which means that Illinois sticks out like a sore thumb in the heartland region.

And that represents only the illegal corruption. Illinois officials have become masters of milking our governments and taxpayers through legal corruption. I am still sickened by an investigation of the Chicago Tribune that found Chicago alderman Edward Burke doubled the annual pension, to \$120,000, of his buddy, former state representative Bob Molaro. Burke had Molaro work for just one-month at \$12,000, which high annual salary rate qualified him for the doubling of his legislative pension. What did Molaro do to “earn” the \$12,000—he wrote a paper on how bad off our public pension systems are. Talk about laughing at us poor suckers who will pay up to \$3 million in extra pension benefits for Molaro!

For too many public officials in Illinois, “doing well” in office comes before “doing good” for the public. Revelations like this are also bad for business in Illinois. In the national survey cited above, 60 percent of the respondents said knowing about corruption in a state would have a negative or strongly negative effect on their decisions to locate in such a state.<sup>29</sup>

Possibly even more important is a 2011 survey I took of 70 economic development professionals in Illinois (the people who work to attract business to a community). Three out of four surveyed said corruption in Illinois had a

negative impact on their business recruiting.<sup>30</sup> Among the 49 written responses to this question were the following:

“To put this in context, most of our visiting CEOs start the conversation jokingly about the corruption (Blagojevich) and, ‘Do I need to make a contribution to move here?’ It’s light and not serious, but it doesn’t start a dialogue with the right tone.” And, “Unfortunately and especially in manufacturing and international circles there is an understanding that corruption in Illinois that once occurred at an individual level has moved to systemic corruption.”

And, “As part of an economic development marketing group that spans Illinois and Iowa, I keep hearing that Iowa makes sense as a business location if you just want to fill out an application and have a transparent process. Illinois works better if you have political clout and are willing to use it. I think that is a travesty and that is what Illinois is becoming known for—pay to play.”

And there are tangible costs to corruption in Illinois. Political scientist Dick Simpson estimates that corruption costs Illinois and its governments \$500 million a year. “Governor Blagojevich’s well-publicized corruption antics led to a lowering of the state’s bond rating, which cost the state more than \$20 million during a recent bond issue. Corruption also takes time and resources away from police and prosecutors. Blagojevich’s first trial cost tens of millions of dollars to investigate and prosecute.”<sup>31</sup>

What has come to be called “The Chicago Way” or “The Illinois Way” of public corruption has undermined the voters’ sense of political efficacy.<sup>32</sup> Why apply for a city or state job if you think that only friends of political insiders will be

hired anyway? Why report corrupt officials if you think they won't be punished and that the system may turn the powers of government on you instead? Voters may laugh at times at the antics of corrupt public officials but in the end they feel powerless, lose faith in their government and vote less often because they believe the "fix is in."

### **Observations**

Why so much corruption? Rare is the person who enters politics planning to be corrupt. Some cynics would say that in Chicago that should read, "planning to be caught." Why are so many of us measured for striped suits when that wasn't our objective?

In the 1970s, the late student of American federalism Daniel Elazar contended that the U.S. was divided into three historical political subcultures: the moralistic, traditionalistic and individualistic. In brief, the moralistic culture tends to see government as a positive force and politicians are not expected to profit from political activity. Minnesota, Wisconsin and Michigan are dominated, in Elazar's construct, by this set of cultural attitudes.<sup>33</sup>

The traditionalistic culture tends to be operated by an elite that sees government as a means for maintaining the existing social order, and corruption by government officials is tolerated as a way of maintaining the political order. This culture dominates in the Deep South. The individualistic culture sees government as a necessary evil that should be limited so as not to affect the

individual's private business activities. Corrupt politics is accepted as a fact and is tolerated.

Illinois and states to the east across to New York and New Jersey are dominated by the individualistic culture, according to Elazar. He notes that southern Illinois is dominated by the traditionalistic culture.

Yet this provides limited help in separating Illinois' significant corruption from other states, if there is anything to the framework, as two of the three political subcultures tolerate corruption.

I ascribe to the additional theory that hyphenated American immigrants like the Irish, Italians and Poles found it difficult to enter legitimate businesses that were dominated by the white, Anglo-Saxon Protestants who preceded them in Chicago. Thus, they used their growing numbers to win at the business of politics, where many of them developed the tradition of providing government jobs in return for political support and of "doing well" as much as "doing good."

We also think that indeed over the past century our culture has developed an underlying sense that, for some of us, if we can take advantage of government, it's the thing to do, as everyone else does it.

