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POLITICAL SCIENCE AND POLITICAL CORRUPTION: THE CASE OF THE
COUNTY COMMISSIONER SCANDAL IN OKLAHOMA

The University of Oklahoma

PH.D. 1985

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THE UNIVERSITY OF OKLAHOMA
GRADUATE COLLEGE

POLITICAL SCIENCE AND POLITICAL CORRUPTION:
THE CASE OF THE COUNTY COMMISSIONER SCANDAL IN OKLAHOMA

A DISSERTATION
SUBMITTED TO THE GRADUATE FACULTY
in partial fulfillment of the requirements for the
degree of
DOCTOR OF PHILOSOPHY

By
FRANK S. MEYERS
NORMAN, OKLAHOMA
1985

POLITICAL SCIENCE AND POLITICAL CORRUPTION:
THE CASE OF THE COUNTY COMMISSIONER SCANDAL IN OKLAHOMA
A DISSERTATION
APPROVED FOR THE DEPARTMENT OF POLITICAL SCIENCE

By *Harry Holloway*
Lauch Currier
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Jeffrey L. Brundage
Carl V. Wickens

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POLITICAL SCIENCE AND POLITICAL CORRUPTION:
THE CASE OF THE COUNTY COMMISSIONER SCANDAL IN OKLAHOMA

BY: FRANK S. MEYERS

MAJOR PROFESSOR: HARRY HOLLOWAY, Ph.D.

This dissertation inquired into a huge scandal that surfaced in Oklahoma during the early 1980s. The scandal, Okscam, centered upon Oklahoma's county commissioners who were taking kickbacks on purchases made in connection with county road programs.

One purpose of this dissertation was to contribute to the methodology of studying political corruption. This study sought to supplement the traditional historical and descriptive approach to the study of political corruption by applying quantitative techniques. Consequently, public opinion research was brought to bear. Another contribution was the use of several new survey items designed to measure attitudes toward rule-breaking. In addition, interviews with incumbent and convicted commissioners were conducted, thereby allowing a comparison of the attitudes of political elites and masses. It was found that corruption research benefits by a multi-methodological approach.

Another purpose of this dissertation was to contribute to theory-building in the field of corruption research by testing a systems theory approach. This approach was found to be useful in the study of corruption because it allowed the necessary latitude for a broad-ranging inquiry while simultaneously providing an over-arching integrative scheme.

Because Okscam had been going on for as long as anyone could remember, probably since statehood, and because almost all of Oklahoma's counties were touched, it was hypothesized that Oklahoma had an unusually corrupt political culture that permeated public opinion, state institutions, and local governments. This was expected to be manifested in a tolerance for rule-breaking by both public officials and private citizens. This cultural hypothesis received considerable support under the traditional historical and descriptive approach, but none of these hypotheses were supported by the empirical data. It was concluded that the primary cause of Okscam was a permissive institutional environment.

POLITICAL CORRUPTION AND POLITICAL SCIENCE:
THE CASE OF THE COUNTY COMMISSIONER SCANDAL IN OKLAHOMA

CHAPTER I

POLITICAL SCIENCE AND POLITICAL CORRUPTION

Introduction

In the early 1980's corruption on a huge scale surfaced in Oklahoma that demands the attention of political scientists. The scandal centered upon Oklahoma's county commissioners who were taking kickbacks on supplies, material, and equipment connected with county road programs.

The first major reason for studying this affair is the size of the scandal. It involved hundreds of people, cost the tax payers of Oklahoma millions of dollars, and extended over several decades. But this scandal is only the latest in a long series of political scandals dating back to Oklahoma's earliest years of statehood, and continuing to the present. This record raises questions about the political culture of Oklahoma and one could argue that Oklahoma is an especially corrupt state. It is important to

examine this theory of a corrupt political culture. This will be done by looking at the major scandals in the state's history, analyzing Okscam in detail, comparing Oklahoma with the nation in terms of demographics, political attitudes, and issue orientations, and by probing other aspects of public opinion within Oklahoma.

A second major reason for studying Okscam concerns the definition of political corruption. Political corruption has often been loosely defined in the literature. While it is true that the major crime in Okscam was the kickback and that this falls well within the traditional legal definition of political corruption, Okscam raises issues that go beyond these clearly felonious kickbacks. Okscam's pervasive and long history indicates that many viewed it as a part of the system, suggesting that perhaps the public tolerated corruption. This raises questions about the further meanings of corruption, including lesser forms, and how they are seen by the public and by elites. It may well be that some contribution can be made to the definition of corruption.

A third reason for studying Okscam is the testing of a theoretical framework. Once definitions are clarified there is a need to decide on a theoretical approach to the study of corruption. This, too, has been fraught with difficulties in the literature. The literature on this subject is not well organized and consists mostly of a

number of contending notions without an integrating framework for analysis. Okscam was pervasive and long-lasting. It seemed to permeate the entire system and may have involved popular attitudes, the institutions of state and local government, and the attitudes of local officials (especially county commissioners). What is apparently needed is a broad systems approach. Michael Johnston has offered such a systems model,¹ and a part of this study involves a test of his systems model in a major case of corruption.

A fourth reason for studying Okscam has to do with methodology and data collection. Political corruption has usually been studied after the fact from records that pertain directly to criminal activity. The focus upon Richard Nixon and many of his associates as the centerpiece of inquiry in the Watergate scandal is a case in point. In the case of Okscam a conscious effort will be made to expand the scope of this inquiry in several ways. The traditional sources will, of course, be consulted. But beyond this, use will be made of a large public opinion survey of Oklahomans which probed opinions on Okscam. In addition, interviews will be conducted with incumbent county commissioners and with some of the commissioners implicated in the scandal. The public opinion survey and the county commissioner interview schedule will both contain a set of questions designed to test attitudes toward rule-breaking by both

public officials and private citizens. In addition, the results of public opinion polls involving national samples will be consulted when appropriate. The intent is to bring together attitudes of elites and masses on this sensitive subject.

If definition, analytical framework, and data collection hold up successfully, many benefits should flow from this study. Okscam itself should be well understood, including the roles of the public, the institutions of government, and the personnel who occupied the office of county commissioner. Secondly, some contribution to the definition of political corruption should be forthcoming. A third contribution will be the testing of a systems theory approach to the study of corruption. If this model functions well in this inquiry political scientists will have a tested analytical approach to a subject that has long needed one. A fourth contribution may be in the areas of method and data collection. If the use of survey research, elite interviews, and the set of questions designed to test attitudes toward rule-breaking, are found to be of value in this inquiry this would give researchers more tools with which to research political corruption in other settings.

A fifth contribution may be the specification of some of the conditions that contribute to corruption. These could be in the areas of public opinion on the subjects of tolerance for rule-breaking or institutional weaknesses.

Success in these matters should, in the long run, enable a contribution to corrective or preventative legislation that might be needed beyond what has already been done. It may also contribute to resisting efforts to turn back the clock by undoing the reforms already enacted. But the first tasks are to briefly discuss Okscam and the concept of political culture.

Okscam and Oklahoma's Political Culture

One of the major reasons given for the study of Okscam was the size of the scandal and its implications respecting political culture in Oklahoma. One can, based upon the presence of numerous other political scandals in Oklahoma's history and the nature of Okscam, make a strong case that Oklahoma has a political culture that is unusually tolerant of political corruption. This political culture would then be expected to be a basic contributing factor in Okscam. But first Okscam needs to be described.

The scandal centered on Oklahoma's county commissioners who were taking kickbacks on supplies, material, and equipment connected with county road programs. Generally, commissioners would order supplies, material, and equipment from selected suppliers if the suppliers would agree to kick back part of the cost to the commissioners. The orders were usually delivered, but sometimes they were not. If the order was delivered the kickback was about 10 percent. If the order was not delivered the kickback was about 50

percent. Suppliers inflated the prices charged to the county to cover the cost of the kickbacks.

Another component of Okscam involved the leasing of equipment by the counties. Heavy equipment such as rock crushers would be leased at inflated prices and the county commissioner would receive a portion of this inflated price as a kickback. Many suppliers accepted these arrangements, however it was occasionally necessary for a commissioner to extort kickbacks from suppliers.

The scandal's dimensions were huge. Nearly every one of Oklahoma's seventy-seven counties was implicated.² When the federal probe was completed in 1984 224 incumbent commissioners, former county commissioners, and suppliers, had been convicted in Oklahoma alone.³ The amount of money involved has been estimated to be in the hundreds of millions of dollars.⁴ The scandal has received nationwide publicity⁵ and federal prosecutors have characterized it as perhaps the worst case of political corruption in the entire history of the nation.⁶

This scheme had been going on for decades, some say since statehood. And it is difficult to believe that a system so pervasive and large could endure as long as it apparently did without the knowledge and tacit, if not overt, consent of many other Oklahomans, both in government and in private life. In fact, it has often been reported that it was common knowledge that "something was going on."

In other words this episode raises a basic question: is Oklahoma an unusually corrupt state? The issue at hand is, therefore, an aspect of political culture.

Political culture is regarded as a component of a larger general culture but with its own distinguishing characteristics.⁷ As with many other concepts in political science, political culture has more than one definition. Elazar, for example, says political culture is "The particular pattern of orientation to political action in which each political system is embedded."⁸ Kinkaid reports several other definitions⁹ but settles on the following:

Political culture may be regarded as an enduring set of publicly shared and socially communicated beliefs, values, and traditions about politics which constitutes a general framework of plans, recipes, rules, and instructions for the conduct of political life, especially who gets what, when, and how.¹⁰

More will be said later on the subject of political culture, but for now Kinkaid's definition will be used. The definition one chooses is a matter of individual preference, but there can be little doubt that the concept is quite appealing as an explanation for Okscam. This is evident from a brief look at Oklahoma's past.

Corruption can easily be traced to the very founding of the state, and even before. During Oklahoma's territorial days the area was the last haven for outlaws who were fleeing U.S. jurisdiction. Corruption was also rampant when the territory was first officially opened to white

settlement. The state's early history saw the impeachment of two governors, Klan-inspired racial riots in Tulsa, scandals in the judiciary, and scandals involving prominent legislators. These have continued through contemporary times as evidenced by the 1984 conviction of former Speaker of the House Dan Draper and his Majority Leader Joe Fitzgibbon on vote fraud charges.¹¹

This historical record makes it inviting to construct a case that Oklahoma is an unusually corrupt and violent state. These incidents consequently demand a closer examination, and Oklahoma's history will be briefly examined with a focus upon these events. But one should refrain from basing a conclusion about Oklahoma's political culture solely upon this historical evidence, for it is easy to omit important events, weight their significance improperly, and to be otherwise misled. The assessment of Oklahoma's political culture would be significantly enhanced by the inclusion of more empirical evidence.

Oklahoma will, therefore, be compared to the rest of the nation in terms of demographic characteristics, certain key political attitudes, and issue orientations. If Oklahoma has an unusually corrupt political culture one would expect to find major differences between the state and nation in these areas. In addition, public opinion within Oklahoma will be probed in the area of tolerance for rule-breaking by both public officials and private citizens. If Oklahoma

has a corrupt political culture one would expect to find a high tolerance for such rule-breaking.

This combination of historical data, state-nation comparisons, and analysis of public opinion within Oklahoma should yield a more balanced appreciation of Oklahoma's political culture. But first it is necessary to have a definition of corruption, an analytical framework, a methodology, and some hypotheses.

Definitions and Concepts of Political Corruption

The literature on political corruption is plagued by problems of definition, conceptual vagueness, and a lack of a unifying theory. In fact, one of the major problems in studying corruption is that the literature is so diverse and lacking in focus.

This section begins the review of this literature by discussing what is meant by political corruption and the closely related subject of some of the conceptualizations of corruption. The literature on various theories of corruption will be covered in the next section of this chapter.

Definitions of Political Corruption

There are several conceptualizations of political corruption and no consensus presently exists as to which should be adopted. Because of this lack of agreement on the concept we find lack of agreement on its definition. This dissertation avoids these boundry problems because accepting

kickbacks constitutes a felony in Oklahoma and legalism is the core of most definitions. The debate occurs on what else should be included.

Four general classifications of definitions have been offered by Heidenheimer and Scott and these four classifications seem to cover the present types of definitions. Heidenheimer classifies definitions into three groups: market definitions, public office definitions, and public interest definitions.¹² Scott also groups definitions into three categories: legal definitions, public opinion definitions, and public interest definitions.¹³ Heidenheimer and Scott overlap in some of their categories but are distinct in others.

Legalistic Definitions. Heidenheimer and Scott each offer a legalistic category of definitions but they label them differently. Heidenheimer calls them public office definitions while Scott labels them legal definitions. Under legalistic definitions corruption is associated with a violation of the law. Also included in this category are violations of the regulatory authority associated with a public office, especially for some personal gain. James Bryce offers an example of a legalistic definition:

Corruption may be taken to include those modes of employing money to attain private ends by political means which are criminal or at least illegal, because they induce persons charged with a public duty to transgress that duty and misuse the functions assigned to them.¹⁴

Heidenheimer, in his discussion of the question, "Whose norms set the criteria?", suggests that such legalistic definitions are too narrow.¹⁵ Berg et. al. also criticize legalistic definitions.¹⁶ They point out that those holding political power are able to determine legality. The danger here is the authority of the powerful rather than the just. A second danger is that citizens might be inhibited from expressing their moral indignation about the acts of public officials and demanding structural change. Legal definitions of political corruption may, therefore, be too narrow and subject to abuse by the powerful.

Public Interest Definitions. Heidenheimer and Scott both offer a public interest category for definitions of corruption. Public interest definitions broaden corruptness to include some violation of the public interest. Carl Friedrich offers an example:

The pattern of corruption can be said to exist whenever a power-holder who is charged with doing certain things, i.e., who is a responsible functionary or officeholder, is by monetary or other rewards not legally provided for induced to take actions which favour whoever provides the rewards and thereby does damage to the public and its interests.¹⁷

Unfortunately problems exist here too. One central problem is, of course, that of defining what is meant by "public interest." This is, at best, an elusive notion that changes from person to person and depends upon the issue at hand. Johnston points out another problem with this criterion. He suggests that this definition may lead to the

justification that the ends of political actions may justify their means.¹⁸ A case in point is Watergate, wherein national security was the justification for many acts.

Public Opinion Definitions. Scott offers a public opinion category of definitions. An example of this type of definition comes from Joseph J. Senturia. An act is corrupt if "... the best opinion and morality of the time, examining the intent and setting of the act, judge it to represent a sacrifice of public for private benefit...."¹⁹ But who would decide? In Heidenheimer's view Senturia is relying upon the elites, but who constitutes this elite? Needless to say, the identification of this elite group is a major problem. And elite groups differ from place to place, the result being a lack of a uniform standard. Furthermore, opinions as to what constitutes corruption vary over time just as do other opinions. Would, for example, the public opinion judgement of fourth century Rome be comparable to fifteenth century England? Another difficulty with a public opinion definition is that an act may not be corrupt until after its occurrence and a consensus of opinion has formed.

Market-Centered Definitions. Heidenheimer offers a category of definitions identified as market-centered. Market-centered definitions envision public office as a business-like market situation in which people seek to maximize their gains based upon a balancing of anticipated costs and benefits. Van Klaveren offers an example:

A corrupt civil servant regards his public office as a business, the income of which he will...seek to maximize. The office then becomes a "maximizing unit." The size of his income depends...upon the market situation and his talents for finding the point of maximal gain on the public's demand curve.²⁰

Caiden argues that the emphasis on the relative weights of costs vs benefits is useful.²¹ It can cause organizations to re-examine themselves, but he is, in the end, not satisfied with market definitions. Caiden criticizes such definitions because they divorce non-economic motivations (i.e. ethics) from the decision-making process, yet ethical considerations can be very powerful factors. In fact, it is this ethical dimension that distinguishes between the corrupt and not corrupt in many cases. Caiden says that if these market-centered definitions are not expanded to include such considerations they run the risk of being "...shallow, static, and mechanical."²²

A related problem of definition has to do with degrees of corruption. In other words some actions may be more corrupt than others. Heidenheimer suggests differing degrees of the tolerance of corruption based upon a public opinion approach.²³ Corruption is categorized into "black," "gray," and "white." Black corruption involves a particular action which a majority consensus of both elite and mass opinion would condemn and would want to see punished on grounds of principle. An example of black corruption might

be taking kickbacks when the government receives nothing in return for funds expended such as occurred in Okscam. Gray corruption consists of actions about which no consensus exists respecting punishment. Some elements, usually elites, may want to see the action punished but others do not think punishment is appropriate, and the majority may well be divided. Examples of gray corruption might include ticket-fixing, a politician who accepts presents from a company doing business with government, or a politician who exercises favoritism. White Corruption involves actions for which the majority of both elite and mass opinion probably would not vigorously support an attempt to convict. An example of white corruption might be a county commissioner who uses a county bulldozer to help a farmer extract his tractor from a muddy field.

The problem of degree of corruption is exacerbated by the fact that different cultures see even the same acts differently in terms of corruptness. In Sicily and Greece it is, for example, regarded as proper for an official to require a bribe from a peasant in order for the peasant to receive what is rightfully his under the law.²⁴ Needless to say, such a thing would be roundly condemned in present-day America.

Each category of definitions has been seen to have its problems and it would appear that no single type of definition is suitable for all purposes. Progress does,

however, appear to be being made on two fronts. In the first place, Peters and Welch have taken an empirical approach to the problem.²⁵ More will be said on this research later in this chapter, but it is appropriate at this point to note the major thrust of their work. Peters and Welch note the problem of definition and seek to clarify matters. They break corruption into four component parts: the donor, the recipient, the favor, and the payoff. The decomposition of the concept into the above four categories is designed to determine which components contribute to the attribution of corruptness in a given situation.

In the second place a consensus may be emerging around the narrower legalistic type of definition. Caiden reviewed four books on political corruption in the May/June 1979 issue of Public Administration Review.²⁶ She finds that the authors of all these books employ essentially the same definition:

... the agonizing over definition which marked much of the earlier literature has been replaced by broad agreement which focuses on the illicit use of influence in public decisions.... However, the primary concern is with bribery, which includes extortion, kickbacks, retainers, and campaign contributions from corporations seeking government business.²⁷

Most of these primary concerns are felonies. It therefore appears as if the essence of the emerging consensus focuses upon legal standards. Michael Johnston offers a definition that is in tune with this emerging consensus. Johnston defines political corruption as the

"... abuse of a public role for private benefit in such a way as to break the law (or formal administrative regulations, which I will call "laws" for brevity's sake)."²⁸ Johnston argues that the benefits of such a definition outweigh its limitations. Laws and written regulations provide a more precise standard for the judgement of behavior. They are also more consistent over time, and probably reflect a consensus of public opinion and public interest. Furthermore, the courts interpret these laws and regulations in a reasonably consistent manner over time. But, Johnston adds, there is a more compelling reason to use the legalistic definition:

Perhaps most important, the formal/legal definition gets right to the heart of the matter: it is in large part formal/legal standards that make up the bottleneck between what the people want from government and what they get, and it is the bottleneck that encourages people to seek corrupt influence. A legal definition best captures the fundamental tension between the law and the behavior it seeks to regulate...²⁹

Johnston's definition will be adopted in this study for several reasons. In the first place, Okscam centered around public officials taking kickbacks, and in Oklahoma it is a felony for a public official to accept a kickback. Second, Johnston's definition meshes with the emerging consensus. In the third place, Johnston intergrates this definition within a broader analytical framework which will be employed in this research.

Concepts of Political Corruption

In the previous section several definitions of corruption were discussed and Michael Johnston's definition was selected for use. It is time now to turn to the closely related topic of concepts of political corruption.³⁰

Lowi offers a comparatively simple conceptual scheme of political corruption in which corruption is dichotomized into "Big C" and "Little C."³¹ Little C is corruption that "...reflects or contributes to individual moral depravity" such as bribery. According to Lowi, Little C is the type of corruption with which we are most familiar and is "...widely, though needlessly, feared."³² The real threat is Big C.

Big C is much larger in scale but more difficult to detect. Big C is:

... corruption that contributes to the decomposition, dissolution, or disorientation of the constitution - that is, the legitimacy or authority of government itself.³³

Big C attempts to make self-serving actions into "good" actions, i.e., to legitimize self interest over the public interest. Along these lines, Big C is often justifiable, as, for example, when it becomes necessary to employ the "noble lie." Watergate is cited as an example of Big C.

Pessen offers a dichotomous conceptualization of political corruption similar to Lowi's.³⁴ One form of corruption is "corruption of venality." This is similar to

Lowi's Little C in which government office is misused for personal gain via bribery, graft, embezzlement, theft, fraud, blackmail, or nepotism.³⁵ A second form of abuse of power is similar to Lowi's Big C. Pessen also uses Watergate as an example of the abuse-of-power type of political corruption. This second form is often ignored, due possibly to the difficulties involved in its detection and measurement, for it is subtle, and more easily camouflaged or denied than is corruption of venality.

