Public Corruption in Pennsylvania: A Time to be Wary
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What are we to make, if anything, of the rash of recent allegations and legal actions in Pennsylvania linked to public corruption?

The list is a growing one: a former state House member sentenced for campaign violations; a 139 count federal indictment against a state senator for conspiracy, fraud, and obstruction of justice; an ongoing state attorney general’s investigation of legislative bonuses tied to campaign work; a grand jury scrutinizing circumstances surrounding a casino license; an attorney general’s investigation of a former House leader’s nonprofit; the conviction of a Philadelphia councilman for bribery; and the indictment of a state appeals court judge for fraud.

Some will argue that, distressing as these are, we should be careful to not make too much of them. The bulk of the cases cited at this point are allegations, ongoing investigations, or indictments awaiting trial. Some of them may well bear no fruit.

Furthermore, continuing with this line of reasoning, Pennsylvania’s recent experience with public malfeasance has featured comparatively little major public corruption. There have been some exceptions, but since the late 1970’s, public scandals have been relatively tame. Gone are the "bad old days" when leading state politicians gained fame by inventing clever ways to break the law and corrupt the system.

By contrast to that era, the private sins of Pennsylvania’s public officials these days have more closely resembled the type of social and psychological pathologies exhibited on Dr. Phil or Oprah Winfrey. And so misconduct, such as choking one’s girlfriend, alcohol abuse, petty thievery, public drunkenness, and vehicular homicide, has been the norm for contemporary elected officials in trouble. Repugnant as these offenses may be, they are not the classical political corruption traditionally experienced in Pennsylvania, they do not point to systematic problems in the institutions of representative government, and they are not typically about money.

And yet, reassuring as this may be, there is an unsettling sense or foreboding in the newer corruption cases that they are different. The offenses charged are no longer the Oprah style peccadilloes of errant politicians, but something else, something that looks much like the old style corruption that once was a working synonym for Pennsylvania politics.

As recently as the 1970’s, public corruption was rife in Pennsylvania. Kickbacks, fraud, macing, bribery, job selling, and income tax evasions were common offenses. During this period, the Philadelphia Bulletin reported that 238 Pennsylvania politicians resigned, were charged, or were convicted, and the U.S. Justice Department declared that Pennsylvania was the most corrupt among the 50 states.

Could it happen again? Might Pennsylvania’s corrupt past be prologue to a corrupt future? Optimists and Pessimists will answer this question very differently.
The Optimist makes some strong points. Important changes since the 1970’s have significantly altered the climate in which corruption flourished. In particular, traditional patronage that inspired much of the earlier corruption is now largely gone.

In addition, gubernatorial leadership has been consistently anti-corruption since the scandals of the Shapp administration. Beginning with Dick Thornburgh in 1979, Pennsylvania has elected a series of governors who would not tolerate corruption.

Finally, the Optimist argues corruption will not come back because the price is too high: voters will not tolerate it; indeed, electoral vengeance is now meted out regularly to any politician tainted with it.

But the Pessimists are not persuaded with these cheery arguments. They believe the culture of corruption so long dominant in the State may be set for a comeback. To Pessimists, corruption in Pennsylvania is not dead, but merely in hibernation.

Pessimists argue that the recent spate of public corruption cases alarmingly mirrors the old style corruption in which officials converted public resources to private gain. In particular, the "bonus-gate" type of cases featuring allegations that public monies were paid for campaign work strikingly resembles some of the reviled patronage practices from earlier times.

But more than parallels with the past alarm the Pessimists. They believe a climate favorable to resurgent public corruption has evolved as campaigns become staggeringly expensive while the traditional parties supply less and less support to candidates. Into this vacuum have stepped private contributors and lobbyists with enormous amounts of ready cash, and corruption thrives on ready cash. Indeed, the political system is awash in it. Little of it is accounted adequately for, and all of it is temptingly available to a politician who will pay for it.

Furthermore, argues the Pessimist, the introduction of gaming into the State may replicate the conditions that have led to widespread corruption in other jurisdictions. In fact, Pennsylvania’s Attorney General recently instituted the State’s first Public Corruption Unit, implicitly acknowledging that corruption linked to gaming is a danger.

Neither Optimist nor Pessimist monopolizes truth here. We are not, after all, going to return to the State’s infamous "age of boodle" in which everything and anything was for sale. Those bad old days are gone for good. Moreover, many of the conditions that produced them, such as wholesale patronage and contract selling, have been ended or severely curtailed.

But, we should not be lulled by the progress that has been made. The many harbingers of resurgent public corruption are troubling and collectively belie any argument that corruption is passé in Pennsylvania. To the contrary, both the motive and the opportunity for corruption may be increasing.

Nor can state history be forgotten. The ghosts of corruptions past hover ominously over the landscape of state politics. For more than a century since the Civil War through the 1970’s, Pennsylvania wallowed in a sordid quagmire of public corruption and political infamy. The political culture that nourished this corruption may be forgotten, but it is not entirely gone.
The return of systematic public corruption in Pennsylvania is not inevitable, but neither should we blithely conclude it isn’t possible. The warning signs are flashing, and we ignore them at our peril.

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