For example, in recent years I conducted an exercise with my students at the University of Illinois at the beginning of my courses in American politics.<sup>34</sup> Most of the students were seniors, many headed for law school. Semester after semester, two-thirds of the students would opt for a bribe to get a brother out of a particularly burdensome DUI charge. The students rationalize their decision with

such observations as, “Everyone else does it,” and “We’d be played the fools for not doing so for our brother.”

Second, we simply don’t think about the ethics of our actions. When I entered the Illinois legislature as a young man in the late 1960s, I had not previously thought about the fact that private gain could be made at public expense (my definition of corruption). I could easily have gone along with the way some people played the game and accepted “contributions” at about the same time as actions on bills.

Fortunately, freshman legislator George O’Brien (later a congressman) sent copies of the play, “A Man for All Seasons”, to his fellow freshman. The play is about Thomas More, who rejected King Henry VIII’s demand for a divorce. More stood on principle and paid the ultimate price with his head.

Though far removed from the Illinois General Assembly, the play struck me like a thunderbolt. There are indeed matters of principle at play in politics, and be aware when they arise. I credit that simple gift by George O’Brien as possibly separating me from the fate of two of my former college roommates, both of whom spent time in prison later in life.

Sometimes it is may be difficult to stand up to a corrupt system. Ninety-seven Cook County court officials were convicted of bribery and related charges in the 1980s in Operation Greylord. Some may have lacked the fortitude to challenge the system in which they became caught.

And maybe some can't resist the temptation for financial gain based on inside knowledge or actions, and figure they won't be caught. In this day, it is best to assume that everything will be found out!

Several years ago, a young friend of mine moved back after college to his hometown, where he ran for mayor as a reformer against the ossified "old guard." Walking door to door, my friend won the full-time job of mayor.

A few weeks later, this new mayor is at a national mayors' conference in D.C., hob-knobbing, literally, with Willie Brown of San Francisco and Rudy Giuliani of New York City.

In college earlier, my big farm boy friend walked onto football practice at a Big Ten program, and now proudly wears a Rose Bowl ring, a good conversation starter with Willie and Rudy. Yet my friend looked shabby, he realized, without a suit in the company of Rudy and Willie. So he quickly bought a suit in D.C., using his city's credit card, the only one he had, planning to pay the city back.

Later, the purchase became a *cause célèbre* in his small city. And it tarnished his otherwise fine reputation. We worry about the good guys, like the young ex-mayor, who have not thought about the fish bowl they are jumping into.

For the good guys who are newcomers to politics, here is my "Guide to Ethical Decision-making in the 21<sup>st</sup> Century":

- Don't be careless. Even the slightest, inadvertent indiscretion will get you. People do care – and do find out. It doesn't matter what *you* think about what you did. If others think it's indiscreet, it is. If it looks bad, it is.
- Is there any dimension of any decision you make that could be seen by others as personal gain at public expense? Or, as former Illinois Auditor General Robert Cronson put it: "How would this sound to a grand jury?"

- Never justify a decision on the basis that, “This is the way it has always been done.” Times change. In the 1950s, a federal jury acquitted Illinois Governor William Stratton on charges of paying for, among other things, evening attire for his wife from campaign funds, and not reporting the expenditures as income. Today, on similar charges? I would bet, “Guilty.”
- Identify a friend or acquaintance that you respect for integrity. (Mine would be Mike Lawrence, former head of the Paul Simon Public Policy Institute.) Have him serve as your second opinion; how would he view a pending decision?
- If you have questions about a decision, assume it’s the wrong thing to do.

### **Options for Dampening Corruption in Illinois**

Michael Johnston, a political scientist at Colgate University, is a leading student of public corruption. In *Syndromes of Corruption: Wealth, Power and Society* (2005), he focuses on the possible corruption that results from “money politics.”<sup>35</sup> He notes that public opinion clearly believes that money inappropriately influences elected officials. For example, he cites a 1997 Gallup poll that found 77 percent of those responding said elected officials are influenced by pressure from contributors rather than by the best interest of the country. Johnston cites a 2004 Harris poll that found 81 percent of those surveyed felt that political action committees have too much power and influence.

A 2001 poll by *ABC News* and the *Washington Post* that Johnston also cites reported that 80 percent of respondents agreed that politicians “often” do special favors for people and groups who give them campaign contributions. Seventy-four percent of those in the poll found such favors unethical but only 46 percent considered them illegal.