Heidenheimer offers a complex typology of political corruption.³⁶ He suggests four types of political communities: traditional familist, traditional patron, modern boss, and modern civic. He then traces nine characteristics of corruption through each community.³⁷ Next, Heidenheimer identifies ten types of politically corrupt behavior and groups them into petty corruption, routine corruption, and aggravated corruption.³⁸ Heidenheimer's ideas emerge from the perspective of comparative politics and are designed to cover a wide range of societies. The result is a very elaborate typology that is too complex for this study. His conceptualization of black, gray, and white corruption mentioned earlier will, however, be of use. Otherwise, this research will be better served by selecting a simpler typology focusing upon corruption here in the United States.

Michael Johnston offers just such a typology.³⁹ His

typology employs two major dichotomies. One major dimension focuses upon the purpose of the corrupt act. It is dichotomized into acts done to obtain power and acts done to obtain material benefits. The other major dimension concerns the form of execution of the corrupt act. This dimension is divided into actions done only by public officials and actions involving both public officials and private citizens. Actions done only by public officials, called "public role holders," are labeled "unilateral executions." Actions involving a mixture of public officials and private citizens are labeled "transactional executions." His typology includes a wide variety of activities including vote-fraud, vote buying, the falsification of records, bribery, extortion, and kickbacks.

Several typologies on the subject of political corruption have been presented. Some seem to be simplistic dichotomies (Lowi and Pessen) while another was too complex for the purposes at hand (Heidenheimer). Johnston's typology seems more appropriate. It includes those crimes associated with Okscam (especially kickbacks). Okscam also involved members of the public (suppliers) and public officials (county commissioners). Johnston's typology includes this situation as one of the two major types of executions (transactional executions). But Johnston does not include Heidenheimer's notion of black, gray, and white corruption, yet such distinctions seem useful.

These black, white, and gray categories offer the notion of the degree of corruptness of a given act, a notion missing in Johnston's typology. Yet it seems that such a notion could be useful in examining Okscam. Consider, for example, the "blue sky deals" involving a 50-50 split of the money when nothing was delivered to the county. Although this practice will be discussed in more detail later, it is appropriate to note here that such practices were widely condemned by guilty commissioners and investigators alike, and would undoubtedly constitute black corruption. On the other hand, the 10 percent kickbacks were rationalized by some of the convicted commissioners. The attitude of the public toward these kickbacks is also important to consider. These 10 percent kickbacks were definitely illegal and, as such, constituted black corruption in and of themselves. But there was definitely a difference in attitude on all sides toward the "50-50's" as opposed to the 10 percent kickbacks. Thus it may be that some corrupt behavior is "blacker" than others. This study can contribute to Heidenheimer's notion of gradations of corruption by exploring this point.

Another related problem has to do with the difference between black and gray corruption. Heidenheimer's scheme could be enhanced by an understanding of this sensitive matter. This study seeks to probe attitudes toward rule-breaking that is not necessarily illegal by elites and

masses. The questions used to measure attitudes toward gray corruption are new and may contribute to this difficult shadowy area.

Before moving on to a discussion of the various theories about the causes of political corruption it is appropriate to summarize the discussion of definitions and concepts of corruption. The preceding discussion has pointed out that the study of political corruption has been hampered by the lack of a uniform definition. Scholars have offered four major categories of definitions: legalistic, market-centered, public opinion, and public interest. Each one has its limitations, but a consensus may be developing in the use of the narrower legalistic definition. It was therefore decided that Michael Johnston's legalistic definition would be appropriate for this study.

Several typologies of corruption exist. Some are too simple such as Lowi's "Little C" and "Big C," while Heidenheimer's was too complex. Michael Johnston's typology was found to be appropriate. It did not, however, include the dimension of the gradations of corruption, a notion deemed useful for this study. Having selected a definition and a typology, it is now time to consider the various theories about the causes of corruption.

Theories on the Causes of Political Corruption

What causes corruption? Over the centuries this question has been considered by normative political theorists,

nation-builders, sociologists, reformers, journalists, historians, and others. The result has been the postulation of all manner of causes including political machines, the unequal distribution of wealth in society, supply-demand imbalances respecting governmental services, faulty governmental structure, the role of money, and human nature.

This literature is, at present, unorganized.⁴⁰ Neat paradigms do not exist. Lacking also are debates between contending points of view, as is evident in other fields within the discipline. A debate is under way between the functionalist and post-functionalist schools, but this debate is not very old and is an isolated instance. Consequently, there is no consensus within political science as to a unified theory of the causes of political corruption. Instead, a number of individual contending theories exist. Furthermore, the task of thoroughly organizing this literature is a major undertaking far beyond the scope of the present study. All that can be attempted here are some generalizations based upon a general review of this vast body of disorganized literature.

This body of literature may be divided into two sections. One section is labeled the "traditional literature." The traditional literature extends from the writings of the classical normative theorists until, roughly, the early twentieth century. The other section is labeled the "contemporary literature." The contemporary

literature extends roughly from the 1950's until the present time. The reader will notice a gap between these two periods. Such a gap does appear to exist, but its causes are a matter of speculation and will not be dealt with at any length in this study.

The Traditional Literature

The literature on political corruption is thousands of years old. Dobel has, for example, developed a theory of the causes of corruption, and its consequences for the state, based entirely upon the writings of five such theorists: Thucydides, Plato, Aristotle, Machiavelli, and Rousseau.⁴¹ Central to Dobel's theory are the effects of a permanent and unequal distribution of wealth, power, and status within a society. This leads to the development of factions which, in turn, destroy the loyalties which sustain the state. These factions are not simple Madisonian factions. They are centers of power that can become laws unto themselves:

...factions develop their own laws for their own members.... they must often suborn government officials and gain privileges from the law. It becomes rational to work systematically to corrupt the government in order to maintain the faction's own basis of power.⁴²

Placing self-interest before the public interest, the factions socialize citizens into this framework. The ultimate prize is control of the government itself. Controlling government provides a mantle of legitimacy and the vast authority of the state. The dynamics of factions are "toward dominance and control" as opposed to Madison's

view of competitive coexistence. The remedies for this situation are significant increases in political participation by the masses and significant redistributions of wealth, power, and status.

This theory has difficulties when juxtaposed with reality. There were, for example, significant increases in participation during the Jacksonian era, but that period is not remembered for the cleanliness of government. In fact, the late 1800's is known as the Gilded Age in American history, a period wherein corruption went on the rampage. Furthermore, his remedies seem naive.

Corruption was also of concern of the Founding Fathers. John Adams felt that a concentration of power led to corruption. He felt this was an inevitable result of the nature of man and his remedy was to separate power:

Self-interest, private avidity, ambition, and avarice, will exist in every state of society, and under every form of government. A succession of powers and persons, by frequent elections, will not lessen these passions in any case, in a governor, senator, or representative; nor will the apprehension of an approaching election restrain them from indulgence if they have the power. The only remedy is to take away the power, by controlling the selfish avidity of the governor, by the senate and house; of the senate, by the governor and house; and of the house, by the governor and senate....⁴³

Adams' view of human nature was not unique, and he shared Madison's view that private property is a divisive element. In fact, he foreshadowed Marx when he said "In every society where property exists, there will ever be a

struggle between rich and poor."⁴⁴

Marx saw the existing structures as leading to a conflict between a class of haves and a class of have nots. Private property would create temptations that ordinary people would find irresistible; hence, his solution of state ownership of property. Marx was, of course, writing of the England of the nineteenth century. The industrial revolution was in full swing and the picture was grim for the "have not" working class.

The abuses of the spoils system that accompanied the rapid industrialization and urbanization of America in the middle to late nineteenth century motivated a concern that perhaps the existing system was too politicized. The assassination of President Garfield by a job-seeker finally motivated the U.S. Congress to pass the Pendleton Act in 1883. The purpose of this act was to remove the administration of government from the hands of the corrupt "Boss Tweeds" of the day by placing it in the hands of civic-minded public servants who were not dependent upon political patronage for their jobs. This was to be accomplished by the establishment of the merit system and the Civil Service Commission.

Academics awakened to these problems about this same time. This is reflected in the writings of Woodrow Wilson and Frank J. Goodnow. In 1887, while a professor at Princeton, Wilson published his famous essay "The Study of

Administration,"⁴⁵ and Frank J. Goodnow of Columbia University soon followed (1900) with his influential book Politics and Administration.⁴⁶ These authors argued that an impartial administration of the law would go a long way toward removing politics and corruption from government.

This review of the traditional literature will close by considering the Muckraking journalists of the turn of the century such as Lincoln Steffens. Steffens, in The Shame of the Cities,⁴⁷ exposed corruption in several American cities. He, too, saw the system as the primary problem. This is well illustrated by an item from his Autobiography.⁴⁸ Steffens was debating the roots of corruption with some prominent citizens from Los Angeles, California who were gloating over the exposure of corruption in San Francisco. The question concerned who started the evil. An Episcopal bishop asked more than just who started it in San Francisco. He wondered how it started "way back, in the beginning." Steffens had been saying it was really society which offers the prizes of evil-doing, money, position, and power, but he wasn't getting through. The Bishop's way of stating the question prompted the following reply from Steffens:

"Oh, I think I see," I said. "You want me to fix the fault at the very start of things. Maybe we can, Bishop. Most people, you know, say it was Adam. But Adam, you remember, he said it was Eve, the woman; she did it. And Eve said no, no, it wasn't she; it was the serpent. And that's where you clergy have stuck ever since. You blame that serpent, Satan. Now I come and I am trying to show you that it was, it is, the apple."⁴⁹

This concludes the review of the traditional literature. It has emphasized concentration of power, the frailties of human nature, and the characteristics of political, economic, and social systems as the causes of political corruption. Another characteristic of this literature is that it is non-quantitative. It should now be noted that a gap of several decades in the political science literature on corruption seems to exist. Why this gap occurred is a matter of conjecture.

Pinto-Duschinsky argues that for several decades the assumption was that political corruption became obsolete because the reforms of earlier days corrected the conditions that created corruption.⁵⁰ Berg et. al. agree with Pinto-Duschinsky regarding the discipline's complacent attitude toward the problem and offer a telling quote to support their contention:

(We have tended) ... to understate corruption in this country. This position was espoused by Bayless Manning, former Dean of the Stanford Law School, who ... asserted, "Though some may find it surprising, the fact is that in this country we are currently living in an era of unexampled honesty in public administration." According to Manning, this paradise of public propriety was created by the "... evolution of modern administrative techniques for fiscal control, development of a professional sense in the civil service, virtual elimination of the spoils system, spread of competitive bidding, increase in public education, enrichment of the economy, and other (unnamed) basic shifts..."⁵¹

Phillip M. Simpson adds to the argument that other factors have operated to produce this neglect by the

discipline. He suggests that political scientists have been the unwitting victims of Kaplan's "law of the instruments."⁵² Simpson reasons that our research methods, tools, and foci have become increasingly behavioralist while politically corrupt behavior is deliberately contrived to be unobserved. It should be remembered that a behavioral revolution was occurring within political science during much of this time, and it seems reasonable to speculate that the attention of many political scientists was absorbed by this major development. Besides, reform had just occurred. Furthermore, political scientists had not shown much previous interest in this subject, preferring, instead, the more traditional topics such as the study of government structure, constitutions, etc.

Another factor that may have inhibited the development of a body of corruption literature during this period could have been the overpowering impact of current events. Considering the fact that this period saw two world wars, the great depression, and the re-definition of the role of government in American society under the New Deal, it would not be too surprising if political scientists had other concerns on their minds. At any rate, a gap in the literature does exist.

The Contemporary Literature

The contemporary literature continues the emphasis placed upon the corrupting tendencies of power and "the system,"

although different aspects of it may be emphasized. Modern scholars are also continuing the normative non-quantitative approach. But the modern period also contains new and significant differences. One such difference is the beginning of the application of the scientific method to the study of corruption - a trend that has just began and to which the present study may contribute. A second significant difference is the development of the functionalist and post-functionalist schools. Contributions to the corruption literature were also substantially stimulated due to the Watergate scandal. The first subjects for consideration are the functionalist and post-functionalist schools of thought on political corruption.

Functionalists argued that corruption is a normal part of the modernization process within developing countries because it assists the transition from traditionalistic family-oriented societies to modern bureaucratic industrial societies. They went on to argue that corruption would gradually go away as the modernization process advanced.

Werner summarizes the functionalist position as follows:³³

1. Corruption is an inseparable byproduct of modernization and development.
2. Corruption is a functional influence in political and economic development.
3. Corruption is a self-destructive process.
4. Corruption is an individual action committed by the occasional immoral official for personal benefit.

The scandals of the early 1970's prompted a different view of corruption. This post-functional school challenged the functionalists on every major point. They asserted that the functionalists had failed to demonstrate their case with data and that their position was not only wrong, it was dysfunctional because it led to a false sense of security about the problem. Werner summarizes the post-functional school's position as follows:⁵⁴

1. The generalizations of the functionalists are excessive and their points are intellectually inconsistent.
2. The fundamental tenets of the functionalist school are simply incorrect.
3. They warn academics, the state, and society against the "auto-narcotic effects" of the "functional corruption myth" (i.e., corruption is not a problem in America because we are already modernized and it is not a problem in developing societies because it will automatically go away during modernization). They urge the development of strategies to defeat corruption.
4. The functionalists have failed to offer a new deductive theory of corruption.

Post-functionalists see corruption as endemic, and even an epidemic, within the American political system as well as others.⁵⁵ New lines of research are proposed, the debate continues, and the literature is growing.⁵⁶ This debate is, however, the exception rather than the rule in the corruption literature. Other portions of the contemporary literature build upon the traditional period. One example is the Marxist view.

In 1956, C. Wright Mills published an influential book titled The Power Elite.³⁷ In it this modern Marxist argued that America was dominated by political, economic, and military elites, and he addressed the issue of corruption within this "power elite," saying:

Political corruption is one aspect of a more general immorality; the level of moral sensibility that now prevails is not merely a matter of corrupt men. The higher immorality is a systemic feature of the American elite; its general acceptance is an essential feature of the mass society.³⁸

He asserts that these elites have forgone the traditional values of the Founding elite in favor of crass materialism.

Corruption within this framework is inevitable:

Businessmen are supposed to be out for themselves, and if they successfully skate on legally thin ice, Americans generally honor them for having gotten away with it. But in a civilization so thoroughly business-penetrated as America, the rules of business are carried over into government - especially when so many businessmen have gone into government.³⁹

Mills reminds one of the Marxist critique offered by Parenti in that both see business as selfish and both see government thoroughly penetrated by people espousing this selfish business ethic. Parenti maintains that America is essentially ruled by a capitalistic plutocracy and that within such a system corruption is inevitable:

The temptation for corporate interests to use large sums of money to win decisions that bring in vastly larger sums is strong; indeed, it is a temptation that promises grand rewards and relatively few risks, especially since those who would be the guardians of the law themselves have their palms out or are in other ways beholden to the corrupting powers. Politicians too face a competitive market, and their campaign expenses are burdensome. To avoid yielding to the special interests,

to refuse to take from the haves, is to turn oneself into a have-not and lower one's chances of political survival.

In sum, if the powers and resources of the social order itself are used for the maximization of private greed and gain, and if the operational ethic is "looking out for number one," then corruption will be chronic rather than occasional, a systematic product rather than an outgrowth of the politician's flawed character.⁴⁰

Parenti does not blame human nature, political machines, etc. He argues that corruption is the fault of greedy capitalism. But his argument is too narrow and does not account for the corruption in other societies, such as present-day Russia!⁴¹

James Q. Wilson has presented three theories of political corruption: (1) political ethos or style; (2) ordinary men facing extraordinary temptations; and (3) our structure of government.⁴² The "political ethos" explanation applies to "lower-class immigrant voters" who, faced with the problems of coping in an alien environment, want "help, not justice." The "ordinary men facing extraordinary temptations" explanation is attributed to Lincoln Steffens.

The third explanation centers upon the structure of government in America. Wilson cites Henry James Ford who was also writing at the turn of the century (1904) in this connection. The central theme of this theory is that our system of separation of powers and checks and balances is at the heart of the problem. The consequences are that power

is too widely dispersed and that nobody has enough authority to get anything done. This, in turn, leads to the development of other organizations (political machines) that circumvent the government. Wilson summarizes Ford on these points as follows:

What the Founders have put assunder, the politicians must join together if anything is to be accomplished... The boss, the machine, the political party, the bagman - all these operate, in Ford's view, to concert the action of legally independent branches of government through the exchange of favors. The solution to corruption, if this is its cause, is to bring these various departments together formally and constitutionally.... If the chief executive, by virtue of either his constitutional position or his control of a disciplined majority party, is strong enough to rule without the consent of subordinate or the intervention of legislators, then no one will bribe subordinates or legislators - they will have nothing to sell.⁴³

Berg et. al. criticize the three theories offered by Wilson.⁴⁴ First, Wilson includes only those ideas developed in the late nineteenth century. Second, theories that blame the individual are found deficient because they divert attention from other possibilities, such as institutional defects. Third, Wilson's ethnic theory is an unwarranted and unconsionable aspersion upon the character of members of these groups. Fourth, Wilson neglects the broader ramifications of corruption by failing to deal with the relationship of money to the acquisition of political office and thence to its influence on public policy. Berg et. al. then offer their own views on the subject of corruption.

Berg et. al. begin with a public interest definition of

corruption and then offer a systemic explanation based upon the conjunction of economic and political power. A key villain is money. Writing in the aftermath of Watergate, they argue that money is a central element due to the high costs of getting elected. Politicians are forced to accept campaign contributions in order to get elected. But among the many contributors, a very few large contributors dominate and are the most important. These contributors are called "angels" and the politician becomes beholden to them. Angels can be individuals or organizations such as big business or labor. Angels seek first their own protection and second special advantages. They do not try to buy votes outright but they expect their politicians to look out for them and to vote right on their own. The result is a public policy favoring the special interest of these few over the public interest, a condition meeting their test for corruption.

Berg et. al. do not just criticize. They also offer a program of reform. They argue that reforms requiring disclosure, beefing up staff assistance to legislatures, and streamlining the legislative process have not been very effective in reducing corruption, and never will be because they do not deal with the money issue effectively. They call for a greater interest among academics in the relationship between private money's influence on public policy via campaign contributions. In addition they call

for the public financing of congressional elections and for stronger penalties for violations of the laws regulating campaign contributions. These penalties would include mandatory jail terms of a minimum of six months in some cases.

But Berg et. al. may have neglected other causes of corruption. In their discussion of Watergate they emphasize its monetary aspects, but Watergate was about much more than money. Personal financial gain was not the real reason for Watergate. Watergate was essentially about the preservation of power and the abuse of power in order to preserve it. Watergate was possible because of too much power, i.e., The Imperial Presidency,⁴³ in the hands of too few people. From this point of view there may will be a parallel between Watergate and the county commissioner scandal. In fact, one of the hypotheses in this dissertation is that the office of county commissioner was very powerful and that the commissioners operated autonomously in the area of county roads and bridges.

Another parallel between Watergate and Okscam may exist. Jeb Magruder, in An American Life: One Man's Road to Watergate, explains how he thinks Watergate happened and blames the individual participants as well as society.⁴⁴ He says society now teaches goals which are too materialistic and that he and others were not prepared for the temptations they would face. They lacked the moral courage to say no.

(He blames others too.) This also anticipates an hypothesis of this dissertation which says the individual commissioners did not have an ethical value system that enabled them to resist temptation. Furthermore, the combination of a too-powerful office coupled with occupants who could not resist the temptations they faced existed in both cases, and in both cases the result was corruption.

Peters and Welch take an empirical approach to the study of corruption.⁴⁷ Finding the same problems with a definition of corruption that have been elaborated herein, they seek to clarify matters by specifying the elements of an act that give rise to its being defined as corrupt. By breaking the concept of a an act into four components they hope to identify the characteristics of each component that contribute to the attribution of "corrupt" in a given situation. These four elements are the donor of the favor, the recipient of the favor, the favor itself, and the payoff for the favor. Their methodology involved the construction of a questionnaire composed, in part, of ten items. Each item consisted of a situation involving the action of a public official such as a legislator who accepts a large campaign contribution in return for voting "the right way" on a bill. Questionnaires were mailed to 978 state senators in 24 states. After three waves they had a total of 441 responses.

Their findings are interesting. Any one component, taken

in isolation, does not seem to determine corruptness, but illegal acts that result in personal financial gain were perceived as corrupt by over 90 percent of the respondents. Peters and Welch infer that corruption in these cases results from the "merger of the donor and public official role." On the other hand, less than 40 percent judged as corrupt influence peddling such as: "A public official using influence to get a friend or relative admitted to law school." Here, the payoff is indirect and the act is seen by many as a normal type of political favor, and not corrupt. Conflict of interest situations pose the most difficulty in determining corruptness. The nature of the political role is also important, with judges being held to a higher ethical standard than are other public officials. Peters and Welch summarize their research as follows:

In sum, the simple rank ordering of our ten examples shows at one end of the continuum a clustering of acts that are clearly illegal or represent a direct financial gain, at the other, acts that are minor influence peddling, and in between a set of acts representing a wide variety of conflict-of-interest situations.... Using only these ten acts, it could not be determined which (if any) components, or combinations of components, were crucial in influencing perceptions. More research on this point is necessary. ⁶⁰

Peters and Welch represent an analytical approach that has been long needed. But, as they would admit, it does have certain limitations. First, it suffers those problems associated with any public opinion conception of corruption. Second, their data are exclusively from mail questionnaires

and were elicited only from one group of state elites (state senators). These problems limit the utility of their work, but their general analytical approach of decomposing a situation into the donor, recipient, favor, and payoff is clearly a significant advance in the study of corruption. The same, by the way, may be said for the ten situations they employed. More work along their lines is, as they suggest, clearly warranted.

Pinto-Duschinsky continues the non-quantitative approach of the pre-modern period in his discussion of corruption. He offers four reasons for corruption in modern America:⁴⁹

1. Human nature
2. The growth of government activities
3. The profusion of elective offices
4. Morality laws

His first reason has already been discussed in the section dealing with the pre-modern period. The growth of governmental activities provides new opportunities for corruption because more and more governments are spending more and more money. More and more consultants are "needed" and more and more regulatory activities exist by this increased number of governments over more and more areas. The profusion of elective offices encourages corruption because it overburdens the voter, makes it increasingly difficult to get anything done, and forces more and more politicians to rely upon campaign backers for support. The morality laws encourage corruption because their

artificiality creates disrespect for the law (and its attendant system of "innocent graft"). Yet the growth of government activities, the profusion of elective offices, and morality laws are all integral parts of our political system. Because of these factors Pinto-Duschinsky sees political corruption as "...a normal systemic phenomenon."

Simpson has examined the question of the relationship between governmental structure and corruption.⁷⁰ Simpson's work is particularly relevant because it deals directly with the county commissioner scandal. Simpson was a member of the governor's task force that examined the scandal as it was breaking and recommended reforms. He was an Oklahoman and an academic who was able to study the scandal and reform closely.

Adopting a systems view, Simpson sees the scandal as the product of several factors such as Oklahoma's political, historical, social, and cultural background (Jacksonian populist democracy). A product of this Jacksonian heritage was the creation of numerous elected offices at the state and county level. This structure fragmented authority thereby making it vulnerable to corruption. Structure is, therefore, seen to be a contributing factor in the scandal. Simpson leaves no doubt on this point:

If I were designing institutional or structural features to create a vehicle for corrupt official behavior, I would use the Oklahoma system as a model... The basic superstructure design as well as the detail of specific procedures appears to be faulty and permissive.⁷¹

This perspective is reminiscent of the critiques of local governments at the turn of this century. Spurred by Lincoln Steffens and other muckrakers, the newly formed National Municipal League adopted a reform program partially consisting of the centralizing of administrative duties under an appointed city manager. Responsibilities would be more clearly defined, the structure made more responsive, and corruption reduced.

Hanson also hints at a possible cause of corruption in the office of county commissioner in Oklahoma in his discussion of a possible role conflict the commissioners face.⁷² On the one hand, commissioners are elected officials and, hence, required to be politicians. On the other hand, the office is administrative in nature, a situation in which one would expect an administrator as opposed to a politician. Hanson puts it this way:

They are politicians in that they show a disposition to ingratiate different potential benefactors, e.g., voters, patrons, dealers, and contractors. An administrator, by contrast, possesses (theoretically at least) a disposition to obey rules set by a superior authority. The county commissioner, like politicians generally, cannot be constrained to one set of rules without offending potential friends who think in terms of other rules and values. He must improvise and he must take liberties. So he paves church parking lots and favors some merchants rather than others.⁷³

Hanson thus points out another structural aspect of Oklahoma government that may have contributed to Okscam. Not only are Oklahoma's county commissioners elected, they are elected on a partisan ballot from subdistricts within

each county. This system may build in inevitable conflicts. One conflict is the tension between the political party in power and the party out of power. A second conflict is the tension between the temptation to do special favors in order to get reelected as opposed to being impartial as a good administrator is expected to be. Another tension exists between the needs of the county at large and the needs of a commissioner's own district. One is again reminded of the criticisms of turn-of-the-century critics and the reform program of the National Municipal League. The League called, in part, for the election of city councils based upon a nonpartisan ballot and on an at-large basis.

The various theories considered thus far generally stand apart from each other. What has been missing is an integrative approach. Steffens comes close and the Marxist view certainly is comprehensive, but its prime focus is not corruption. Berg et. al. say they rely upon a systems notion but it is not elaborated as one would expect in a systems view (i.e., inputs, transformation mechanism, outputs, feedback, environment, etc.). Michael Johnston fills this gap.

Johnston has specified a systems theory approach to the study of political corruption in America that seems useful.⁷⁴ Placing the political system within a larger socioeconomic system, he asks how such a framework can assist in understanding corruption. The answer, he says,

lies within three characteristics of the governmental process:⁷⁵

1. The fruits of governmental action are often extremely valuable (or, in the case of penalties and sanctions, extremely costly), with demand for benefits frequently exceeding supply.
2. The benefits and sanctions can be gotten or avoided only by dealing with government.
3. The routine process through which benefits and sanctions are conferred is time-consuming, expensive, and uncertain in its outcome.

Government confers licenses, permits, concessions; it performs inspections; it regulates various activities such as aviation and health; it arrests, prosecutes, and imprisons. These benefits and sanctions can make a huge difference in the livelihood of thousands of people and corporations (who, in turn, affect the lives of thousands of people). Government is also the only source of many of these benefits and sanctions. These facts serve to make the competition for benefits, or to avoid sanctions, even stronger. It is, therefore, obvious that thousands of people will desire to influence the distribution of these benefits and sanctions.

This situation is further compounded by the fact that the process of making governmental decisions is often lengthy and the outcome often uncertain. All of this has consequences for political corruption. Influencing a key government official (be it Senator, Congressman, or bureaucrat) can reduce the time involved, reduce or

eliminate the uncertainty, or both. But the combination of these factors creates an even more compelling lure for corruption, or as Johnston says:

The sum of these observations is that because government benefits can be so valuable, because they can often be obtained only from government, and because the legally sanctioned policy process is so arduous, government and its standard procedures stand as a "bottleneck" between what people want and what they get. The bottleneck effect will be a characteristic of the policy process, at least to some extent, regardless of the ethics and training of public officials, and despite any good intentions underlying the laws and institutions within which they must work.⁷⁶

It is, therefore, important to see government as one component within a larger system if we are to understand political corruption. But Johnston does not ignore individuals or governmental institutions. He recognizes that a focus upon individuals can help understand corruption. He also recognizes the importance of institutions as a factor in understanding corruption (lax auditing procedures, the creation of loopholes during the legislative process, the long ballot, etc.). Consequently, Johnston suggests that an inquiry into political corruption proceed upon a three-fold approach. He says we must examine the people, institutions, and the system itself if we are to understand properly political corruption.

Sociologists have also contributed to the study of political corruption in that it is a portion of what they label as "deviant behavior." The deviant behavior literature goes back into the last century, and it would be

going too far afield to present a detailed review. One author does, however, offer an idea that might be relevant to Okscam.

Edwin H. Sutherland proposed a "theory of differential association" which states that criminal techniques are learned in association with others.⁷⁷ In other words, criminals learn attitudes and techniques through their associations with other criminals. Since so many commissioners were involved in Okscam it is unlikely that they were all criminals when they first took office. If this is true then they were socialized in some way, and it may well be that Sutherland's notion of differential association helps explain their new behavior.

This brings to a close the review of the literature on the theories of the causes of corruption. It may be beneficial to end with an overview before moving on to a consideration of the methodology, data collection, and hypotheses. The literature on theories of corruption was found to be vast, covering many centuries, many societies, and to be written from several perspectives. It is, at present, without a paradigm, not well organized, and contains a gap in the early part of this century. The literature was, for the purposes of this research, divided into a traditional period and a contemporary period. The traditional literature contained a concern with corruption among the classical scholars, the Founding Fathers, Karl

Marx, Woodrow Wilson, Frank J. Goodnow and Lincoln Steffens. There was an emphasis upon the corrupting influences of power, the inherent weaknesses of human nature, and the system as causes of corruption.

The contemporary literature continues the concerns of the traditional period having to do with the causes of corruption such as power, human nature, and the system. Modern writers also continue to write from the normative or non-quantitative perspective. But the modern literature is also different in some important ways. One such difference is the beginning of the application of quantitative techniques to the study of corruption. The modern period is also witnessing the formation of contending schools of thought on the subject as evidenced by the functionalists and post-functionalists. But the modern literature also contains another contribution long needed in this field of inquiry. This is an approach that integrates these various possible causes into one comprehensive model that can direct research in a systematic way and at the same time allow the researcher to move between various individual theories as necessary. Michael Johnston has offered an approach that may have answered this important need.

Johnston's conceptualization was adopted for this research for several reasons. First, it should enable the use of a wide variety of variables grouped under three broad categories: individual people, political institutions, and

the macro-system. Second, it enables one to shift focus as required. Third, it emphasizes the broader systemic orientation advocated in one way or another by a whole host of authors including Steffens, Marx, Parenti, Mills, Berg et. al., Pinto-Duchinsky, Simpson, and Sutherland. Fourth, it retains a political orientation. It is, therefore, important to test Johnston's systems theory as an approach to the study of political corruption.

Having established a working definition of political corruption, a typology upon which to rely, a grasp of the literature on the causes of corruption, and a model to direct the inquiry, it is time to consider methods and data.

5. Methodology and Data

This section presents information on methodology and data, but before plunging in a few preliminary remarks about hypotheses are in order. It should be recalled that this project will employ Michael Johnston's systems theory approach to the study of corruption in which he advocates the examination of three major components within the overall scheme - systemic factors, institutional factors, and personal factors. Several hypotheses flow naturally from this approach.

The major hypothesis is cultural. It is hypothesized that Okscam was possible because Oklahoma was possessed of a uniquely corrupt political culture. The effects of this corrupt political culture permeated the macro-system, i.e.,

public opinion, the institutions of government at the state and local levels, and public office holders. Within the macro-system the public is hypothesized to be cynical, ignorant, and apathetic. The electorate is further hypothesized to be tolerant of political corruption. Within the institutions, a breakdown is expected to have occurred among the various checks and balances among them, one consequence of which was that the commissioners operated autonomously. Looking at the individual commissioners, it is expected that they will constitute a group of men who, by virtue of their background, were unable to resist the temptations they would face. The combination of these circumstances enabled Okscam to develop and thrive. These hypotheses will be tested in several ways.

Testing the cultural hypothesis will involve several sources of information and a multi-methodological approach. One approach will be historical. The history of Oklahoma will be reviewed from its territorial days until the present with an accent upon the unique components of this history that could be the basis for a uniquely corrupt political culture. This review will also include some of the major political scandals within the state's history as evidence of a past pattern of political corruption. Daniel Elazar's work on political culture will be included because of its national scope, his theories on political subcultures, and because of his treatment of Oklahoma within these contexts.

Some of the literature that has attempted an empirical testing of Elazar will also be reported. It is, however, necessary to rely upon material other than the above mentioned historical evidence because of the potential to make erroneous interpretations of history, to err in emphasis, or to inadvertantly omit important events.

The cultural hypothesis will also be tested via public opinion data. One major source of data will be a survey of Oklahomans designed by Dr. Harry Holloway and Dr. Jeffrey L. Brudney. The survey consisted of telephone interviews with 895 Oklahomans over 18 years of age who were randomly selected. This survey was performed by the Center for Economic Management Research at the University of Oklahoma during the period of November 1982 to February 1983. The questionnaire contained 133 items, including several original items designed specifically to measure tolerance for corruption. The survey also contained other questions such as trust in government items and political efficacy items from national surveys. These data will permit an analysis of the reported attitudes of Oklahomans themselves. If Oklahoma has a corrupt political culture it should be evident here. But the argument is not just that Oklahoma is corrupt, it is that Oklahoma is unusually corrupt. This must also be tested.

The atypicality of Oklahoma will be tested by comparing Oklahomans to the nation. This will be accomplished in

several ways. U.S. Census data for Oklahoma and the nation will be compared to test for demographic similarities. Attitudinal similarities will be tested by comparing Oklahoma survey responses with national surveys. By combining historical evidence, U.S. Census data, and survey data for the state and nation a broader understanding of the atypicality of Oklahoma's political culture, and its tolerance for political corruption, should be obtained. A general pattern characterized by large differences would tend to support the hypothesis of atypicality, whereas a general pattern characterized by similarities would tend to weaken the hypothesis of an unusually corrupt political culture.

Hypotheses related to the institutions of government will be examined differently. In this case it will be necessary to look into the history of Oklahoma and to describe the structure of county government within Oklahoma. In addition, published documents on the scandal will be consulted and interviews with numerous relevant individuals including people from the FBI, the U.S. Attorney's office, and present and former county commissioners will be conducted.

Testing hypotheses related to the county commissioners will be based upon the data collected in elite interviews with present and former commissioners. Commissioners can be compared to the general public in Oklahoma on certain key

attitudes because identical items are contained in the public opinion survey and in the elite survey questionnaires. In addition, the attitudes of commissioners as a group will also be probed based upon the same data set.

Several problems may be present in this study. Some of these difficulties will be the usual ones associated with item wording, mail questionnaire response rates, and establishing rapport during elite interviews. But other difficulties may come from the unique nature of this study.

Because of the sensitive nature of the subject it may be difficult to gain access to the convicted commissioners. Many of them are incarcerated in the federal prison system and there is no guarantee that the federal authorities will cooperate. Another related problem is gaining access to incumbent commissioners. If access is gained to the convicted commissioners there is the further problem of obtaining their cooperation. Federal regulations require that inmates must sign a consent form before participating in research and this may inhibit some to such an extent that they refuse to participate. Furthermore, those convicted on federal charges may also face criminal or civil actions by state authorities. This may present a real problem since the convicted commissioners would be expected to be very apprehensive about discussing their situation under these circumstances, especially with a stranger. They may also be sick and tired of the whole thing and simply not want to

discuss it unless they have to, and they cannot be coerced in any way. Data-collecting problems associated with convicted suppliers are expected to be similar to the problems associated with the convicted commissioners.

The incumbent commissioners are not expected to have the same inhibitions as the convicted commissioners and are expected to participate in interviews. The problem here is one of scheduling, transportation, time, and money. Problems may also exist within the university bureaucracy since this project must be approved by the Institutional Review Board.

Another set of problems exists with respect to the questionnaire used during the interviews. Many of the items are new and, consequently, do not have any existing data base for comparison purposes, nor has their reliability and validity been statistically assessed. The questionnaire must be designed such that it is suitable for mailing and for personal interviews. The response rate for mail surveys is notoriously bad under normal circumstances, and the sensitive nature of this subject may reduce it even further.

If these potential obstacles can be overcome the result should be a comprehensive body of data from a variety of sources that will explain Okscam. It should be possible to evaluate the major hypothesis of an unusually corrupt political culture, institutional weaknesses, and the characteristics of the office-holders. It has been

necessary to refer to hypotheses several times in this section, but they have not yet been spelled out in sufficient detail. This is the next task.

Hypotheses

As previously noted, this dissertation will adopt Michael Johnston's systems theory as a basis for research. It may be recalled that he advocates a three-pronged approach to the study of corruption, consisting of a focus upon systemic factors, institutional factors, and individual factors. Hypotheses for each of these three factors will be developed.

Generally, it is hypothesized that Oklahoma's political culture is unusually corrupt and that this element of corruption permeated public opinion, the institutions of state and local government, and the office-holders. It constituted an atmosphere in which corruption could sprout, grow, and eventually flourish. The macro-system includes a public that is tolerant of political corruption. Furthermore, the public is expected to be apathetic, ignorant, and cynical. From an institutional perspective, it is hypothesized that a set of checks and balances among the institutions of state and county government broke down. Looking next at personal factors, it is hypothesized that the office of county commissioner was occupied by a group of people who, by virtue of their general background, were susceptible to the temptations they would face.

Hypotheses Related to the Electorate

It has been suggested that one general factor contributing to the cause of Okscam was that Oklahoma is by an unusually corrupt political culture and that the public is also apathetic, ignorant, and cynical. These generalities may take several specific forms. If, for example, Oklahoma has an unusually corrupt political culture one would expect it to be manifested in political attitudes and issue orientations. It is, therefore, hypothesized that Oklahomans are different from the nation in their attitudes toward such key concepts as political trust and political efficacy. Oklahomans would be expected to be less trusting and less efficacious. One would also expect Oklahomans to be different from the nation in their positions on certain political issues such as national defense spending, spending to improve and protect the environment, spending to control crime, gun control, and such civil liberties issues as allowing a racist or communist to speak in public.

If Oklahomans are apathetic and ignorant then one might expect them to not know such things as the way county commissioners are selected and the number of commissioners per county, and one would also expect to find a lack of participation in elections. These are rather basic measures but if these expectations are confirmed there should be little doubt as to merit of the hypothesis.

If Oklahoma is possessed by a corrupt political culture then Oklahomans would be expected to be at least somewhat tolerant of corruption. More specifically, one would expect them to be tolerant of a politician who accepts favors from those doing business with government, of profiting from the sale to the government of personally held land, of accepting campaign contributions from those doing business with government, of finding government jobs for friends and relatives, and even of accepting kickbacks.

If Oklahomans are tolerant of rule-breaking by their public officials then they might also be tolerant of rule-breaking by private citizens. Consequently, one would expect them to be tolerant of private citizens who cheat on their income taxes, of only warning a drunk driver or speeding driver, of allowing bingo games in church, and of accepting favors from politicians, even if they are illegal.

Hypotheses Related to Institutions

Generally, it is hypothesized that the system of checks and balances among the institutions of Oklahoma's state and local governments broke down. More specifically, it is hypothesized that the county commissioners operated autonomously. Effective constraints upon their use of road moneys are expected to be lacking, both from state audits and from internal county mechanisms such as the Board of County Commissioners. Although road funds are for the use of the entire county, commissioners are expected to have

informally divided these county road funds into thirds and then to have exercised autonomous control over their respective thirds. Commissioners are also expected to have avoided the constraints upon favoritism imposed by the state's bidding law requiring that large purchases be made based upon the lowest confidential bid by relying upon a loophole in the law permitting them to also consider the best bid, a subjective judgement based upon considerations other than price. Furthermore, it is expected that the commissioners combined the functions of purchasing agent, authorizing agent, and receiving agent in the expenditure of these funds. Autonomy was further encouraged by the commissioner's authority over the construction and maintenance of the county road program. The autonomy of the commissioners is also expected to be enhanced by other factors including a norm of "turf" that prevailed in county courthouses, the lack of adequate investigative authority on the part of law enforcement authorities at both the state and local level, the inhibiting effects of the commissioners as politically powerful forces both at the local and state level, by the tacit if not overt cooperation of some state officials, and by the absence of an inquisitive press and public.

Hypotheses Related to Individuals

The major hypothesis is that the office of county commissioner was generally held by a group of people who

were not prepared for the temptations they would face. They are expected to be long-time residents of Oklahoma with a limited formal education. They would not be expected to be too politically ambitious and to see the office more in political terms than as an administrator. They are expected to feel poorly compensated for what they see as a very demanding job in terms of time, responsibility, and personal expenses. Commissioners are expected to oppose reform and too see it as a threat to their power in favor of a centralization of power in the state capital. They are, consequently, expected to be willing to break the rules when they think necessary. And, as was found in Small Town in Mass Society,⁷⁹ they are expected to function rather informally rather than being accustomed to such formalities as abiding by procedures for meetings and purchases. Nor would they be expected to be well informed on the law, preferring, instead, to rely upon their district attorney or state attorney general for legal advice.

The result of all of these factors was that the commissioners held an office containing a great deal of discretionary power in the area of county roads and bridges. Furthermore, they operated within a political culture that tolerated corruption and they viewed the office as a means for personal gain as well as public service. In addition, they were not subjected to effective restraints on the part of the state or the media. The result was corruption on a

grand scale.

Dissertation Chapter Outline

The dissertation will contain eight chapters. Chapter I has presented an overview of the entire project. It contained a statement of the purposes of the project and a review of the literature on political corruption. A model for inquiry, Michael Johnston's systems theory approach, has been selected and several hypotheses were developed. The methodology to be employed has been outlined and some anticipated problems were mentioned.

Chapter II will delve into the historical setting of the scandal. It will contain a brief review of the history of Oklahoma concentrating upon some of the previous lawlessness in the state. The intent here is not to denigrate the state of Oklahoma. It is, instead, to point out that the county commissioner scandal is not a unique instance of corruption within the state's history. With this intent in mind, a pattern of lawlessness stretching back to Oklahoma's territorial days will be traced and several major political scandals since statehood will be also be discussed. In addition, conditions unique to Oklahoma will be presented. Chapter II will also contain a more general discussion of the political culture of Oklahoma.

Chapter III focuses upon county government. This relates to the institutional aspects of Johnston's model. This chapter will describe the setting of county government.

The central theme will be the autonomy of the county commissioners. Topics will include county government in general, the office of county commissioner in particular, and the relationship of the commissioners to other county offices.

Chapter IV focuses upon the scandal itself. Topics will include previous investigations at the state and local level, the federal investigation that uncovered the scandal, how the Okscam system operated, how new commissioners were indoctrinated into it, and reform efforts by the governor and legislature.