“Lobbyists, contributors, and candidates generally agree,” says Johnston, “that while donations do not buy legislative votes they do buy access (italics in original). . . .Access is limited and does not guarantee favorable outcomes, but little can be done without it.”

As possible antidotes to the effects of money in politics, Johnston points to the “Clean Politics” initiatives in Arizona and Maine (public financing of campaigns; partially struck down by US Supreme Court in 2011) and “blind trust” contributions (where contributors donate to an agent, who distributes the money to the candidates, who are blind as to who contributed to them).

Political scientist Rasma Karklins offers observations about post-Communist societies that may resonate with anti-corruption reformers in the U.S.<sup>36</sup> For example, Karklins says, “it is insufficient to fight ‘against’ corruption; people must believe in a positive alternative to dirty politics,” yet “old habits die hard, even more so if they are based on informal structures, such as networks of personal exchange of favors at the elite and mass level.”

Karklins says the first step in corruption containment is to recognize that corruption is a serious issue and that it has a price. Additional steps include putting in place the legal and institutional mechanisms of accountability and getting them to work as intended.

Yale political scientist Susan Rose-Ackerman declares that, “Corruption in all its myriad forms arises at the intersection of culture, the market, and the state. Its prevalence forces us to confront the tangled connections between private wealth and public power and between cultural practice and the creation of a



competent and impartial government.”<sup>37</sup> As for reform, she notes that simple transparency is necessary as well as external oversight of government activity by investigative journalists, which she considers to be essential.

I think Illinois suffers from a culture of corruption, as exhibited earlier by the university students who rather overwhelmingly opt for a bribe to extract their brother from a serious DUI charge. Cultural change is a topic the business schools have addressed, but change for an organization, not change for large societies. For example, Debra Meyerson and Joanne Martin in the article “Cultural Change: An Integration of Three Different Views” evaluate three paradigms of cultural change.<sup>38</sup> One paradigm is leadership driven, especially by the top official at an enterprise. The second paradigm is doubtful that an organization-wide culture can be imposed on the subcultures that exist within a large organization, while the third is a bottoms-up view in which the individuals in an organization both affect and are affected by the culture in which they are embedded. The authors conclude that all three paradigms are at play at any one time and should all be recognized.

Charles Snyder is a retired executive at John Deere in Moline, Illinois, who was involved with efforts at cultural change at his company during the difficult early 1980s. He identifies the following factors as important:

- Leadership: authoritative, visionary, charismatic;
- Creation of a group identity;
- Defining a compelling need to change;
- Communicating the need for change, and
- Obtaining buy-in to change: shared sacrifice and “what’s in it for me?”<sup>39</sup>

Susan Heathfield says executive support and training are critical: “Executives in the organization must support the cultural change, and in ways beyond verbal support. They must show behavioral support by changing their own behaviors.”<sup>40</sup> Heathfield adds that since cultural change depends upon behavioral change, training can be very useful in both communicating expectations and teaching new behaviors.

Harvard Business School professor John Kotter is a leading thinker about organizational change management. His eight-step change model is listed here, severely abbreviated:

- Increase urgency;
- Build the guiding team;
- Get the vision right;
- Communicate for buy-in;
- Empower action;
- Create short-term wins;
- Don’t let up, and
- Make change stick.

University of Chicago business professors Richard Thaler and Cass Sunstein have written *Nudge* (2008), which posits that behavior can be changed by seemingly small psychological adjustments that they call “change architecture.”<sup>41</sup> A change architect might, for example, rearrange the presentation and placement of foods in a student cafeteria to increase or decrease the selection of certain foods. Another example: After years of frustration and lack of success, the State of Texas reduced littering on its highways by 72 percent in six years by developing the “Don’t Mess with Texas”

slogan and advertising program. The slogan focused on the 18-24 year olds who were doing most of the littering with “a tough-talking slogan that would also address the unique spirit of Texas pride.” Dallas Cowboy stars and Willie Nelson were among those used in the advertising campaign.

The illustration above is from the chapter on “Following the Herd,” which holds (simplified) that people have a bias to do what they think other people are doing.<sup>42</sup> And thus, “A few influential people, offering strong signals about appropriate behavior, can have a similar effect (of changing behavior).”