Chapter V will consist of a comparison of Oklahoma and the nation. U.S. Census data for the state and nation will be used to compare demographic characteristics of the two groups. Attitudinal comparisons will be accomplished via the use of the Oklahoma survey and major national surveys. This will partially address selected characteristics of the system in Johnston's model. It will also present evidence as to whether or not Oklahoma is reasonably similar to the rest of the nation with respect to certain key demographic characteristics, key political attitudes, and issue orientations.

Chapter VI further probes public opinion in Oklahoma. This will represent a continuation of the systemic component of the model. This chapter will present an analysis of tolerance for rule-breaking by Oklahomans. Tolerance will

be broken into two major dimensions. One dimension will be tolerance for rule-breaking by private citizens. The second dimension will be tolerance for rule-breaking by public officials. Tolerance for rule-breaking by public officials will then be taken as the dependent variable in a multivariate analysis. These efforts should assist in determining whether or not Oklahoma has a political culture that is tolerant of political corruption. They should also contribute to the methodology for researching political corruption.

Chapter VII focuses upon the county commissioners. Attitudes of commissioners and the public will be compared. In addition, incumbent commissioners will be compared to guilty commissioners. This should help clarify the personal characteristics of the office-holders and how these characteristics did or did not contribute to the scandal.

Chapter VIII summarizes the entire research project and draws conclusions. Those factors contributing to it will be indicated and their relationships will be described. In this process the adequacy of the cultural hypothesis will be assessed. In addition, the utility of Johnston's systems theory approach will be evaluated. Furthermore, the methodology employed in this study will be appraised and some suggestions for further research will be offered.

NOTES

1. Michael Johnston, Political Corruption and Public Policy in America, (Monterey CA.: Brooks/Cole Publishing Co., 1982).
2. Interview with Mr. William Price, U.S. Attorney for the Western District of Oklahoma, January 12, 1984, Federal Building, Oklahoma City, Oklahoma. At least 54 counties within the Western District alone, had, by that time, been touched by the scandal. This does not include those counties in the Eastern District of Oklahoma, and there were several cases still pending within the Western District.
3. Price interview, January 12, 1984.
4. Price interview, January 12, 1984.
5. See, for examples: "Bad Times Are Here For Good Old Boys," The Wall Street Journal, 22 September, 1981, p. 1 cont. p. 23; "Changes in Doubt," The New York Times, 12 October, 1981, p. A 21; "Oklahoma Scandal," America, Vol. 145, 7 November, 1981, p. 272; "Payoffs as High As An Elephant's Eye," Newsweek, Vol. 98, 21 September, 1981, p. 49; "Oklahoma! Where the Graft Comes Sweepin' Down the Plain," Time Magazine, Vol. 118, 12 October, 1981, p. 31; and "Where Graft Reached Epidemic Levels," U.S. News And World Report, Vol. 92, 11 January, 1982, p. 44.
6. Price interview, January 12, 1984.
7. John Kinkaid, ed., Political Culture, Public Policy and the American States (Philadelphia, Pa.: Institute For The Study Of Human Issues, 1982), pp. 5-8.
8. Danial J. Elazar, American Federalism: A View From the States, 3rd Edition (New York, N.Y.: Harper & Row, 1984), p. 109.
9. Kinkaid, Political Culture, Public Policy and the American States, pp. 5-8.
10. Ibid., pp. 122-123.
11. These convictions were overturned on appeal. Draper and Fitzgibbon resumed their seats in the Oklahoma House of Representatives, but Representative Draper did not run again and Representative Fitzgibbon was defeated in his

bid for re-election.

12. Arnold J. Heidenheimer, Political Corruption, (New York, N.Y.: Holt Rinehart and Winston, Inc., 1970), p. 3-9.
13. James C. Scott, Comparative Political Corruption, (Englewood Cliffs, N.J.: Prentice-Hall, 1972).
14. Quoted in Heidenheimer, Political Corruption, p. 6.
15. Heidenheimer, Political Corruption, pp. 6-9.
16. Larry L. Berg, Harlan Hahn, and John R. Schmidhauser, Corruption in the American Political System (Morristown, N.J.: General Learning Press, 1976), p. 6.
17. Quoted in Heidenheimer, Political Corruption, p. 6.
18. Johnston, Political Corruption and Public Policy in America, p. 5.
19. Quoted in Heidenheimer, Political Corruption, p. 7.
20. Heidenheimer, Political Corruption, p. 5.
21. Naomi Caiden, "Shortchanging the Public," Public Administration Review, Vol. 39 (May/June 1979) pp. 294-298.
22. Ibid., p. 297.
23. Heidenheimer, Political Corruption, pp. 26-28.
24. Ibid., p. 28.
25. John G. Peters and Susan Welch, "Political Corruption in America," American Political Science Review, Vol. 72 (September, 1978), pp. 974-984.
26. Caiden, "Shortchanging the Public," Public Administration Review.
27. Ibid., p. 295.
28. Johnston, Political Corruption and Public Policy in America, p. 8.
29. Ibid.
30. For a discussion of the relationship between definition and concept see David Nachmias and Chava Nachmias,

Research Methods in the Social Sciences, 2nd Edition (New York, N.Y.: St. Martin's Press, 1981), especially pp. 29-39.

31. Theodore J. Lowi, "The Intelligent Person's Guide to Political Corruption," Public Affairs, Vol. 82 (September 1981) pp. 1-6.
32. Ibid.
33. Ibid.
34. Edward Pessen, "Corruption and the Politics of Pragmatism: Reflections on the Jacksonian Era," in A.S. Eisenstadt, Ari Hoogenboom, and Hans L. Trefousse, eds., Before Watergate, (Brooklyn N.Y.: Brooklyn College Press, 1978), pp. 79-98.
35. Ibid., p. 80.
36. Heidenheimer, Political Corruption, pp. 18-23.
37. Ibid.
38. Ibid., pp. 23-26.
39. Johnston, Political Corruption and Public Policy in America, pp. 11-12.
40. Some authors, as we shall see, break the literature into functionalist and post-functionalist periods but these distinctions do not adequately cover this vast literature. Benson catalogues numerous theories on the causes of corruption in America (George Bensen, Political Corruption in America (Lexington Ma.: Lexington Books, 1978)), but he does not organize the literature. The prevailing organizational approach presently appears to be the comparative politics approach taken by Heidenheimer and Scott. Heidenheimer organizes the literature topically (administrative corruption, electoral and legislative corruption, corruption and modernization, etc.), but it is difficult to grasp unifying themes in this approach.
41. J. Patrick Dobel, "The Corruption of a State," American Political Science Review, Vol. 72 (September 1978) pp. 958-973. Another indication of the age of this problem is provided by B. Venkatappiah. In his article "Office, Misuse of," International Encyclopedia of the Social Sciences, Vol. 11, pp. 272-276, he indicates a concern about corruption in the Egyptian Book of the Dead. It

was in the form of a supplication to the god Osiris as follows "I knew no wrong, I did no evil thing.... I did not diminish the grain measure. I did not diminish the span. I did not diminish the land measure. I did not load the weight of the balances. I did not deflect the index of the scales." (quoted in Walter Goodman, All Honorable Men: Corruption and Compromise in American Life (Boston, Ma.: Little, 1963), p. 81 .).

42. Ibid., p. 964.
43. John Adams, "A Defense of the Constitutions of Government of the United States of America," in Alpheus Thomas Mason, ed., Free Government in the Making, 3rd edition (New York, N.Y: Oxford University Press, 1965), p. 180.
44. Ibid., p. 182.
45. Woodrow Wilson, "The Study of Administration," Political Science Quarterly, Vol. 2 (June 1887) pp. 197-222.
46. Frank Goodnow, Politics and Administration (New York, N.Y.: Macmillan, 1900).
47. Lincoln Steffens, The Shame of the Cities (1904, reprinted edition New York, N.Y.: Doubleday, 1966). This is a compilation of his articles on corruption in American cities from coast to coast including Cleveland, Minneapolis, Cincinnati, Chicago, Philadelphia, New York, St. Louis, and San Francisco. Steffens was, of course, not the only muckraker. McClure's, published by S.S. McClure, was a leading muckraking magazine and Steffens was on the staff of this publication, as was Miss Ida M. Tarbell who exposed the operations of The Standard Oil Co. Another muckraking publication was Everybody's Magazine and other muckrakers included Thomas W. Lawson, Charles Edward Russell, and Ray Sannard Baker. And one of the most famous and influential books of the period was Upton Sinclair's The Jungle.
48. Lincoln Steffens, "Los Angeles and the Apple," in John A. Gardiner and David J. Olson, eds., Theft of the City (Bloomington, IN: Indiana University Press, 1974), pp. 285-289.
49. Ibid., p. 289.
50. Pinto-Duschinsky, "Theories of Corruption in American Politics."

51. Berg, Hahn, and Schmidhauser, Corruption in the American Political System, p. 3-4.
52. Conversation with Dr. Phillip M. Simpson, Professor of Political Science, Cameron University, Lawton, Oklahoma, October 12, 1982. For an elaboration of Kaplan's law of the instruments see Abraham Kaplan, American Ethics and Public Policy (New York, N.Y.: Oxford University Press, 1958).
53. Simcha B. Werner, "New Directions in the Study of Administrative Corruption," Public Administration Review, Vol. 43 (March/April 1983), pp. 146-154.
54. Ibid.
55. Ibid.
56. For some good overviews see Gerald E. Caiden and Naomi J. Caiden, "Administrative Corruption," Public Administration Review, Vol. 37 (May/June 1977), pp. 301-309 and Naomi Caiden, "Shortchanging the Public," Public Administration Review, Vol. 39 (May/June 1979), pp. 294-298; For some examples of the writings of the functionalist school see M. McMullan, "A Theory of Corruption," Sociological Review, Vol. 9 (July 1961), pp. 191-201. Heidenheimer's Political Corruption contains several articles from this school. For an example of the post-functionalist school see J.S. Nye, "Corruption and Political Development: A Cost Benefit Approach," American Political Science Review, Vol. 61 (June 1967) pp. 417-427. The Heidenheimer reader Political Corruption also contains writings from this school. In addition, the notes in the Werner article contain numerous citation along these lines.
57. C. Wright Mills, The Power Elite (New York, N.Y.: Oxford University Press, 1956).
58. Ibid., p. 343.
59. Ibid., pp. 346-347.
60. Michael Parenti, Democracy for the Few, 4th edition, (New York, N.Y.: St. Martin's Press, 1983), p. 243.
61. See John M. Kramer, "Political Corruption in the U.S.S.R.," Western Political Quarterly, 1977, pp. 213-224, for a discussion of corruption in the Soviet Union.

62. James Q. Wilson, "Three Theories of Corruption," in John A. Gardiner and David J. Olson, eds., Theft of the City, pp. 282-284.
63. Ibid., p. 284.
64. Berg, Hahn, and Schmidhauser, Corruption in the American Political System, pp. 4-5.
65. Arthur M. Schlesinger, Jr. The Imperial Presidency (Boston, Ma.: Houghton Mifflin Company, 1973).
66. Jeb Stuart Magruder, An American Life: One Man's Road to Watergate (New York, N.Y.: Pocket Books, 1975). The Watergate literature is too large to be cited in full here, and such an exercise is beyond the scope of this project. For some views by those involved in some way see: Carl Bernstein and Bob Woodward, All the President's Men (New York, N.Y.: Warner Books, Inc., 1975); John Ehrlichman, Witness to Power (New York, N.Y.: Pocket Books, 1982); John Dean, Blind Ambition (New York, N.Y.: Pocket Books, 1977); and, Leon Jaworski, The Right and the Power (New York, N.Y.: Pocket Books, 1977). For a reporter's view see Theodore White, Breach of Faith (New York, N.Y.: Dell Publishing Co., 1976). For the dirt on the Democrats see Victor Lasky, It Didn't Start with Watergate (New York, N.Y.: Dell Publishing Co., 1977). For an academic's view of its impact see David C. Saffell, Watergate: Its Effects on the American Political System (Cambridge, Ma.: Winthrop Publishers, Inc., 1974).
67. Peters and Welch, "Political Corruption in America," American Political Science Review. These same authors have also published other empirical studies. See John G. Peters and Susan Welch, "Politics, Corruption, and Political Culture," American Politics Quarterly, Vol. 6 (July 1978), pp. 345-356; and, John G. Peters and Susan Welch, "The Effects of Charges of Corruption on Voting Behavior in Congressional Elections," American Political Science Review. Vol. 74 (September 1980), pp. 697-708. A causal model on the subject of political corruption is presented by Michael Johnston, "Corruption and Political Culture in America," Publius, Vol. 13 (Winter 1983), pp. 19-39.
68. Peters and Welch, "Political Corruption in America," p. 982.
69. Pinto-Duschinsky, "Theories of Corruption in American

Politics."

70. Phillip M. Simpson, "The County Government Scandals in Oklahoma: The Structure/Corruption Relationship," paper prepared for delivery at the Annual Meeting of the Southern Political Science Association, Atlanta, Georgia, October 28, 1982.
71. Ibid., p. 41.
72. Bertil L. Hanson, "County Commissioners of Oklahoma," Midwest Journal of Political Science, Vol. 9 (November 1965), pp. 388-400.
73. Ibid., p. 394.
74. Johnston, Political Corruption and Public Policy in America, pp. 12-35.
75. Ibid., p. 20.
76. Ibid., pp. 22-23.
77. Edwin H. Sutherland and Donald R. Cressey, "The Theory of Differential Association," in Stuart H. Traub and Craig B. Little, eds., Theories of Deviance (Itasca, N.Y.: F.E. Peacock Publishers, Inc., 1975), pp. 110-116.
78. Dr. Brudney has left the faculty of the University of Oklahoma to take a position on the faculty of the University of Georgia. His interest in this project has, however, continued.
79. Arthur J. Vidich and Joseph Bensman, Small Town in Mass Society (Garden City, N.Y.: Doubleday and Company, 1960).

CHAPTER II

THE SETTING

Introduction

In Chapter I several hypotheses were advanced to explain Okscam, the major one being cultural. It was suggested that Oklahoma had an unusually corrupt political culture and that this corrupt political culture was pervasive in its effects upon the political system within Oklahoma. It was expected to have infected public opinion, the institutions of government at both the state and local levels, and to also have infected the individual people holding government office. The purpose of this chapter is to begin the historical examination of this cultural hypothesis.

A brief history of Oklahoma is provided which emphasizes two interrelated themes: (1) lawlessness and (2) exploitation, opportunism, and greed. The chapter will consist of three sections. The discussion will open with the theoretical foundation for hypothesizing a corrupt political culture. This will center upon Danial Elazar's

work on political subcultures and some of the attempts to subject Elazar's theories to empirical testing. Section 2 deals with the early history of Oklahoma. Section 3 considers some of the major political scandals since statehood.

The Political Culture of Oklahoma

Daniel Elazar has elaborated a theory of political subcultures within America that is national in scope and that has application to Oklahoma.¹ Relying upon immigration and migration patterns, Elazar postulates three types of political subcultures within the United States: moralistic, individualistic, and traditionalistic. He characterizes Oklahoma as a blend of the traditionalistic and individualistic cultures.

In the individualistic subculture, government is basically a care-taker. It exists only to provide those services that are demanded by the people instead of being the prime mover in the creation of the "good society." This culture raises private concerns to central importance. The democratic order is seen as a market place which must be kept free from community intervention in order to function at its best. Politics, then, is seen as "just another means by which individuals may improve themselves socially and economically." Eschewing ideological concerns, its politicians take a business-like approach to government:

Its politicians are interested in office as a means of controlling the distribution of favors or rewards of government rather than as a means of exercising governmental power for programmatic ends.

Some who chose political careers clearly commit themselves to (high) norms in return for the status and economic rewards considered their due. ... others believe that an officeholder's primary responsibility is to serve himself and those who have supported him directly, favoring them even at the expense of the public.²

This leads to an expectation of corruption as a routine occurrence in this culture. In fact, the individualistic subculture has the highest affinity for corruption among all three of Elazar's subcultures. Since Oklahoma is characterized as partially being under the influence of the individualistic subculture one should not be surprised to find corruption. One would even expect it as a routine occurrence. But the individualistic culture is not the only one that influences Oklahoma, for Elazar says that the state is also under the influence of the traditionalistic culture.

Although the traditionalistic culture does not directly condone corruption as much as the individualistic culture, it still is favorably disposed to it, and with good reason. In the first place, it too sees the political system as a marketplace, although not as much as does the individualistic subculture. In the second place, this culture is quite antibureaucracy. It stresses social and family ties. Elazar puts it this way:

...traditionalistic political cultures tend to be instinctively antibureaucratic because bureaucracy by

its very nature interferes with the fine web of informal interpersonal relationships that lie at the root of the political system and which have been developed by following traditional patterns over the years.³

This leads to a negative view of a merit system. Public office vacancies should, instead, be filled via recruitment from the elite-controlled political party. One should not, therefore, be surprised to find a thriving patronage system in a traditionalistic state. Furthermore, this culture tends to have a low level of interparty competition.⁴

Support for an expectation of corruption within the traditionalistic subculture in Oklahoma comes from Russell L. Hanson. He makes mention of the county commissioner scandal in Oklahoma and then quotes Governor Nigh, who lamented that many of the people involved in Okscam didn't know they had been dishonest because they had been told this was the way one did business. He then says such a mistaken impression is understandable in view of Oklahoma's previous experiences with corruption.⁵ He draws the following conclusion about corruption within traditionalistic subcultures:

Frequent and systemic corruption is...an integral part of traditionalistic politics, largely because it is not viewed as a betrayal of public trust. Since politics is not oriented toward the "public interest," corruption is a naturally occurring phenomenon. It is the rule, rather than the exception, in traditionalistic subcultures.⁶

To see Oklahoma as a combination of the traditionalistic and individualistic subcultures would go far in accounting

for Okscam because corruption is seen as an integral part of both subcultures. Corruption should be expected rather than being surprising. The argument is further strengthened when one considers the third subculture postulated by Elazar, the moralistic subculture.

The moralistic subculture stands in sharp contrast to the other subcultures, especially in its attitude toward corruption. Here, politics is considered one of man's highest callings and public office is viewed as a public trust. Serving the community as a whole is the central proposition and, consequently, private gain at the public expense is condemned. In other words, corruption is not expected and is not considered an integral part of the system. It is, therefore, significant that Elazar does not characterize Oklahoma as possessing a moralistic subculture.

Elazar's concepts of political culture have been put to the test several times, with results that are chiefly supportive. The first edition of Elazar's American Federalism: A View from the States,⁷ published in 1966, led Ira Sharkansky to attempt an empirical test of Elazar's notions. The results of his work were published in 1969 and showed empirical support for the concept.⁸ Sharkansky developed a scale of political culture ranging from 1 to 9 in which a score of 1 corresponded to the Moralistic culture, 5 corresponded to the Individualistic culture, and 9 to the Traditionalistic culture. Oklahoma scored 8.25.

Sharkansky then employed 23 dependent variables that were "likely correlates of political culture." Fifteen of these 23 dependent variables correlated at the .05 level of statistical significance or higher. Sharkansky then controlled for personal income, urbanization, and regionalism and 8 dependent variables achieved statistical significance after these controls. Sharkansky summarized his research as follows:

The evidence presented in this article lends some weight to the designations of political culture made by Professor Daniel J. Elazar.... the resulting scale of political culture shows important relationships with several traits of state politics and public service."⁹

More support for Elazar's conceptualizations comes from Susan Welch and John G. Peters. One project tested the connection between political corruption and Elazar's conceptualization of political culture.¹⁰ More specifically, the project inquired into the relationship of political culture to the attitudes of state legislators toward corruption. The authors developed three measures of corruption as follows: (1) perception of acts as being corrupt, (2) support for other officials engaged in corrupt acts, and (3) perceived frequency of occurrence of corrupt acts within a state. Data on these variables were collected from a mail survey of 441 state senators distributed among 24 states. Peters and Welch concluded as follows:

The single most important finding of this research is that there is empirical evidence to support the notion that political culture helps explain why some states are

more corrupt than others.¹¹

In a second project Peters and Welch relied upon Elazar's work to investigate relationships between political subcultures and the attitudes of state senators in 24 states toward political corruption and issues of social, economic, and welfare liberalism.¹² In this study Peters and Welch found that Elazar's subcultures did have some predictive utility although culture was admittedly measured crudely.

Michael Johnston has also conducted empirical research to establish a relationship between political corruption and Elazar's work. Johnston inquired into this question using federal judicial districts as the unit of analysis.¹³ He analyzed federal corruption conviction data for 85 of the 94 districts during the period 1976-1978 to determine if there were any differences based upon political cultures as conceptualized by Elazar and found general support for the concept. Johnston concluded that "The political culture hypotheses receive support, with the moralistic scale showing the largest coefficient."

Other researchers have also found value in Elazar's conceptualization of political culture,¹⁴ but one study has not supported Elazar's theory. This study by Shiltz and Rainey found Elazar's notion of subcultures to be of little predictive value, but this study has been subjected to a devastating critique by Robert L. Savage.

Shiltz and Rainey attempted to test the accuracy of

Daniel Elazar's work respecting the geographical distribution of his subcultures throughout the United States.¹⁵ The inquiry employed survey research data from the Comparative State Elections Project which sampled 13 states:

The thirteen states are nicely arrayed with three classified by Elazar as moralistic and five each identified as individualistic and traditionalistic. Moreover, questions in the CSEP questionnaire are germane to several - though not all - of the assumed distinctions between the subcultures.¹⁶

Shiltz and Rainey then presented tables of mean values resulting from the categorization of several items from the questionnaire, but they did not include any tests of significance. Nor were any measures of variance presented. Nonetheless, Shiltz and Rainey concluded as follows:

The data presented provide scant evidence that Elazar's proposed distributions of political subcultures are accurate representations of reality. The bulk of the evidence is negative.¹⁷

Savage's critique of Shiltz and Rainey is sharp:

there are a number of ... shortcomings in their analysis. These shortcomings include: (1) failure to address the fundamental ambiguities of several questions used in the survey; (2) inadequate formulation of hypotheses to be tested, i.e., they put many words into Elazar's mouth; (3) statistical analysis and presentations that leave much to be desired; and (4) a rummage-sale approach to the study of political culture demonstrating an altogether inadequate conceptualization of the research at hand.¹⁸

In effect Savage is saying that Shiltz and Rainey simply did not know what they were doing. They did not understand the concept they were examining, i.e., political

subcultures. Their hypotheses were inadequate. The data they used were questionable because of vague questions in the original questionnaire. And their statistical analysis was both rudimentary and incomplete. The negative findings of Shiltz and Rainey therefore seem to contribute little to the empirical assessment of Elazar's work.

The empirical examination of the relationship of political culture to political corruption is in its early stages and more work is needed. On the whole, however, Elazar's conceptualization of political culture appears to have merit. It has withstood the criticism of Shiltz and Rainey, received considerable support from several other scholars, and seems to have merit in explaining Oklahoma's apparent tolerance for political corruption. But does the historical record indicate that political corruption has actually occurred on a large scale in Oklahoma? Answering this question is the next task.

A Brief History of Oklahoma

The early history of Oklahoma is one of the rough frontier. Oklahoma was originally settled by Indians who were promised their lands in perpetuity, but they were later driven from much of their land by greedy whites. During its days as a territory Oklahoma became the last refuge in America for those fleeing U.S. jurisdiction. The consequence was that it attracted a lot of very rough characters indeed.

The Territorial Days

Oklahoma entered the Union in 1907 as America's 46th state. Although the land within the state was acquired for the United States via the Louisiana Purchase of 1803, this new territory did not contain a sizable population of whites until well into the 19th century.¹⁹ Prior to this time, the area had been occupied primarily by Indians from numerous tribes.²⁰ The land in Oklahoma was divided among these various Indian nations and set aside for their exclusive use in perpetuity. This process took several decades and was accomplished by numerous treaties in which the Indians were compensated to some degree for their lands. This is not to say that the Indians desired these arrangements, for in many cases they did not. At any rate the result was that by the late 1800's two separate territories existed. One territory was the Indian Territory which generally consisted of the eastern half of Oklahoma. It belonged to the Indians and was not under the jurisdiction of whites. The second territory was the Oklahoma Territory which generally consisted of the western half of the state. It was a U.S. territory wherein the white man's law prevailed.

Although Oklahoma was not a state during the Civil War, the war had an impact upon the territory. The leaders of the Five Civilized Tribes²¹ signed treaties annexing their territory to the Confederacy. Portions of Oklahoma then

became a battle ground, both during the war and after, as remnants of such para-military forces as Colonel William C. Quantrill's Raiders roamed the territory.²² The post-war period brought Texas cattlemen who drove huge herds over the territories en route to northern markets. The need for large acreages of grazing pasture for the cattle encouraged the cattlemen to lease lands from the various Indian tribes on terms much to the disadvantage of these Indians.²³ But the cattlemen were not the only ones looking for land.

Inspired by Elias C. Boudinot, who has been described as "... an ambitious railroad promoter with direct ties to major southwestern (railroad) lines...",²⁴ land-hungry whites roamed the territory looking for land they could capture and settle. Again, the Indians were their victims. These whites, under the leadership of David L. Payne, became known as "Boomers." The Boomers illegally settled on Indian lands and were repeatedly driven off by federal troops, but they kept coming back. In fact, their persistence was so great that the U.S. Congress eventually gave in to their demands, took back the lands that had been given to the Indians "in perpetuity," and opened them to white settlement.

The Indians had their own laws and tribal courts and, according to Shirley, did not recognize the laws of the whites.²⁵ The consequence was that outlaws and outlaw gangs sought refuge in the Indian Territory from apprehension by

whites for crimes they had committed under the white man's jurisdiction. Furthermore, this was the only place in the nation where such conditions prevailed. The Indian Territory thereby became a unique haven for these desperados. Shirley's account indicates how serious the problem was:

Soldiers of fortune rode the plains. The cattle and horse thief, the prostitute, the desperado, the whiskey peddler - all sought refuge where there was no "white man's court" and no law under which they could be extradited to the state or territory where they had committed their crimes.

Their savagery flaunted itself. It seemed that every white man, Negro, and half-breed who entered the country was a criminal in the state from which he had come; that the last thing on his mind at night was thievery and murder, and it was his first thought in the morning. No American frontier ever saw leagues of robbers so desperate, any hands so red with blood.²⁶

The future Oklahoma was fast acquiring a soiled reputation, as indicated by Gibson:

The reputation of Indian Territory spread far and wide as "the Robbers' Roost" and "the Land of the Six-Gun" and its shame was epitomized in the widely broadcast slogan: "There is no Sunday west of Saint Louis-no God west of Fort Smith."²⁷

Some of the more famous outlaws and gangs included the Dalton Brothers, the James Brothers, remnants of the Quantrill gang, Belle Starr and her gang, Ned Christie and his gang, and the Younger Brothers. About the only "law" was a group of U.S. Marshals operating out of Fort Smith, Arkansas, under Issac "Hanging Judge" Parker.²⁸ Capturing these outlaws was difficult, and part of the reason seems to

concern the attitude of the people. Settle, for example, discusses several films in which Jesse James was portrayed as a modern-day Robin Hood.²⁹

This view is supported by the nationally renowned folk artist Woody Guthrie, who said that many local residents perpetuated this legend of Jesse James and even claimed bullet scars to prove their authenticity.³⁰ Other outlaws such as the Daltons were not, however, held in affection by the public. In fact, the hangings at Judge Parker's court were so widely attended that the scaffold was ordered enclosed by a wooden fence.³¹ Nevertheless, public support for the James Gang, and others, indicates a political culture tolerant of some degree of lawlessness.

Whites continued to settle illegally in the territory reserved for the Indians. Pressure continued to mount until the federal government decided to open portions of the Indian Territory to white settlement. The first land to be opened for the whites was an area known as the Unassigned Lands located in the central portion of present-day Oklahoma.³²

Occupation of the new territory was set to begin at high noon on April 22, 1889, and not before. Needless to say, many white settlers ignored this time constraint and illegally occupied the land before the specified time. These people became known as "Sooners" and, to this day, Oklahoma is known as the "Sooner State." Thus the official

nickname under which the state proudly advertises its virtues commemorates a movement of land-hungry whites who thwarted the law to satisfy their greed.

This "run" of 1889 caused towns of thousands to spring up literally over night. The Boomers were looking for a new start, for adventure, or for a chance to speculate. Morgan and Morgan characterize them as follows:

The early settlers were generally two kinds of idealists so familiar to the American scene: those who had failed elsewhere and started again, confident of success; and those eager to succeed the first time."³³

Espousing a laissez faire Social Darwinism, their driving ethos was to develop the land and make a fast buck.³⁴ Of course the land they grabbed belonged to the Indians but that did not matter. "Grafters" defrauded these Indians and operated with impunity.³⁵ Blacks fared little better. After an uneasy co-existence, blacks were driven from white communities although they were allowed to remain in all-black towns.³⁶ The railroads were also key players in these territorial days.

Railroads were, after 1870, built to link the trade centers in Missouri and Kansas with the greater southwest, and the territory was crossed by the Missouri-Kansas-Texas (MKT), Chicago, Rock Island and Pacific, San Frisco and St. Louis, and the Santa Fe lines. In fact, some believe that it was this desire for expansion, and the consequent need for land, that caused Elias Boudinot to encourage white

settlement.³⁷ In any event the construction of these railroads brought even more disorder. According to Gibson:

Each of the railheads and construction camps became a sort of Satan's paradise. These migrant communities had, in addition to the rough and ready, brawling construction crews, a regular assortment of tinhorn gamblers, thieves, prostitutes, whiskey sellers, and assorted hoodlums. Gibson Station, a typical rail camp, was reputed to have at least one killing each night.³⁸

The railroads were seen as essential to the survival of territorial towns. This made them targets of much wooing by these towns in the town's attempts to obtain a station.³⁹ Furthermore, the railroads ran roughshod over these territorial communities and their people. Goble, in his excellent work, Progressive Oklahoma,⁴⁰ provides one example involving the Rock Island Line and its dealings with the small town of Dover in what was to be Kingfisher County. The permanent railroad bridge over the Cimarron River near Dover washed out and was replaced by a wooden "temporary structure." This "temporary structure" remained in place for several years despite the pleas of local residents for a more substantial bridge. Ten years later this bridge collapsed under the weight of a passenger train killing over one hundred people. The Rock Island Line replaced this bridge with another "temporary" wooden structure, ignored the orders of a federal judge enjoining them from using the bridge, and even had the injunction quashed!

Incidents such as this changed the attitude of the territorial people away from laissez faire Social Darwinism

and large trusts. The result was a joining of forces into a reform movement known as Progressivism. Controls over prices were advocated, as were demands for more government regulation, and for the initiative and referendum.⁴¹ The reform movement became so strong that it welded the Democratic Party into a winner against the entrenched Republican territorial administration. These reform-minded Progressive Democrats flexed their muscles during the quest for statehood.

Oklahoma History Since Statehood

Residents of the Oklahoma and Indian Territories saw statehood as the next logical step (all bordering lands were already states except New Mexico). Early attempts at statehood failed but, after considerable discussion between Indians and whites, a second constitutional convention was held at Guthrie in 1906. This effort was successful and Oklahoma was admitted to the Union in 1907 as the 46th state.

One feature of the new constitution was its treatment of counties. It established the county system of government in Oklahoma, created 75 of the present 77 counties within the state, and provided for the county commissioner system within the counties. This basic structure is still intact today. It is time now to consider the location of the capitol of the state, for this episode contained elements of

controversy and disregard for existing law by the state's highest elected official, the governor.

The enabling act for Oklahoma statehood established the city of Guthrie as the temporary capitol until 1913, after which the state could place its capitol wherever it wished. The act further provided that no state funds could be appropriated to change the capitol until that time:

The capitol of said State shall temporarily be at the city of Guthrie, in the present Territory of Oklahoma, and shall not be changed therefrom previous to anno domini nineteen hundred and thirteen, but said capitol shall after said year be located by the electors of said State at an election to be provided for by the Legislature: Provided, however, that the Legislature of said State, except as shall be necessary for the convenient transition of the public business of said State at said capitol, shall not appropriate any public moneys of the State for the erection of buildings for capitol purposes during such period.⁴²

But Governor Haskell disliked Guthrie because it was a "Republican nest." He decided he would attempt to move the capitol prior to 1913 in spite of this specific prohibition in the enabling legislation. In 1910 he called a special election in which the people would decide the issue. The resultant vote authorized the removal of the state capitol from Guthrie to its present location in Oklahoma City, but there is considerable doubt as to whether or not the issue was presented as the governor intended to carry it out. The problem was that no specific date for changing the capitol was mentioned in the issue as presented to the people. State Question No. 15 appeared as follows:

A proposition to permanently locate State Capitol; Creating Commission of three to be appointed by Governor, January 1, 1911, or sooner; defines powers and duties; appropriates six hundred thousand dollars to purchase not to exceed two thousand acres; State to be reimbursed from sale of lots, Capitol fund created therefrom; Board may exercise power of eminent domain.

Said Commission and School Land Commission to appraise value of lands and improvements separately. Makes Oklahoma City, Guthrie and Shawnee candidates; Provides for others by petition.

Proposed separately to determine questions: (1) Shall Capitol be located, and (2) Where."⁴³

The people approved State Question 15, but many may have interpreted this proposition to mean moving the capitol in 1913, as prescribed in the enabling act. This was certainly the position of the Oklahoma City Chamber of Commerce and the Daily Oklahoman - two of the strongest advocates for removal.⁴⁴ Governor Haskell, however, did not see it that way.

On the very night of the election, June 11, 1910, Governor Haskell moved the state capitol. He and some associates took the state seal and some other papers, and, in the middle of the night, moved the seat of government to Oklahoma City.⁴⁵ The governor opened for business bright and early on June 12, 1910 in temporary offices situated in the Lee-Huckins Hotel. This surprised everyone and inflamed the citizens of Guthrie. A lawsuit ensued in which the governor's actions were upheld by the U.S. Supreme Court,⁴⁶ but this does not alter the fact that the governor acted in defiance of existing law at the time.

Oklahoma's early statehood years also saw the continuation of the outlaw period. One of the more famous outlaws of the 1900's was Pretty Boy Floyd. Floyd, who was from Sallisaw, Oklahoma, was seen by some as another modern Robin Hood. The folk artist Woody Guthrie was also from eastern Oklahoma, grew up only seventeen miles from Floyd, and had numerous common friends with Floyd.⁴⁷ Guthrie eventually wrote a song entitled "Pretty Boy Floyd" which has perpetuated this Robin Hood image. Some of the more pertinent verses follow:

There's many a starvin' farmer
 the same old story told,
 How this outlaw paid their mortgage
 and he saved their little home
 Others tell you about a stranger
 who comes to beg a meal,
 Underneath his napkin
 left a thousand dollar bill
 It was in Oklahoma City,
 it was on a Christmas day,
 There was a whole carload of groceries
 come with a note to say
 Well, you say that I'm an outlaw,
 you say that I'm a thief
 Here's a Christmas dinner
 for the families on relief⁴⁸

The people hid and protected Floyd. Some measure of their affection for him is given by the following remarks by Guthrie:

"...I want to venture to say, without stretching the truth, that Pretty Boy Floyd is sung about on more lips and more mouths, and thought better of in more hearts, he's all around more popular, than any governor that Oklahoma ever had."⁴⁹

Guthrie's remarks on the popularity of Pretty Boy Floyd

suggest that outlaws could be popular in Oklahoma.²⁰

Thus far theoretical grounds to justify an expectation of corruption in Oklahoma has been established and Oklahoma's early history has been seen to contain aspects that would seem to predispose Oklahoma to the influence of the lawless and corrupt. It is time now to look at political scandals in the state's history.

Political Scandals in Oklahoma History

Pre-Statehood Scandals

Political scandal can be traced back to the state's territorial days. One major example is the scandal surrounding the founding of Oklahoma City, the state's largest city and capitol seat. This event involved abuse of power and serious violations of the law by the top leaders of the Boomer movement. The following discussion is based upon Goble's excellent account.²¹

William L. Couch, now the leader of the Boomers, and others concocted a scheme to seize control of the promising new city. They first planted friends in key places prior to the time specified for the land opening which had been set for noon, April 22, 1889. As the law-abiding Boomers started crossing the boundary at the appointed hour, Couch and his fellow conspirators were stepping off a train at Oklahoma City specially arranged for their use. The train

crossed the line early in clear violation of the law.

The first objective of this group was to claim the choice property before anybody else had a chance at it. Having seized the choice land illegally, they next moved to secure political control of the city. The Couch gang secured political control by calling for immediate elections. Their cronies captured every important political office.⁵² The next move was to ensure the financial future of their corporation, the Seminole Town Improvement Company. They did so by railroading through the company-controlled government a series of measures designed to prevent challenges to their illegitimate land claims.

The next phase in this episode was a struggle between the outlaw establishment known as the Seminoles and the opposition group known as the Kickapoos. The Kickapoos demanded a revised charter and new elections, but the Seminoles refused to go along. Mayor Couch confiscated the ballot boxes. A second attempt to hold elections was thwarted by federal troops and some would-be voters were wounded in the process. The Kickapoos were, however, eventually successful after Mayor Couch resigned from office to tend his homestead. The Kickapoos managed to repeal the most irritating ordinances but, when all was said and done, the Seminole Town Improvement Company still managed to make quite a bit of money.

Having seen that political skullduggery was present in

the formation of one of the two most prominent cities within the state, and in the later removal of the state capitol to it, it is now time to examine some scandals following statehood.

Scandals Involving Governors

Oklahoma's first governor was tainted by scandal. Governor Haskell was serving as Democratic National Treasurer for the 1908 presidential election campaign. William Jennings Bryan was their candidate. During this period Governor Haskell was accused of misappropriating approximately \$6,000 for legal services.⁵³ Furthermore:

Details of Haskell's earlier sharp promotions, inflamed charges of past dishonesty, and pointed suggestions of previous collusion with the Standard Oil Company were paraded daily in the Hearst papers,.... There was too much hard evidence in print to dismiss the charges as a mere partisan smear....⁵⁴

The accusations became so serious that Governor Haskell was forced to resign in disgrace as treasurer. In spite of all this Governor Haskell survived his term as governor, a situation which in and of itself is a commentary on the tolerance of Oklahomans for corrupt officials.

The same cannot be said for Oklahoma's fifth governor, Jack Walton. Governor Walton was inaugurated in January, 1923 and then impeached and ousted from office on November, 19, 1923. His was the shortest term of any elected governor in the state's history.⁵⁵ His term of office began on a high note of popularity due to a huge "old fashioned"

barbecue to which everyone was invited. It came complete with twelve jazz bands, tons of beef, thousands of gallons of coffee, and other trimmings. Attendance was measured in the tens of thousands, but this huge popularity soon turned into public outrage and legislative hostility.⁵⁶

His troubles started with attempts to staff the state's colleges and universities with political patronage appointments. This brought the wrath of educators, regents, alumni, students, and concerned members of the state senate.⁵⁷ His next target was the Ku Klux Klan and he made his move even before the furor over education had run its course. After the occurrence of Klan violence in Okmulgee and Tulsa Counties he declared martial law in parts of Tulsa County and suspended the writ of habeas corpus, an action clearly in direct violation of the state's constitution. He later extended martial law across the entire state. One consequence of this was that a grand jury scheduled to meet in Oklahoma County for the purpose of investigating the governor was prevented from assembling, as was the legislature. State guardsmen used the threat of military force to carry out the governor's orders.

The legislature soon called itself into session, impeached Walton, and then convicted him on eleven of the sixteen articles. Scales and Goble have summarized the offenses for which he was convicted and removed from office as follows:

They involved Walton's illegal collection of campaign funds, padding state payrolls, preventing the assembly of a lawful grand jury, issuing improper deficiency certificates, paying a private chauffeur with state funds, suspending the writ of habeas corpus, making excessive use of his pardoning authority, and being generally incompetent."⁵⁸

Walton was the first governor to be impeached and ousted from office but he was not to be the last, for he was soon followed by Oklahoma's 7th governor, Henry S. Johnston. Unlike the Walton affair, Johnston's problems were more related to poor political sensitivities and poor choice of advisors. He was inept at dealing with the sensitivities of the state's legislators, especially with respect to political patronage, even though they had already demonstrated their willingness to impeach and convict a governor. It wasn't that he opposed patronage, it was that the wrong people were exercising it!⁵⁹ Furthermore his choice of a personal secretary was to contribute to both aspects of his problems. Mrs. Mayme O. Hammonds blocked the access of disgruntled legislators to the governor. Morgan and Morgan summarize his difficulties as follows:

Intolerant of opponents, he seemed blind to weak friends. He ignored party leaders and legislators in favor of a strange coterie of private advisors. He procrastinated in making decisions and spent hours meditating over Rosicrucian philisophy or consulting with his private astrologer.... He also offended old-fashioned callers in appointing Mrs. Mayme Hammonds his personal secretary. Her prim screening of Johnston's visitors offended many sensitivities....

... he tampered with highway department patronage and ... like Walton, seemed out of touch with political reality, almost bent on destruction.⁶⁰

Johnston staved off one impeachment attempt but his support of Alfred E. Smith during the 1928 presidential election proved disastrous. Smith was a Democrat but he was also Roman Catholic, from New York's Tammany Hall gang, and was "wrong" on the question of national prohibition. Smith was a "wet." The 1928 election brought victory for the Republican Hoover and many Republicans rode his coat tails in elections within Oklahoma. The result was a legislature bent on getting rid of Johnston. Impeachment was the first order of business of the newly constituted House and this time he was unable to thwart their will. But Johnston has been adjudged more a victim of the times than a real problem such as Walton. Scales and Goble summarize the eleven impeachment articles upon which he was convicted, saying "Most were petty or, at best, technical charges, and none of them alleged dishonesty or malfeasance."⁴¹

The fourth Oklahoma governor to have serious problems due to questionable activities while in office was Oklahoma's 19th governor, David B. Hall. Governor Hall was accused of soliciting a bribe but escaped escaped impeachment in 1974 when the House felt that sufficient evidence was lacking.⁴² The federal government was not so reluctant to act however. Governor Hall was indicted in 1975 on federal charges of extortion and for seeking a \$50,000 bribe in return for influencing the investment of

\$10,000,000 in state retirement funds. Hall was convicted on these charges and sentenced to three years in federal prison.⁴³

The discussion of executive branch scandals has thus far concentrated upon the highest official within that branch, the governor, but scandal has also touched others within the executive branch.