Positive change can be accomplished. According to Dick Simpson, political scientist at the University of Illinois at Chicago, major cities such as Hong Kong and Sydney, Australia have gone from corrupt to clean. And Chicago itself has a historical case in which a corrupt majority in its city council was driven from office. In the late 1890s and early 20<sup>th</sup> Century, the Municipal Voters’ League and its dynamic leader George E. Cole raised money, recruited candidates, ran campaigns and elected honest men to the Chicago City Council.<sup>43</sup> According to Charles Merriam, who was then both a city councilman and a professor at the University of Chicago, the Voters’ League “gave the city the best legislative body in the country for 20 years.”<sup>44</sup> But by the 1920s, the fervor of the League’s volunteer efforts had waned and corrupt politics as usual returned.

Cultural attitudes and behavior can change. Think of society’s attitudes toward drinking and driving. When we were young, little thought was given to the issue. As a result of major campaigns by groups like Mothers Against Drunk

Driving and changes in law, public behavior has changed significantly and deaths on the road are down because of it.

Similarly, again when we were young, smoking was popular and “cool.” Today it is definitely not, and our collective lifespan has been increased.

So I think that if we can mount major public awareness campaigns about thinking ethically before acting in public life (and in business life as well), we can over the years alter behavior.

In addition to cultural change as discussed above, what can we do about corruption through public policy change? Illinois already has fairly stringent state ethics laws. In her book, *The Shadowlands of Conduct: Ethics and State Politics*, Beth Rosenson rates Illinois at 8.5 on a scale in which 10.5 is the maximum, noting that Illinois has a basic ethics code, honoraria and gift limits, representation limits and requires personal financial disclosure.<sup>45</sup> This rating places Illinois higher on the scale than most states. The only criterion of Rosenson’s that Illinois lacks is a limit on post-governmental employment for state legislators. The Illinois ethics law was first promulgated in 1967 and has been amended in 1972, 1995, 2003 and 2009.

The 2003 Illinois Ethics Act, as amended in 2009, provided for inspectors general, executive and legislative ethics commissions, annual ethics training for state employees, whistleblower protections and other changes. Unfortunately, according to Illinois Legislative Inspector General Thomas J. Homer, the 2003 legislation did not address the significant shortcomings of the 1967 Ethics Act, which established a code of conduct and ethical principles for legislators and

required the disclosure of economic interests, but failed to provide sanctions for violations.<sup>46</sup> In a letter to members of the General Assembly, Homer noted that since 1972, 15 state legislators and 4 Illinois governors had been convicted of crimes. Nevertheless, when the Code of Conduct was adopted in 1967, the legislature not only provided no penalties but expressly stated that the ethical principles “are intended only as guides [for conduct], and not as rules meant to be enforced by disciplinary action.” Homer went on to recommend that “violations of the Code of Conduct should be modernized and be made punishable by fines, public reporting and censure. These rules should not be merely aspirational goals.”

We concur in the recommendations of the Legislative Inspector General. Yet there are academics who believe that ethics laws not only may not make government more ethical but may have costs that outweigh any benefits. In *Scandal Proof: Do Ethics Laws Make Government Ethical?* G. Calvin Mackenzie looks at the copious federal ethics laws, rules, regulations and reporting requirements promulgated in the wake of the Watergate scandals of the 1970s and concludes that the requirements have generated much greater costs than benefits.<sup>47</sup> He finds no significant difference in ethical behavior as a result and that the ethics vetting process, “slows abominably the transition from one administration to another.”<sup>48</sup>

So what to do? In a 2012 poll of 1,200 Illinois residents, three out of four respondents disagreed (most of these strongly disagreed) with the statement

that, “nothing can be done about corruption in or state.”<sup>49</sup> So, public support for anti-corruption efforts should be strong.

There are at least two approaches that can be taken to dampen public corruption: legislation that changes the environment in which politics is conducted, and public awareness campaigns that increase sensitivity to the ethical and moral consequences of decision-making in government.

In the legislation category might be public financing of campaigns and term limits for elected officials. Neither of these policies is directly about combatting corruption, yet the first might increase competition in elections and the second might limit the accrual of political power, both consequences that could be seen as generally salutary for a political system. If, for example, money equals power in politics and power tends to corrupt, then the two policies might reduce the impact of the elements of money and power, at least to some extent.

Public financing of some elections exists in about half the states. The typical approach is that a candidate for office who draws a threshold number of small contributions, to show the candidate’s credibility, receives matching funds for all of his or her small contributions or receives a set amount of money and agrees not to raise any more. In public financing for New York City council candidates, contributions of up to \$175 are matched 6 to 1 up to a certain amount.<sup>50</sup> Term limits also exist in a number of jurisdictions and typically limit an elected official to, say, eight or twelve years in any one office.