Other Executive Branch Scandals

Scandal has touched the Secretary of State of Oklahoma and Oklahoma's Commissioner of Labor, both of whom are elected officials. In 1975 the House of Representatives entertained resolutions to impeach Labor Commissioner Wilbur Wright and Secretary of State John M. Rodgers. Commissioner Wright was alleged to have filed false travel claims mostly for travel between his home in Muskogee, Oklahoma and Oklahoma City "...including 466 miles claimed for January 5, 1973, a day of impossible driving conditions in this state for that distance because of an ice storm...."⁴⁴ He was also charged with "corruption in office and offenses involving moral turpitude."⁴⁵ The consideration of this resolution was postponed until the following January (1976) due to a pending criminal prosecution and Mr. Wright eventually cooperated with the investigation of Governor Hall.⁴⁶

Secretary of State Rodgers was impeached. The House Special Investigating Committee considered eleven

allegations including participation in a forgery scheme, improper actions in raising campaign funds for Governor David Hall, failure to properly care for state records, solicitation of a bribe, and possible violations of federal election laws.⁴⁷ The majority report of the committee recommended postponement of further action, citing the need for more time to consider existing allegations and to consider new allegations made at the last minute, but the House decided to accept the minority report and voted to impeach on three Articles charging incompetence, abuse of power, willful neglect of duty, corruption in office, and moral turpitude.⁴⁸ He was convicted and ousted from office.

In 1984 the state's highway department came under a cloud of suspicion. This inquiry has centered upon expenditures for state road-building projects. As of this writing a probe is expected to be conducted by a joint legislative committee. This inquiry was prompted by several articles in the Daily Oklahoman the previous several months. These articles alleged that:

Oklahoma lost about \$28 million a year on highway construction until 1980, largely because of bid rigging, a lack of stiff competition among contractors and failure of transportation officials to get the best deal....

Road contractors collected \$21 million in overruns on 41 percent of all Oklahoma highway construction projects in the last six years.

Gov. George Nigh abandoned long-range needs studies and replaced them with political considerations as a method of determining what highway projects will be funded in

Oklahoma.⁶⁹

At the present time these are only allegations, but they do constitute evidence of a pattern of corruption that began before statehood and continues through the present. Scandal has been abundant in the executive branch of government, reaching on more than one occasion even the state's highest executive office. It is time now to turn to the judicial branch of government, where the standard of behavior is to avoid even the hint of impropriety.⁷⁰

Scandals Involving the Judiciary

Scandal has touched the state's highest court. A bribery scandal surfaced that began in 1936 and continued until it was uncovered in the 1960's. It involved at least three sitting justices. A fourth supreme court judge was accused but died before his trial.⁷¹ Furthermore, two of the three convicted justices were also convicted in federal court on charges of income tax evasion. The scandal involved these justices and an Oklahoma City attorney who was also a former candidate for governor. The essence of this scandal was the sale of judicial rulings. The attorney would bribe justices to throw decisions his way. Malcolm Hall provides an indication of the magnitude of the scandal:

A ... former justice is now serving a prison term for federal income tax evasion, and has confessed to handling more than \$157,000 in bribes to throw opinions and has stated that he could not remember a year in the twenty he was accepting payoffs in which he did not receive a bribe.⁷²

This scandal inspired the legislature to reform the state judicial system, one aspect of which was the renovation of the office of county attorney. The county attorney was renamed district attorney, jurisdiction was expanded to cover these newly created judicial districts, and funding for the office of district attorney was now partially provided by the state. In more recent times a former district attorney who later became a state judge became embroiled in scandal.

In 1983 Oklahoma County District Judge William C. Page was indicted on four counts of racketeering and extortion by a federal grand jury. He was charged with accepting bribes in return for fixing criminal cases. This involved promising to secure reduced or probated sentences and promising to dismiss felony charges while he was an assistant Oklahoma County district attorney and a special district judge.⁷³ The case went to trial July 18, 1983 in U.S. District Judge Ralph G. Thompson's Oklahoma City federal court. Judge Page was found guilty on all counts and sentenced to a seven year prison term.⁷⁴

Scandals Involving the Legislative Branch

Speaker of the House J.D. McCarty who, ironically, presided as Speaker of the House during the Supreme Court scandal, was also involved in a scandal. McCarty served in the Oklahoma House of Representatives from 1940 until 1966 and,

at one time, had the reputation as the state's most powerful political figure.⁷⁵ In 1960 he became Speaker of the House, served an unprecedented three terms in that office, and had pledges guaranteeing him a fourth term as Speaker when he ran for reelection in 1966. He was, however, defeated in that race. Within a year after his defeat for re-election to the House he was indicted by a federal grand jury on six counts of income tax evasion and was convicted on two of these six counts.⁷⁶ He was sentenced to a three year term in federal prison and was incarcerated until June 1, 1970.⁷⁷

In June, 1983, another Speaker of the Oklahoma House of Representatives, Democrat Dan Draper, was indicted in a vote-fraud case. Draper and his House Majority Leader Joe Fitzgibbon were both indicted by a federal grand jury on one count of conspiracy and nine counts of mail fraud.⁷⁸ In addition to these two legislators, Mr. Barney Girdner and Mrs Faye Newton, both of Sallisaw, Oklahoma, were also indicted. The charges stemmed from a run-off election in Adair County, Oklahoma, in which Mr. Draper's father was an unsuccessful candidate for office. According to the Lawton Constitution:

The charges center on 96 ballots cast in the primary runoff won by Larry Adair. They accuse the two lawmakers of paying for Girdner and Mrs. Newton to have absentee ballots fraudulently notarized and mailed to the county Election Board.⁷⁹

In addition to the above named persons, Mrs. Dora Girdner, mother of Mrs. Faye Girdner, and Mr. Dan Abbott,

another unsuccessful candidate in the race, pled guilty to a misdemeanor charge of obstructing the mail in connection with this same case. House Speaker Draper and Representative Fitzgibbon both denied the charges and entered pleas of not guilty,⁸⁰ as did Mrs. Faye Newton and Mr. Barney Girdner. In addition, Mr. Draper's father, Dan Draper II, also denied any wrongdoing on the part of his son.⁸¹ The result was an on-again, off-again political fracas.

Trial was set for the U.S. District Court docket beginning August 8, 1983. Draper and Fitzgibbon were both convicted and immediately announced they would appeal. These convictions did not stand because evidence was found that warranted a re-trial. In the end Draper did not run for another term and Fitzgibbon was defeated in the August 1984 primary.

State Employment Practices

It may be recalled that one aspect of traditional political subcultures is the existence of a patronage system. Thus, if Oklahoma has such a subculture one would expect to find political patronage. The historical record supports this expectation. Oklahoma has been under the grip of a political patronage system that was established during the territorial days. Some evidence of this system was evident in the conflict between Governor Walton and the legislature,

but the patronage system did not confine itself to legislators alone. Professor Jean G. McDonald comments on how deeply imbedded this system was prior to the 1950's:

Prior to the merit system, the Oklahoma legislator performed a patronage task similar to that of party county chairmen in some states, acting as middle-man between employee (most likely a constituent) and the formal appointing authority (whether it be governor or agency). Without the endorsement of the legislative middle-man, most state jobs were difficult to obtain; the letter of endorsement from one's legislator was the first step in obtaining a job.²²

But legislators were not alone in their participation, as is evidenced by Governor Walton's problems. H.O. Waldby asserts that governors used the patronage system as leverage in getting their programs through the legislature:

Too often the office of the governor has sent job applicants with political backing to the various departments and instructed the department heads to add them to the state payroll. One reason for this practice is that the most potent weapon available to the governor to obtain legislative approval of his program is the promise of additional patronage to members of the legislature.²³

According to Waldby, the function of many of these appointees was primarily political:

In the turbulent and fiercely fought political campaigns in Oklahoma, there are many instances of persons placed on the public pay-roll who have no other duties than to campaign for the candidate responsible for their appointment.²⁴

The above should not surprise the reader in view of the nature of traditionalistic political cultures. While the situation appears to be improved today,²⁵ the purpose has been to describe the political climate in early Oklahoma,

and that climate contained a patronage system. Thus far, seen evidence of corruption has been found in every branch of state government, but there is more.

The Battle over Reapportionment

In addition to being tainted by corruption, the Oklahoma legislature has demonstrated a disregard for the state's highest law, the Oklahoma Constitution. A major case in point concerns reapportionment. In this case the legislature simply ignored, for decades, clear instructions in the Oklahoma Constitution to reapportion itself at specified intervals. While this is not a scandal in the same sense as the previous episodes, it does constitute more evidence of a flagrant disregard for the law, and as such merits inclusion in this discussion.

Prior to 1964, Article V, Section 9(a) of the Oklahoma Constitution contained the following provision pertaining to the Senate:

At the time each senatorial apportionment is made after the year Nineteen Hundred and Ten the State shall be divided into forty-four districts.... Said districts ... shall contain as near as may be an equal number of inhabitants, such population to be ascertained by the next preceding Federal census, or in such manner as the Legislature may direct....⁸⁶

A similar provision pertained to the House of Representatives.⁸⁷

The legislature initially complied with this constitutional mandate in 1911 and again in 1921. But after

that the legislature patently ignored it.⁸⁸ Governor J. Howard Edmondson, a reform governor elected in 1958, tried to effect reapportionment via State Question 397, but the question was soundly defeated in a special election held on September 20, 1960.⁸⁹ The 1962 Baker vs. Carr decision of the U.S. Supreme Court⁹⁰ gave new impetus to the reapportionment drive. The Federal District Court in Oklahoma City followed with a ruling that the present system was null and void and that it discriminated against urban residents.⁹¹ The 10th Circuit Court of Appeals established March 8, 1963 as the deadline for reapportionment.

The legislature was, therefore, under considerable federal pressure to effect meaningful reapportionment. Another plan was submitted prior to the above deadline, but this effort was also declared unconstitutional by the Federal District Court.⁹² Having allowed the legislature ample opportunity to produce a satisfactory reapportionment plan of its own, and having received no satisfactory result, the Court, in an unprecedented move, took it upon itself to apportion both houses of the legislature. It used as a basis a modified version of a plan designed by the Bureau of Government Research of the University of Oklahoma. Although the legislature did successfully reapportion itself after the 1970 and 1980 decennial censuses, this does not alter the fact that it flagrantly disregarded the Oklahoma Constitution for several previous decades.

The County Commissioner Scandal

No recitation of Oklahoma's political scandals would be complete without some mention of the county commissioner scandal. It is appropriate to point out that the legislature had investigated the purchasing practices of the county commissioners in 1958. Although this probe identified all the practices eventually brought to light in the federal investigation of the early 1980's, the legislature did nothing to correct the deficiencies uncovered by its own inquiry. The county commissioners have also been the object of reform efforts on the part of one of Oklahoma's governors, J. Howard Edmondson. His attempts at reform will also be discussed in Chapter III, but suffice it here to say that Governor Edmondson also failed.

Before turning to Chapter III it is appropriate to summarize the material presented in this chapter. The purpose of this chapter has been to begin an inquiry into the major hypothesis regarding "why Okscam." The major hypothesis has been that Oklahoma is an unusually corrupt state and that this results from an unusually corrupt political culture. One line of inquiry into this hypothesis is historical and another is empirical. Chapter II has initiated the historical inquiry.

A theoretical foundation for a cultural hypothesis was established by presenting Daniel Elazar's work on political

subcultures. He hypothesized three political subcultures: moralistic, individualistic, and traditionalistic. He also categorized Oklahoma as a blend of the individualistic and traditionalistic subcultures. Both of these subcultures were found to be conducive to the existence of political corruption. Empirical support for Elazar's suggestions was then sought, and it was found that his ideas have fared well in empirical tests.

A brief history of Oklahoma was then presented. Oklahoma's territorial days were examined in search of anything that might be unusual and that would also be conducive to corruption. It was found that the territorial days were those of the rough and tumble frontier where greed, opportunism, and lawlessness were on the rampage. But there was an unusual element present in Oklahoma. Oklahoma was, in those days, the last place in the nation where the criminal element could escape U.S. jurisdiction. This circumstance attracted the worst elements of American society, and it was argued that their contribution to the political culture of the area could not have been positive. It was also suggested that this outlaw period extended well into statehood.

Having laid a theoretical and historical foundation for the expectation of corruption in the state, the next task was to examine the record since statehood for evidence of political corruption. It was found that every branch of

state government has been touched by major political scandal from the very highest levels on down. Furthermore, scandal has been present for several decades within each branch. In addition, the state has been in the grip of a thriving patronage system for several decades.

What, then, is one to make of all this? It is appropriate to mention that corruption, lawlessness, greed, and opportunism are not the only themes in the history of Oklahoma. But there can be little doubt that they were present and that they were significant. Furthermore, theoretical grounds exist that predict such a pattern of behavior. Thus, at this point there are valid grounds, both in theory and in the historical record, to conclude that Oklahoma may have a distinctly corrupt political culture. The cultural hypothesis is, therefore, off to a good start.

NOTES

1. Daniel J. Elazar, American Federalism: A View from the States, 2nd Edition (New York: Harper & Row, 1972.). In an interview with Dr. Robert Blackburn, Director of Publications and Interpretations Division, Oklahoma Historical Society, conducted in Oklahoma City, Oklahoma, May 31, 1983, Dr. Blackburn indicated that a comprehensive work on the political culture of Oklahoma has yet to be done. It is, therefore, necessary to rely upon less comprehensive sources and Dr. Elazar's work seems to be the most appropriate.
2. Ibid., pp. 94-95.
3. Ibid., p. 94.
4. Several scholars have classified Oklahoma as a one-party state, a modified one-party state, or a majority party state. See, for example, David C. Saffell, State Politics (Reading, Ma.: Addison-Wesley Publishing Co., 1984), pp. 68-73; Malcom E. Jewell and David M. Olson, American State Political Parties and Elections, rev. ed. (Homewood, Ill.: Dorsey Press, 1982), p. 25; Sarah McCally Morehouse, State Politics, Parties and Policy (New York, N.Y.: Holt, Rinehart and Winston, 1981), p. 66.
5. Russell L. Hanson, "The Intergovernmental Setting of State Politics," in Virginia Gray, Herbert Jacob and Kenneth N. Vines, eds., Politics in American States, 4th ed. (Boston: Little, Brown and Company, 1983), p. 31.
6. Ibid.
7. Daniel Elazar, American Federalism: A View from the States (New York, N.Y.: Harper and Row, 1966).
8. Ira Sharkansky, "The Utility of Elazar's Political Culture: A Research Note," Polity, Vol. 4 (Fall 1969), pp. 66-83.
9. Ibid., p. 83.
10. John G. Peters and Susan Welch, "Politics, Corruption, and Political Corruption," American Politics Quarterly, Vol. 6 (July 1978), pp. 345-356.
11. Ibid., p. 354.

12. Susan Welch and John G. Peters, "State Political Culture and the Attitudes of State Senators Towards Social, Economic, Welfare, and Corruption Issues," Publius, Vol. 10 (Spring 1980), pp. 59-68. These same authors reported other research on political corruption but it is unfortunate that they did not include Elazar's work as a hypothesis. See John G. Peters and Susan Welch, "The Effects of Charges of Corruption on Voting Behavior in Congressional Elections," American Political Science Review, Vol. 74 (September 1980), pp. 697-708.
13. Michael Johnston, "Corruption and Political Culture in America: An Empirical Perspective," Publius, Vol. 13 (Winter 1983), pp. 19-39.
14. The entire Spring 1980 issue of Publius, Vol. 10, is devoted to his subject and contains 8 articles. Elsewhere, Johnson developed empirical indices of the moralistic, individualistic, and traditionalistic political cultures and used discriminate analysis to classify each state. Johnson was "mildly successful" in replicating the classification of states as reported by Elazar. See Charles A. Johnson, "Political Culture in American States: Elazar's Formulation Examined," American Journal of Political Science, Vol. 20 (August, 1976) pp. 491-509. Savage and Gallagher attempted to test the validity of Arkansas folklore which suggested to existence of two intrastate regions and to see if they exhibited differences indicative of the moralistic and traditionalistic subcultures. These researchers selected 71 county-level social, economic, and political indicators using census data and subjected them to factor analysis. A three-factor solution was obtained which basically corresponded to the expectations from Elazar's three sub-cultures. See Robert L. Savage and Richard L. Gallagher, "Politico-cultural Regions in a Southern State: An Empirical Typology of Arkansas Counties," Publius, Vol. 7 (Winter) 1977, pp. 91-105. In addition see Alan D. Moore, "Operationalizing Political Culture: The Illinois Case," Publius, Vol. 7 (Winter 1977), pp. 107-120, and Norman R. Luttbeg, "Classifying the American States: An Attempt to Identify Internal Variations," Midwest Journal of Political Science, Vol. 15 (November 1971), pp. 703-721.
15. Timothy D. Schiltz and R. Lee Rainey, "The Geographic Distribution of Elazar's Political Subcultures among the Mass Population: A Research Note," Western Political Quarterly, Vol. 31 (September, 1978), pp. 410-415.
16. Ibid., p. 410.

17. Ibid., p. 414.
18. Robert L. Savage, "Looking for Political Subcultures: A Critique of the Rummage-Sale Approach," Western Political Quarterly, Vol. 34 (June, 1981), pp. 331-336.
19. H. Wayne Morgan and Anne Hodges Morgan, Oklahoma: A History (New York: W. W. Norton & Company, Inc., 1977), pp. 42-71. Earlier whites who entered the territory were mostly explorers, missionaries, or traders and were relatively few in number.
20. Ibid., pp. 19-41.
21. The Five Civilized Tribes consisted of the following: Cherokee, Choctaw, Chickasaw, Creek, and Seminole.
22. William A. Settle, Jr., Jesse James Was His Name (Columbia: University of Missouri Press, 1966) pp. 18-29.
23. Danney Goble, Progressive Oklahoma (Norman: University of Oklahoma Press, 1980) pp. 43-45.
24. Ibid., p. 4.
25. Shirley, Law West of Fort Smith (Lincoln, NB: University of Nebraska Press, 1957), pp. 9-24.
26. Ibid., p. viii-ix.
27. Gibson, Oklahoma, pp. 132-133.
28. Glenn Shirley has authored two excellent books on this subject. One has already been referenced, the second being Glenn Shirley, West of Hell's Fringe (Norman: University of Oklahoma Press, 1978).
29. Settle, Jesse James, pp. 160-179.
30. Interview with Woody Guthrie by Alan Lomax, Washington D.C., March 21-22, 1940. Sponsored by the Library of Congress and available on Elektra Records, Recordings EKL 271-273.
31. This scaffold and Judge Parker's court may be seen today. It is a national historic site in Fort Smith, Arkansas.
32. Other major land openings were: the Oklahoma District

(April 22, 1889); the Sac and Fox, Potawatomie, Shawnee, and Iowa lands (September 22, 1891); the Cheyenne and Arapaho lands (April 19, 1892); the Cherokee Outlet (September 16, 1893); the Kickapoo lands (May 23, 1985); and the Kiowa, Comanche, Wichita, Caddo, and Apache lands (August 6, 1901). John W. Morris, Charles R. Goins, and Edwin C. McReynolds, *Historical Atlas of Oklahoma*, (Norman, University of Oklahoma Press, 1976.) pp. 47-48.

33. Morgan and Morgan, Oklahoma, p. 56.
34. Goble, Progressive Oklahoma. This theme permeates the entire book.
35. Ibid., pp. 78-84.
36. Ibid., pp. 137-143.
37. Ibid., p. 4.
38. Gibson, Oklahoma, p. 132.
39. Goble, Progressive Oklahoma, pp. 29-32.
40. Goble, Progressive Oklahoma.
41. Ibid., pp. 176-177.
42. Oklahoma Statutes Annotated (Permanent Edition): Constitution With Index (Rochester and St. Paul: The Lawyers Co-operative Publishing Co. and the West Publishing Co., 1937), p. 182.
43. Directory of Oklahoma (Norman: University of Oklahoma Press, 1981), p. 790.
44. Irvin Hurst, The 46th Star (Oklahoma City: Western Heritage Books, Inc., 1980.), pp. 118-128.
45. Ibid., pp. 129-143. This is Governor Haskell's own story as told to Hurst.
46. Coyle v. Smith (28 Okl. 121, 113 P. 944, affirmed 31 S. Ct. 688, 221 U.S. 559, 55 L. Ed. 853.). The court reasoned that all states come into the union on an equal footing and, since the enabling act placed special restrictions upon Oklahoma, the Congress exceeded its authority and violated the sovereignty of the new state. Hence Oklahoma did not come into the union on an equal footing and that portion of the enabling act was,

therefore, unconstitutional.