I am not expert in the strengths and drawbacks of these two policies, though each has its appeal. We recommend that one of the public university

policy analysis institutes be directed to conduct a comprehensive and thorough evaluation of the experiences with each of these policies and report to the public and elected officials.

As for public awareness campaigns, we suggest consideration of the following options:

- Require that of the two years of social science courses required in Illinois high schools, at least one semester be devoted to American government and/or civics.
- Provide lesson plans for Illinois social science teachers that address ethics in personal life and ethics in government.
- Provide workshops on ethics in government for newly elected state legislators, city, county, and other local government officials.

Illinois has a reputation for corruption in government. Actual corruption and reputational corruption both impose their costs on our society. We need to mount major campaigns of corruption abatement in Illinois to show the world that we are committed to high ethical standards. We need to begin now. After all, habits are hard to break.

## Endnotes

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- <sup>1</sup> For purposes of our discussion, we define corruption as any personal gain at public expense.
- <sup>2</sup> Ninian Wirt Edwards, *History of Illinois from 1778 to 1833; and the Life and Times of Ninian Edwards*. Springfield, 1870, p. 21.
- <sup>3</sup> Ibid.
- <sup>4</sup> James L. Merriner, *Grafters and Goo Goos: Corruption and Reform in Chicago, 1833-2003* (Carbondale: Southern Illinois University Press, 2004), p. 44. This book provides a well-written, comprehensive overview of corruption in Chicago, and of efforts to combat it.
- <sup>5</sup> Robert J. Schoenberg, *Mr. Capone* (New York: William Morrow, 1992), p. 40.
- <sup>6</sup> Robert J. Schoenberg, *Mr. Capone*, p. 40, and James D. Nowlan, *Glory, Darkness, Light: A History of the Union League Club of Chicago* (Evanston: Northwestern University Press, 2005), p. 41.
- <sup>7</sup> James D. Nowlan, *Glory, Darkness, Light*, p. 51.
- <sup>8</sup> James D. Nowlan, *Glory, Darkness, Light*, p. 51.
- <sup>9</sup> James D. Nowlan, *Glory, Darkness, Light*, Chapter 7, "The Buying of a U.S. Senate Seat—as Revealed at the Union League Club."
- <sup>10</sup> Robert J. Schoenberg, *Mr. Capone*, p. 40.
- <sup>11</sup> Robert J. Schoenberg, *Mr. Capone*, p. 40.
- <sup>12</sup> Robert J. Schoenberg, *Mr. Capone*, p. 41.
- <sup>13</sup> James L. Merriner, *Grafters and Goo Goos*, p. 116.
- <sup>14</sup> Kenneth Alsop, *The Bootleggers* (New Rochelle, NY: Arlington House, 1961), p. 239.
- <sup>15</sup> Robert J. Schoenberg, *Mr. Capone*, p. 41.
- <sup>16</sup> Robert J. Schoenberg, *Mr. Capone*, p. 41.
- <sup>17</sup> Robert P. Howard, *Illinois: A History of the Prairie State* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 1972), pp. 549-550.
- <sup>18</sup> Kenneth A. Manaster, *Illinois Justice: The Scandal of 1969 and the Rise of John Paul Stevens*, (Chicago: University of Chicago Press, 2001), generally.
- <sup>19</sup> *Illinois: A History of the Prairie State*, p. 563
- <sup>20</sup> James D. Nowlan, Samuel K. Gove and Richard J. Winkel, *Illinois Politics: A Citizen's Guide* (Urbana: University of Illinois Press, 2010), p. 143-144. See James Tuohy and Rob Warden, *Greyford: Justice, Chicago Style* (New York: G. P. Putnam's Sons, 1989), and Robert Cooley with Hillel Levin, *When Corruption Was King* (New York: Carroll and Graf Publishers, 2004) for gripping accounts of Operation Greyford and Operation Gambat, respectively.
- <sup>21</sup> Thomas J. Gradel, Dick Simpson, Andris Zimelis, "Curing Corruption in Illinois: Anti-Corruption Report Number 1," University of Illinois at Chicago Department of Political Science, February 3, 2009, p. 5.
- <sup>22</sup> Political Diary, *Opinion Journal*, October 16, 2006.
- <sup>23</sup> *Chicago Sun-Times*, October 12, 2006.
- <sup>24</sup> Jeff Coen and John Chase, "Golden: How Rod Blagojevich Talked Himself out of the Governor's Office and into Prison," ms. from Chicago Review Press, May 24, 2012.
- <sup>25</sup> *Chicago Tribune*, January 22, 2006.
- <sup>26</sup> Dick Simpson, James Nowlan et al, *Chicago and Illinois: Leading the Pack in Corruption*, University of Illinois at Chicago Department of Political Science, February 15, 2012, Table 1.
- <sup>27</sup> *Chicago and Illinois: Leading the Pack in Corruption*, Table 2.
- <sup>28</sup> Illinois Integrity Initiative Survey, Institute of Government and Public Affairs, University of Illinois, Urbana, December 2011. Survey was taken for the Initiative by Kelton Research, New York City and Culver City, California.
- <sup>29</sup> Illinois Integrity Initiative Survey, December 2011.
- <sup>30</sup> Survey by Nowlan of membership of the Illinois Development Council. Two hundred surveys went out by Survey Monkey; 70 responded. May 2011.