47. Lomax interview with Woody Guthrie.
48. Ibid.
49. Ibid.
50. More support for such a statement comes from the remarks of a secretary to a county commissioner from eastern Oklahoma. Having learned that she was a long-time resident of the area, I asked her if she recalled Pretty Boy Floyd. She definitely did, and with some affection. She said that it was not wise to "bad mouth" Floyd and that his brother was the sheriff. She went on to say that his funeral was the most widely attended function in that area up to that time and that all the local stores sold out of everything due to the large crowds. This was a casual conversation. I made no effort to take notes because doing so may have caused the lady to be less candid. The interview occurred in the spring of 1983.
51. Goble, Progressive Oklahoma, pp. 19-21.
52. The Seminoles, as this group was known, captured the entire ticket including the office of mayor, city recorder, police judge, and all six city council seats. These elections were without the formal sanction of law since no such mechanisms were provided for in the enabling act.
53. Hurst, The 46th Star, pp. 89-91.
54. James R. Scales and Danney Goble, Oklahoma Politics: A History (Norman: University of Oklahoma Press, 1982.), p. 43.
55. Gibson, Oklahoma, p. 215.
56. Scales and Goble, Oklahoma Politics, p. 118.
57. Ibid., pp. 118-126.
58. Ibid., pp. 125-126.
59. Morgan and Morgan, Oklahoma, p. 120.
60. Ibid. These authors report that Johnston even scheduled the signing of legislation according to signs of the zodiac. a quirk that is supported by Scales and Goble

(Oklahoma Politics, p. 142.). Scales and Goble offer more on Johnston's "peculiar nature." They report that Johnston kept bird cages containing canaries in his office and that he was said to "communicate with spirits of superior intelligence about the conduct of public business." They provide three sources to support the bird cage stories.

61. Scales and Goble, Oklahoma Politics, pp. 147-148.
62. Gibson, Oklahoma, p. 262.
63. Ibid.
64. Oklahoma House of Representatives, House Journal, Thirtieth Legislature, p. 87.
65. Ibid.
66. Interview with Senator Al Terrill, Oklahoma State Senate District 32, November 25, 1983.
67. House Journal, Thirtieth Legislature, pp. 993-1021.
68. Ibid.
69. The Sunday Oklahoman, Sunday, June 26, 1983, pp. 1A.
70. Interview with Judge Peter Clinton Moore, Special District Judge, Comanche County Court House, June 19, 1984. He said that in his opinion the standard is to avoid even the hint of an impropriety, or the hint of a suspicion. This is reinforced by the research of Peters and Welch cited in Chapter 1, in which it was found that judges were held to a higher ethical standard than were other public officials.
71. Malcolm Hall, "Courts: Scandal in the Oklahoma Supreme Court," Oklahoma Law Review, Vol. 20., pp. 417-422.
72. Ibid., p. 417.
73. The Daily Oklahoman, Thursday, July 28, 1983, pp. 1-2.
74. The Daily Oklahoman, Friday, September 23, 1983, p. 1.
75. The Lawton Constitution, January 2, 1981, p. 1.
76. Ibid.
77. Ibid.

78. The Sunday Constitution, Sunday, June 19, 1983, p. 5A.
79. The Lawton Constitution, Monday, June 20, 1983, p. 2A.
Mr. Girdner was an unsuccessful candidate in the race and Mrs. Newton was a court clerk in Sequoyah County, Oklahoma.
80. The Sunday Constitution, Sunday, January 19, 1983, p. 5A.
81. The Lawton Morning Press, Thursday, June 30, 1983, p. 1.
82. Jean G. McDonald, Legislators and Patronage in Oklahoma, Norman, University of Oklahoma, Bureau of Government Research, 1975, p. 2.
83. H. O. Waldby, The Patronage System in Oklahoma (Norman: The Transcript Company, 1950), p. 97.
84. Ibid.
85. McDonald, Legislative Patronage in Oklahoma, pp. 37-40.
86. Oklahoma Statutes Annotated, 1937 Permanent Edition, pp. 633-634. This section of the constitution was repealed in 1964 and replaced with Section 9A.
87. Ibid., pp. 634-636. Article V, Section 10 of the Oklahoma Constitution. This section was also significantly changed by ammendment in 1964.
88. Richard D. Bingham, Reapportionment of the Oklahoma House of Representatives: Politics and Process, Norman, University of Oklahoma, Bureau of Government Research, 1972, p. 1.
89. Gibson, Oklahoma, pp. 247-248.
90. Baker v. Carr, 369 U.S. 186 (1962).
91. Bingham, Reapportionment of the Oklahoma House, p. 253.
The case was Moss v. Burkhardt, 207F. Supp. 885, 898 (W.D. Oklahoma, 1962).
92. Bingham, Reapportionment of the Oklahoma House, p. 4.

CHAPTER III

COUNTY GOVERNMENT IN OKLAHOMA

Introduction

Chapter II initiated an examination of the hypothesis that Oklahoma is possessed by an unusually corrupt political culture. It examined the historical evidence supporting this hypothesis. In this chapter the focus shifts to the political institutions within the system with an emphasis on county government and on the office of county commissioner. A basic theme will be the relatively unchecked power of the county commissioners.

The chapter contains four main parts. The first part presents an overview of county government. Part two examines the office of county commissioner. Parts one and two also focus upon formal duties and responsibilities. The informal side of county government is brought out in part three. Since the autonomy of the county commissioners is a basic hypothesis in this study part four is devoted entirely to this topic.

An Overview of County Government in Oklahoma

This section sets out the origins of county government within Oklahoma, its major functions, the most important offices, and basic information on county finances.

Constitutional and Statutory Basis for County Government

County government in Oklahoma is rooted in Article 17 of the Oklahoma Constitution and is further specified in Title 19 of the Oklahoma Statutes. Article 17 of the Oklahoma Constitution establishes the system of county government within the state.¹ Among other things it names the first seventy five of Oklahoma's seventy seven counties and specifies their borders, specifies certain elected officials, prescribes the procedures for the creation of new counties, and delegates to the legislature considerable authority to elaborate upon this basic structure. Title 19 contains legislation relating to county government.² Examples of its content are the requirement for bids to be awarded on the basis of the lowest and best bid, restrictions upon the use of county road funds, and the duties and responsibilities of the Board of County Commissioners.

Functions of County Government

Oklahoma's counties are basically administrative units of government. They are generally concerned with implementing existing federal and state programs rather than with the

creation of new ones. These concerns include enforcing the law, levying and collecting taxes, storing and preserving important records and documents, operating a county school system, providing health, human, and welfare services, constructing and maintaining a county road and bridge system, operating a jail, and a myriad of other matters. Inherent in all of this is, of course, the necessity to determine a budget, let contracts, pay monies, hire and fire personnel, etc. These various tasks are accomplished by several elected officers.

Elected Officials in County Government

Elected county officials include the county commissioners, a county sheriff, county clerk, county court clerk, county assessor, county treasurer, county superintendent of schools, and a district attorney. All of these officials serve four year terms of office. With the exception of the county commissioners and the district attorney, each runs county wide on a partisan ballot in a run-off system. The following discussion will be restricted to the offices of county clerk, district attorney, and county sheriff.

The county clerk is the custodian of important documents (deeds, etc.) and is also charged with the issuance of payments (warrants) when the county buys something. In addition, the clerk is charged with the duty to insure that warrants are written for legitimate expenditures. But

warrants are written only on the instructions of the Board of County Commissioners.

The district attorney is the county's lawyer and prosecutor. This office is a revision of a former office known as the county attorney. In the past the county attorney had jurisdiction only within the county, but the district attorney often serves more than one county. For example, the Comanche County District Attorney also serves Cotton County. Furthermore, the county attorney's budget was totally funded by the county, whereas the district attorney is now entirely funded by the state. Most of these reforms resulted from a scandal within the judicial branch of Oklahoma's government. However, full financial independence from the county budget was not achieved until the reforms resulting from Okscam. The district attorney functions only within his district, and county attorneys could function only within their counties. This meant that subpoena powers were, and are, restricted to that district or county. This feature made it difficult for local prosecutors to build effective cases against suppliers and commissioners suspected of wrong-doing.

The county sheriff is the chief law enforcement officer for the county. He is responsible for the maintenance of law and order within the county, the serving of subpoenas, the operation of the county jail, and the performance of his deputy sheriffs, whom he hires and fires. This brief tour

of the county courthouse has illuminated a few of the more important county officials in the commissioner's immediate environment. But before considering the commissioners themselves it is necessary to look at county finances.

County Finances

This section describes the major sources of revenue in county government. In addition, county road funds are discussed in more detail since they were so intimately involved in Okscam.

General Sources of Revenue. County government in Oklahoma operates from three major sources of revenue; a general fund, revenue sharing funds, and transfer payments.³ General fund monies are used for the general operation of county government, excluding county roads and bridges. The general fund is funded by local ad valorem taxes and by other local collections (court fees, etc.). Expenditures from this fund are made in accordance with an annual line item budget. The general fund is supplemented by revenue sharing funds. Revenue sharing monies come from transfer payments from the federal government under the revenue sharing program. Both funds are under tight budgetary control and were not involved in Okscam.

Transfer payments to the county come from both the federal and state governments. They fund numerous aspects of county government including county schools, various human

services programs, and the county road and bridge program. Federal transfer payments do not go to the county road and bridge program and were not involved in Okscam. Of the state transfer payments only a portion go for county roads and bridges. Thus Okscam centered upon only one aspect of the revenue sources available to county government, county road funds.

County Road and Bridge Finances. The county road and bridge program is financed by a special category of funds called road funds.⁴ Road funds are transfer payments from the state to the counties and are earmarked solely to the county road and bridge program. Their expenditure is regulated by Sections 331, 519, 602, and 704 of Title 19, Oklahoma Statutes. Generally, these funds may not be encumbered until they are actually on hand in the county.⁵

In the past, a commissioner could act as authorizing agent, purchasing agent, and receiving agent in the expenditure of these funds. This enormous discretionary power combined with the absence of such restraints as a line item budget created a situation in which these road funds became a commissioner's own private cookie jar.

County road monies may be used for several purposes and have a variety of sources. Road funds may be used for personnel services, maintenance and operational expenses, capitol outlay purchases, to rent or lease machinery, for workman's compensation insurance, to construct and maintain

school bus and mail routes, and for commissioner's salaries. State revenue sources for road funds include collections from the gasoline excise tax, special fuel use tax, commercial vehicle tag revenue, bus mileage tax, gross production tax (except natural gas), and other miscellaneous sources.⁶

The statutes provide a procedure for the distribution of road funds to the counties and for their release. Each month the Oklahoma Tax Commission sends each county its monthly road funds in care of the county treasurer. Road funds are distributed to the counties based upon a formula involving county population, road miles, and land area. The treasurer certifies the amount available for appropriation to the commissioners. The commissioners then request, from the County Excise Board, permission to appropriate the funds. The County Excise Board reviews the commissioner's request to insure that the funds are available and that they will be spent according to the law. Once it has satisfied itself on these two points the Excise Board releases the funds for use.⁷

The prohibition against the encumbering of road funds prior to their being on hand in the county is based upon the uncertain nature of the state's revenue collections and the statutory prohibition against deficit spending.⁸ In other words the state cannot be sure a specified amount of money will be collected from the earmarked revenue sources in any

one month. It therefore cannot promise that a specified amount will be sent to the counties. And since the counties are not certain of how much they will receive they are supposed to delay spending until they actually have the money on hand. But the result of this uncertainty is that road funds are exempted from line item budgetary control. They are, consequently, designated "cash funds," and the counties are generally precluded from encumbering them before they are actually on hand. In the past exceptions to this rule existed in the area of the lease/purchase of heavy equipment and machinery. In these cases the county could agree to an installment contract,⁹ but these were exceptions rather than the rule.

This brief overview of county government has indicated some of the key elements with which the county commissioners must contend. Their powers are delineated by the legislature but the Oklahoma Constitution divides county duties among several other elected officials. The statutes provide for a system of funding county roads and bridges but this money is treated differently than other county funds. With these generalities in mind let us now turn our attention to a more detailed look at the office of county commissioner.

The County Commissioner in Oklahoma

The Office of County Commissioner

Each county in Oklahoma has three county commissioners. Each county is divided into three districts and has one commissioner from each of the three districts. Commissioners are selected from partisan ballots using the run-off system. The term of office is set at four years. The three commissioners collectively constitute the Board of County Commissioners for the county and are, by law, required to act for the benefit of the entire county.¹⁰

This structure builds in conflicts of interest. One conflict of interest centers upon the special interests of a district versus the general at-large interests of the county. On the one hand commissioners are expected to make decisions based upon the general interests of the entire county. On the other hand they gain and hold political office from a constituency consisting of only a portion of the county. This political reality encourages them to cater to their own districts, which, in turn, encourages autonomous operations.

Another conflict of interest centers upon the needs of an official who gains office via election versus the role of an administrator. On the one hand, commissioners gain

office by winning an election. Gaining and keeping such an office means responding to the needs and desires of constituents, promising to do things, and being exposed to the pressures of public opinion. Furthermore, the election is partisan in nature. It is widely recognized that the partisan political interests of a political party might oppose the public interest as issues arise in any public office. This situation is common in American politics, especially in openly political offices such as state senator, U.S. House of Representatives, etc. But is it appropriate for an office that is essentially administrative in nature? Woodrow Wilson certainly did not think so in his landmark essay "The Study of Administration,"¹¹ In his view the administration of government programs was no place for partisan politics. An easy extension of this argument is that an administrative office is no place for election politics. Administrators must be free to administer the law and programs impartially and according to the law. The pressures to play favorites caused by elections presents an unnecessary conflict in an essentially administrative office.

As for their pay, county commissioners receive compensation according to a formula, are reimbursed for some of their travel expenses, and generally see themselves as underpaid.¹² Their annual salary varies from county to county because the formula combines the net valuation of all

tangible taxable property within the county and the population of the county.¹³ Consequently, those commissioners from the more populated and wealthier counties receive substantially more than those from the sparsely populated poorer counties. Oklahoma County is, for example, the state's most heavily populated county (568,933 people in 1980)¹⁴ and one of its wealthiest. In 1984 an Oklahoma County Commissioner received an annual salary of \$63,939.96.¹⁵ On the other hand, Cimarron County is the state's least populated county (3,648 people in 1980)¹⁶ and one of the state's poorest. The 1984 salary of a Cimarron County Commissioner was \$18,045.¹⁷ In addition, a commissioner receives a monthly travel allowance if he uses his own vehicle. The maximum travel allowance is set at \$125.00 per month. However a commissioner may receive an additional \$75.00 per month if he has more than 100 miles of road in his district and if the Board of County Commissioners in his county agrees.¹⁸

A major problem with this system of compensation is that most of Oklahoma's counties are sparsely populated and poor. The result has been low salaries for most of Oklahoma's county commissioners. This low pay in turn creates a great temptation. And this low pay was a justification voiced by many guilty commissioners who took kickbacks.¹⁹ Thus the system of compensation was probably a significant factor in Okscam.

Apart from the pay problem there was the matter of training. Learning the job of county commissioner has usually been accomplished by experience on the job and without the aid of formal training.²⁰ It has only been in recent times that they have enjoyed a structured program in this respect. This assistance arrived in 1975 in the form of the Handbook for County Commissioners published by the Center for Local Government Technology at Oklahoma State University.²¹ Personnel from Oklahoma State University had been advising commissioners long before 1975, but the scope of this advice was comparatively narrow and generally concerned the construction and maintenance of roads and bridges. Thus, for a majority of the years of Oklahoma statehood the state's county commissioners had to rely on their own experiences on the job and upon their fellow commissioners to learn their duties.

The practice of learning how to be a county commissioner through experience and on-the-job training could well have provided the means for the Okscam system to perpetuate itself. Newly incumbent commissioners could have been taught the system as a part of their routine experiences and conversations with other commissioners, or suppliers, or both. Furthermore, the lack of a formal training program prevented an opportunity to teach new commissioners what was actually expected of them under the law. This lack of formal training may have been especially critical since most

commissioners were rural farmers who did not have extensive training in the role of an impartial administrator. Relying upon a system of on-the-job training and not providing formal training could well have interacted with each other to reinforce other corrupting influences and thereby assist in the perpetuation of the Okscam system.

The Board of County Commissioners

Although each commissioner is elected from a separate district within the county these commissioners are supposed to function collectively as a Board of County Commissioners. The Board of County Commissioners is composed of the three commissioners from the separate districts within the county and is the governing body for the county. The Board is chaired by one of the three commissioners. The chairman has numerous duties including conducting Board meetings, preparing the agenda for such meetings, and signing documents on behalf of the Board. Under Title 19 of the Oklahoma Statutes, the Board has a wide variety of duties and powers.

Under the law the Board is the county's business manager.²² It appoints one member of the important County Equalization Board, which is intimately involved in determining county taxes. The Board of County Commissioners also makes all orders regarding the purchase of property for the county. In addition, and importantly, the Board has

jurisdiction over the county road and bridge program.

The law provides the Board with numerous fiscal powers.²³ It can call special bond elections in order to raise funds for public projects, award contracts on behalf of the county, and it is a key participant in the annual budgetary process. It also authorizes the purchase of supplies for the commissioners and for the rest of county government, and is responsible for the expenditure of other county monies. When large purchases are anticipated the Board advertises for bids (often in the local newspaper). But it has discretion here too, for it is not obligated to take the lowest bid. It may take the lowest and best bid. The inclusion of "best bid" in the criteria for awarding contracts allowed the commissioners to consider factors other than price such as reliability, availability, service, and quality.²⁴ This aspect of the county purchasing procedure provided a loop hole through which commissioners could eliminate unwanted bidders and favor vendors who paid kickbacks.

The Board of County Commissioners has statutory authority to become involved in the affairs of other county officials.²⁵ This power derives from its statutory duty to ensure fiscal responsibility on the part of other county officials. In this connection it can audit the books of other county officials in order to inspect records of their receipts and expenditures. If irregularities are found the

Board may initiate action to remove the official in question. While all of the above matters are undoubtedly important, most of Oklahoma's county commissioners interviewed claimed that their most important duties are related to roads and bridges.²⁶

County Roads and Bridges

Most commissioners spend a great deal of their time and energy on the county's roads and bridges. This is especially true in the rural counties, and for good reasons.

One important reason for their concern with roads and bridges is political. Oklahoma has a strong rural heritage and agricultural interests are powerful in the state. County roads and bridges are of vital interest to rural people and to the economies of rural regions. It is, after all, over these rural roads and bridges that rural children must pass on their way to and from school. And it is over these same roads and bridges that farmers must travel as they go to and from markets. It should not be surprising, therefore, that most commissioners feel that a sure-fire way to lose the next election is to neglect these roads and bridges.²⁷

Another important reason for the commissioner's concern over county roads and bridges is legal. The County Commissioner's Handbook devotes an entire chapter to the topic of roads and bridges and indicates that they have

broad statutory authority in this regard:

It shall be the duty of the Board of County Commissioners in each county to construct and maintain, as county highways, those roads which best serve the most people of the county.²⁰

This is, indeed, a broad mandate. Under the law the commissioners, acting collectively as the Board of County Commissioners, have the authority to decide where to build a county road or bridge, when to build it, what design to employ, what materials will be used in its construction, and who will do the job. Each county purchases (or leases), controls, and maintains its own fleet of construction equipment (road graders, bull dozers, trucks, etc.). In addition, each county operates its own equipment storage facilities (commonly referred to as "barns") and employs full-time maintenance and construction workers. Consequently, a Board of County Commissioners possesses the necessary resources to build several types of roads or bridges. But they can also let the construction project out on a contract, in which case the Board decides who will receive the contract. This decision is based upon the lowest and best bid criteria.

What has been said of road and bridge construction applies equally to maintenance. Under the law the Board decides which roads and bridges will be repaired and in what order. It also decides what materials to use in repair or maintenance projects and when a project will begin and end.

The commissioners have the capability to perform a wide range of repair and maintenance jobs but they can also let these jobs out on contracts. If a contract is to be let, the lowest and best bid criteria prevail.

Formal Purchasing Procedures Related to Roads and Bridges
Okscam centered around the purchase of county road and bridge supplies, materials, and equipment. Consequently, it is of obvious importance to understand how the purchasing system worked.

Title 19 has long provided for a general purchasing procedure within the counties. Under the law each county commissioner could be designated a purchasing agent in connection with the county road and bridge program.²⁹ The amount of money available for each month would be specified in the minutes of the first Board meeting during the month, although this total could be changed at a later meeting.

Each purchase relating to the expenditure of county road and bridge funds began with the preparation of a purchase order by a purchasing officer, usually a commissioner.³⁰ The purchase order would then be submitted to the county clerk who would certify in writing that funds were available and assign a control number to the purchase order.