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- <sup>31</sup> Dick Simpson and Melissa Zmuda, "Corruption in Illinois," paper presented at a conference, "Is there a culture of corruption in Illinois?" Institute of Government and Public Affairs of the University of Illinois, Chicago, March 2, 2012.
- <sup>32</sup> Dick Simpson and Melissa Zmuda, "Corruption in Illinois."
- <sup>33</sup> <http://academic.regis.edu/jriley/421elazar.htm>.
- <sup>34</sup> The exercise is as follows: Your brother has just been charged with a serious DUI. He will lose his license if convicted. He is in his first job after college and he absolutely must have a car to do his job. His wife is at home, pregnant with their first child. The brother has employed a veteran lawyer. The lawyer says that he knows his way around the court system and that if your brother will provide him \$1,000 in cash beyond his fee, he is confident he can have the charge dismissed. Your brother turns to you for guidance. Should he: Go for it or Reject idea
- <sup>35</sup> Michael Johnston, *Syndromes of Corruption: Wealth, Power and Society* (Cambridge: Cambridge University Press, 2005).
- <sup>36</sup> Rasma Karklins, *The System Made Me Do It: Corruption in Post-Communist Societies* (Armonk, NY: M. E. Sharpe, 2005).
- <sup>37</sup> Susan Rose-Ackerman, *Corruption and Government: Causes, Consequences, and Reform* (Cambridge: Cambridge University Press, 1999).
- <sup>38</sup> Debra Meyerson and Joanne Martin, "Cultural Change: An Integration of Three Different Views," *Journal of Management Studies*, 1987.
- <sup>39</sup> Email correspondence with Nowlan, various dates, 2011.
- <sup>40</sup> Susan Heathfield, "How to Change Your Culture: Organizational Culture Change," [www.humanresources.about.com](http://www.humanresources.about.com), 2012.
- <sup>41</sup> Richard H. Thaler and Cass R. Sunstein, *Nudge: Improving Decisions About Health, Wealth, and Happiness* (London: Penguin Books, 2009).
- <sup>42</sup> Richard Thaler and Cass R. Sunstein, *Nudge*, Chapter 3.
- <sup>43</sup> *Glory, Darkness, Light*, Chapter 5, "The Titan Versus the Second Class Businessman," pp. 42-45.
- <sup>44</sup> Charles E. Merriam, Chicago: *A More Intimate View of Urban Politics* (New York: MacMillan, 1929), p. 21.
- <sup>45</sup> Beth A. Rosenson, *The Shadowlands of Conduct: Ethics and State Politics* (Washington, D.C.: Georgetown University Press, 2005), pp. 156-157.
- <sup>46</sup> Letter to Members of the Illinois General Assembly from Thomas J. Homer, Legislative Inspector General, Springfield, August 10, 2011.
- <sup>47</sup> G. Calvin Mackenzie with Michael Hafken, "Scandal Proof: Do Ethics Laws Make Government Ethical?" (Washington, D.C., Brookings Institution Press, 2002), pp. 176-177.
- <sup>48</sup> *Scandal Proof*, p. 176.
- <sup>49</sup> Survey taken in January 2012 by the Northern Illinois University Center for Governmental Studies for the Illinois Integrity Initiative, Institute of Government and Public Affairs, University of Illinois, Urbana, January 2012.
- <sup>50</sup> New York City Campaign Finance Board, [www.nycffb.info/press/info/faq.aspx](http://www.nycffb.info/press/info/faq.aspx).