It was not necessary to solicit bids for every purchase because the county maintained bid lists from vendors and these bid lists contained bids on many commonly used

supplies and materials. But if the amount of money involved was \$500.00 or more the county was required to solicit bids for that specific purchase.³¹ The purchasing officer would review these bids, or consult the bid list. If the amount was under \$500 and not on a bid list the purchasing officer was supposed to call three suppliers and get telephone bids. The purchasing officer would then select a supplier based upon the criteria of the lowest and best bid. The purpose of the lowest and best bid criteria was to allow some latitude respecting price since it was felt that price might not always be the best basis for a purchase.

The last steps were delivery and payment. After the purchasing officer selected a supplier, this supplier would be notified of the purchase and provided with a copy of the purchase order. When the vendor made delivery he was required to provide the purchasing officer with a dated and specifically itemized invoice. The supplier was also required to swear in writing on this invoice that he had not taken a kickback on the purchase. In addition, this statement disavowing a kickback was required to be notarized. When delivery was made to the county the purchasing officer would sign the appropriate blank on the purchase order. It should also be noted here that under the law the purchasing officer could also function as receiving agent and take delivery. The purchasing officer would then collect the purchase order, the delivery invoice, and any

other supporting documents, and give it to the county clerk.

At this point the clerk would have an approved purchase order, with purchase order number indicated thereon, and a receipt from the vendor indicating that the county had actually received what it had purchased. When these documents were in hand the clerk would present them to the Board for approval of the purchase and authorization to make payment. After the Board approved the purchase it would instruct the clerk to issue a payment warrant. The clerk would then file all the paperwork connected with the purchase for future reference or audit.

This purchasing system was basically quite simple. In addition to its simplicity, this system had another important feature. In the case of the county commissioners, this system combined the functions of purchasing agent, authorizing agent, and receiving agent. The discussion thus far has concentrated upon the formal aspects of some of the offices within county government and upon county finances. But that is only part of the story, for county government had an informal side too.

Informal Practices in County Government

Phillip Simpson has found that, just as in Small Town in Mass Society,³² county courthouses in Oklahoma have traditionally operated on a rather informal basis.³³ The discussion will begin with the informal operations within

the office of county commissioner. Since the county clerk is also involved in purchasing and record keeping the discussion includes that office as well. The autonomous operation of the individual commissioners will be apparent.

Informal Practices of County Commissioners

In the past many Boards of County Commissioners tended to operate rather informally. This informal pattern pertained to the handling of county road funds and compliance with a requirement that Board meetings be open to the public. A norm of "turf" was an important element in these informal operations.

County road money came to the county for use by the entire county. But the commissioners informally divided these funds into thirds and exercised autonomous control over their respective thirds.³⁴ Each commissioner would spend his third as he saw fit. Board approval of these expenditures was required but it was usually a rubber stamp procedure. Major exceptions to this pattern occurred in Tulsa County and Oklahoma County. These two counties contain the largest concentration of the state's population and are heavily urban. Coordination between city and county government was often necessary because the city and county often combined resources in construction projects. But even in Oklahoma County some county commissioners were convicted in the Okscam probe. Furthermore, in the rural counties

there was occasionally some cooperation, such as when a road went along the boundary between districts. Nonetheless the typical practice in Oklahoma's counties was one of commissioners having their own individual funds and almost complete discretion in spending them.

A norm of "turf" also prevailed within Oklahoma's county courthouses.³⁸ Almost all of Oklahoma's county commissioners took care of their own districts and expected to be left alone to do so. In return, they left the other commissioners alone about matters within their districts, unless asked to intervene. They also left other county officials alone about matters within their jurisdictions and expected reciprocity. This was not true everywhere and the situation is changing today. Several incumbent commissioners who replaced convicted commissioners said they saw it as their duty to be concerned about the entire county, as opposed to a concern centered only upon their districts. But the old attitudes appeared to persist in many counties. In general, commissioners from the urban areas tended to take the broader view while those from the rural counties tended to cling to the older and narrower view.

Another example of the informal way in which county commissioners operated concerns the state's open meeting law. Usually commissioners met only among themselves to discuss business and were unaccustomed to formal open

meetings. In Cleveland County the story is told that the county commissioners were so unsure of themselves as to how to conduct properly an open meeting that they held a practice session.³⁶ But informality has not been confined to the office of county commissioner.

Informal Practices by the County Clerk

The county clerk has a duty to see to it that warrants are written for legitimate public expenditures.³⁷ But county clerks do not see themselves as policemen. They tend to accept the norm of turf just as the commissioners do and normally confine themselves to their job.³⁸ If the Board of County Commissioners tells a clerk that a warrant is needed to satisfy a debt and the paper work is in order the word of the Board is good enough for the clerk.

Another example involves the determination of the value of recently purchased property for the purpose of affixing revenue stamps. When real property changes hands the new deed is recorded in the county courthouse and the county clerk is the public official responsible. But taxation is also accomplished at the same time. When the deed is presented at the clerk's office the value of the property is determined and the appropriate amount of revenue stamps are affixed by the clerk. But how is the clerk to know the value of the property? In practice the new owner is asked by the clerk to declare the purchase price. The owner's

word is taken at face value by the clerk, and other county officials do not as a rule challenge the clerk in this regard. One clerk said that she suspects that citizens are lying to her about the purchase price of property, but that she does not have the time or inclination to check each person's story.

An important thread running through this analysis of informal practices in county government has been the autonomy of the county commissioners and the tendency for county government to fragment into separate offices, each with its own turf. With this background in mind it is now possible to concentrate upon the distinctive autonomy and discretionary power of the county commissioners.

The Autonomous County Commissioner

From the analysis so far it should be apparent that the county commissioners of Oklahoma operated with a great deal of autonomy in the area of county roads and bridges. This autonomy grew from a combination of six main factors: the statutes gave the Board of County Commissioners complete authority over the county road and bridge program; the commissioners controlled county and bridge funds; the statutes allowed county commissioners to combine the functions of purchasing agent, authorizing agent, and receiving agent in the expenditure of county road funds; the county commissioners were insulated from other local

authorities and ignored by local media; the commissioners were not effectively checked by state authorities; and the commissioners could exercise considerable political power if they so desired.

First, the statutes gave the Board of County Commissioners complete authority over the entire county road and bridge program. The commissioners, acting as a Board, were empowered to decide what was to be built or repaired, as well as when, where, how, with what materials, and by whom. In actual practice each commissioner made most of these decisions for his district autonomously. Furthermore, each commissioner operated his own "barn;" he hired and fired his own road crews; he bought (or lease/purchased) the construction equipment for his district; and he maintained this fleet.³⁹

Second, the commissioners exercised autonomous control over county road funds. Each commissioner had access to a monthly flow of large sums of money not constrained or controlled by a line item budget. These county road funds were informally divided into thirds by the three commissioners within the county and each commissioner controlled his third.

Third, an individual commissioner could function as authorizing agent, purchasing agent, and receiving agent in the expenditure of road funds. The Board of County Commissioners was supposed to function as a check on the

behavior of individual commissioners, but it became a rubber stamp. Thus the check on the behavior of the commissioners that was to be provided by requiring collective action broke down. This breakdown enabled commissioners to operate autonomously, and to circumvent the law.

Fourth, the commissioners were well insulated from detection, prosecution, and conviction by local authorities. The sheriff, district attorney, and clerk each had some political power of their own and some authority that was independent of the county commissioners. But their independence to investigate, arrest, and prosecute county commissioners was inhibited by the powers of their office and by the norm of turf. For example, county clerks were charged with the responsibility to insure that warrants were written for legitimate public expenditures, but county clerks did not see themselves as policemen. And a local county attorney or district attorney who suspected wrongdoing was hampered by the subpoena powers of his office: he could subpoena only within his county or district, yet vital evidence might well reside elsewhere.

Nor did the local media in rural areas take a keen interest in the proceedings of the Board of County Commissioners.⁴⁰ In fact, local newspapers had an incentive not to become too inquisitive because typically some of their advertising derived from decisions controlled by these commissioners. The urban press in Oklahoma City and Tulsa

was not so constrained. The Daily Oklahoman and The Oklahoma Observer ran numerous stories over the years about corruption in government. But generally speaking across the state the media tended to ignore the proceedings of county officials. Thus the media in the form of the local press was generally not willing or able to serve as much of a check on county commissioners.

Fifth, the commissioner's autonomy was further enhanced by their insulation from checks at the state level. For example, the Office of Attorney General within the state of Oklahoma has generally been viewed as weak with respect to its powers to initiate independent investigations and to conduct prosecutions. It could intervene in local investigations only when asked.⁴¹ Another example is the Office of State Auditor and Inspector.

The Office of State Auditor and Inspector could not bring legal proceedings if it found evidence of wrong doing. This office could only pass the information along to some other state agency with prosecutorial powers, such as the Oklahoma State Bureau of Investigation, and hope they might act.⁴² Nor could the state auditor and inspector mandate accounting and inventory systems pertaining to roads and bridges. It could only recommend.⁴³ It could conduct audits, but the counties could decide upon their own inventory systems with respect to road and bridge supplies, equipment, and material. And in many cases these inventory

and accounting systems did not provide an adequate accounting of the disposition of these various items.⁴⁴

Sixth, the county commissioners were regarded as bastions of political power. This factor is admittedly harder to pin down, but evidence does exist that indicates its presence. This point will be developed in the next chapter, but suffice it here to say that the county commissioners were generally reputed to be quite powerful in local and state politics. Nor were they paper tigers in this respect for they were able to thwart legislative reforms on several occasions.

In sum, the focus of this chapter has been upon county government. Such an institutional focus was suggested by Michael Johnston as part of a systems theory approach to the study of corruption. County government has been examined with an eye for institutional structures and practices conducive to corruption. This analysis has revealed that the county commissioners operated with a great deal of autonomy, especially in the area of the road and bridge program. They did so partially because of statutory provisions and partially because of informal practices. The net result was a very permissive institutional environment. The consequences of this permissive environment are presented in Chapter IV.

NOTES

1. The Constitution of Oklahoma, Article 17.
2. Counties and County Officers, 19 O.S. 1971. The 1971 edition of the statutes has been selected since it is the most recent edition prior to Okscam. The actual meaning of any particular section of the 1971 edition of Title 19 would be affected by subsequent legislative actions, the interpretation of these statutes by the courts, and by opinions of the Attorney General of Oklahoma.
3. The Center for Local Government Technology and The Oklahoma Cooperative Extension Service, eds., County Commissioner's Handbook, revised edition (Stillwater, Ok.: Oklahoma State University, 1979), pp. 79-94.
4. Ibid., pp. 85-90. The term road funds has been selected for use here in order to avoid confusion. This confusion results from the terminology used by county and state government. They call road and bridge funds "T Funds," but this can be misleading because there are actually three categories of road funds, one of which is also known as the T Fund. The other two categories are the 2T Fund and the 4T Fund. See note 6 for more detail these funds.
5. Handbook, pp. 86-87.
6. The T fund, 2T fund, and 4T fund are commonly referred to collectively as "T Funds," yet each of these funds has a designated purpose and earmarked sources of revenue. The following information is from the Handbook, p. 89-91.

The general purpose of the T fund is to build and maintain county roads. T funds may be used for the following specific purposes: personnel services, maintenance and operational expenses, capitol outlay purchases, to rent or lease machinery, and for workman's compensation insurance. No restrictions upon its use are stated in the Handbook. The T fund is funded by an earmarked portion of state collections from the gasoline excise tax, special fuel use tax, commercial vehicle tag revenue, bus mileage tax, gross production tax (except natural gas), and from the surplus of equipment sales.

The general purpose of the 2T fund is to construct and maintain school bus and mail routes. 2T funds may be spent on the following specific purposes: personal services, maintenance and operation, and for

commissioner's salaries. But 2T funds may not be used to purchase or rent machinery or equipment. The 2T fund is funded by earmarked state collections from the gasoline tax, special use fuel tax, and any surplus from the preceding year.

The 4T Fund has two general purposes. One general purpose is to construct permanent bridges and culverts. The second general purpose is to surface and resurface school bus and mail routes. 4T funds may not be used to buy any equipment, except one gravel loader per county. Nor may it be used to lease or rent machinery, except to hire trucks for hauling gravel. The 4T Fund is funded by earmarked collections from the gasoline excise tax, special use fuel tax, and from miscellaneous revenues.

7. Handbook., pp. 86-87.
8. Interviews with 50 incumbent Oklahoma county commissioners during the period March through November 1983. Due to practical considerations a random sample was impossible to obtain. But the sample did include commissioners from all four quadrants of the state. In addition, the sample included crommissioners from urban and rural counties, 3 of the 6 female commissioners, and 1 of the 2 black commissioners. Commissioners risked a lot if they chose to spend more than was available because the penalty could be ouster from office.
9. Handbook, p. 120.
10. Ibid., p. 3.
11. Woodrow Wilson, "The Study of Administration," Political Science Quarterly Vol. 2 (June 1887): 197-222; reprinted in James L. Perry and Kenneth L. Kraemer, eds. Public Management (Palo Alto, CA.: Mayfield Publishing Company, 1983), pp. 6-16.
12. Handbook, pp. 1-2. Commissioners revealed a sense of being underpiad during the interviews noted above.
13. Handbook, pp. 79-94.
14. Center for Economic and Management Research, Statistical Abstract of Oklahoma 1982 (Norman, Ok: University Printing Services, 1982), p. 16.
15. Telephone interview with secretary, Oklahoma County Commissioners, Friday, September 28, 1984.
16. Statistical Abstract 1982, p. 15.

17. fill in
18. Handbook, pp. 1-2.
19. Interviews with Mr. William Price, U.S. Attorney for the Western District of Oklahoma. There were three interviews, one in the spring of 1982, a second in the summer of 1983, and a third in the fall of 1983. Dr. Harry Holloway accompanied the author in the last interview. All interviews were conducted in Mr. Price's office, Federal Building, Oklahoma City, Oklahoma.
20. "New County Commissioners Having to Learn Their Jobs by Doing," The Sunday Oklahoman, March 7, 1982, p. 17.
21. Handbook, pp. i-ii.
22. Ibid., pp. 3-4.
23. Ibid., pp. 4-5.
24. Ibid., pp. 104-105.
25. Ibid., pp. 5-6.
26. Interviews with incumbent commissioners.
27. Interviews with incumbent commissioners.
28. Handbook, p. 116.
29. Ibid., pp. 103-104.
30. This discussion relies heavily upon the Handbook, especially pp. 100-109.
31. The amount that a purchasing officer could spend varied depending upon the circumstances. The general rule was a limit of \$500.00. However a commissioner could spend \$1,500 for crushed rock, gravel, sand, cement, hotmix, hot-laid asphalt, steel, or other materials for the construction and maintenance of the county's highways. In fact, page 119 of the Handbook says that the Board may spend \$1,500 per class of items in the same purchase. In other words the Board could order \$1,500 of steel, \$1,500 of gravel, and \$1,500 in hot-mix all in the same order and not violate the limit.
32. Vidich, Arthur J. and Joseph Bensman, Small Town In Mass Society (Garden City, N.Y.: Doubleday and Company, Inc.,

1960)

33. Phillip M. Simpson, "The County Government Scandals in Oklahoma: The Structure/Corruption Relationship," paper prepared for delivery at the annual meeting of the Southern Political Science Association, Atlanta, Georgia, October 27-29, 1982.
34. Interviews with incumbent commissioners.
35. Interviews with incumbent commissioners.
36. This story is told by a person who was a member of the Oklahoma legislature.
37. Handbook, p. 35.
38. These statements come from personal interviews with county clerks in two counties conducted in the Fall of 1983. These generalizations appear to be justified for several reasons. Each clerk said this view was typical of the clerks across the state. Secondly, the notion of turf also appeared in interviews with approximately 50 incumbent county commissioners across the state. In addition, Phillip M. Simpson found evidence of the norm of turf in the operations of Oklahoma's county courthouses. See Simpson, "The County Government Scandals in Oklahoma." Furthermore, Simpson has interviewed several county clerks as a part of an ongoing research project in county government and he has found similar attitudes among these clerks.
39. Interviews with incumbent commissioners.
40. Interviews with incumbent commissioners. Commissioners were asked to recall the quality and extent of media coverage given to the activities of the Board of County Commissioners before Okscam erupted and the general response was that the media ignored Board proceedings.
41. The Council of State Governments, The Handbook of the States Vol. 23 (Lexington, Ky.: The Council of State Governments, 1981), pp. 178-180. The book indicates that the Oklahoma Attorney General had authority to initiate local prosecutions only if asked to do so by the governor or legislature. Nor could he intervene in local prosecutions, supersede the local prosecutor, or even assist the local prosecutor unless asked to do so by the governor or legislature. The attorney general did not have the authority to commence criminal proceedings and had only limited subpoena powers.

42. "Kickback Probe Raises Questions of Accuracy in Future Audits, Daxon Says," The Saturday Oklahoman and Times, August 8, 1981, p. 17. Mr. Tom Daxon is another individual who was not confident that state and local government officials would prosecute cases of wrongdoing by the commissioners and, consequently, turned over evidence discovered by his department to federal authorities.
43. Ibid.
44. Ibid.

CHAPTER IV

OKSCAM

Introduction

Chapter III examined county government and the office of county commissioner in part to locate features of that system that enhanced the discretion of county commissioners and could therefore contribute to Okscam. Above all it was found that in the past county commissioners possessed virtually unchecked discretion over the county road and bridge program and in the disposition of county road and bridge funds.

In this chapter the focus shifts to the scandal itself. The purpose is to describe investigation, the scandal itself, and the resulting reform legislation. The opening sections deal with early efforts by state and local government officials to reform the office of county commissioner. Attention will then shift to the local effort that led to the federal probe, the Stephens County Grand Jury investigation of 1978. This background helps demon-

strate how widespread and deeply rooted the corruption in county government was and some idea of the difficulties state and local officials encountered in attempting to expose it. In part four the federal investigation will be described. Part five will concentrate upon Okscam itself. This will include a description of the three major types of transactions involved in Okscam. It will also include a discussion of how the system was perpetuated and some of the barriers to prosecution it presented. The chapter will conclude with the resulting reform efforts by the state.

The Sandlin Report

Rumors have circulated within Oklahoma for years that some county commissioners, and perhaps quite a number of them, were corrupt.¹ In 1958 the legislature of Oklahoma investigated the purchasing practices of the county commissioners and rendered a report of its findings known as the Sandlin Report. This report is significant for two reasons. One reason is that it detailed the practices that were uncovered in the federal probe, but it did so almost a quarter of a century earlier. The second reason is that the Oklahoma legislature did little to enact effective reforms.

The Sandlin Report was the report of a joint select legislative committee whose purpose was to inquire into the purchasing practices of Oklahoma's county commissioners.² It was chaired by Senator Hugh M. Sandlin, Democrat from

Holdenville, Oklahoma. The vice chairman was Representative Charles G. Ozmun, Democrat from Lawton, Oklahoma. The committee gathered information from private study and conducted four public hearings at which testimony was taken from 25 people representing private enterprise, the Association of County Commissioners, the State Examiner and Auditor's office, and members of the legislature. This investigation resulted in 27 separate findings. Examples of key findings are as follows:

2. County commissioners by and large have not functioned as a board although the law prescribes that they must...
5. Various companies selling and supplying the county commissioners with their supplies have either combined together designedly or at least by practice have fixed the market on these various items so that our counties by and large are paying in excess of the regular market price, at least between 20 and 25%...
6. Bidding laws of Oklahoma, as they now exist, are of little or no value since they can easily be evaded, and have not served their intended purpose.
8. Our subcommittee has had information from reliable sources that many items are sold in Oklahoma and never delivered...
10. Law enforcement on commissioners' violations at the county level is in many instances weak and ineffective. These matters are reported periodically by the State Examiner's Office to the county attorney and, in most cases, there is nothing done about it.
11. Official audits and other evidence disclose that county highway funds have been diverted to uses other than road purposes, such as improvement of private property and charity programs. This is in direct violation of the law.

17. ... we believe that the system in its present form invokes the unscrupulous to take advantage of it, and that too many times it has been a spawning ground for corruption and misuse of funds.
18. There is no system of follow-up to insure proper prosecution of law violators.
20. The accounting systems used in county road programs are inadequate and lack uniformity.
22. A number of legislators sell supplies to county commissioners.
27. ... an effective system of supervision and checking of county road expenditures is necessary.³

These key findings and others not cited here describe a system riddled with mismanagement and violations of the law so pervasively as to be a "spawning ground for corruption." In response to these findings the committee recommended several reforms: the creation of a central purchasing agent for each county, the enactment of a new competitive bidding law, the creation of a state revolving fund for the purchase of heavy equipment, and more.⁴ The reaction of the 1958 legislature to its own investigation was to leave the existing system in place.

It is difficult to devise an interpretation of this event that is favorable to the legislature. Although the committee's investigators did their work well the legislature opted for the status quo, i.e., the "spawning ground for corruption." This reaction represents additional support for the cultural hypothesis, that is, a state dominated by a corrupt political culture. But the demise of

the Sandlin Report was not the end of the matter, for looming on the horizon was a "Prairie Fire" reform campaign.

Governor Edmondson's Attempt at Reform

In 1958 a young dark-horse Tulsa County Attorney named J. Howard Edmondson challenged the Old Guard in the race for governor.² Edmondson's story is significant because it constituted another major attempt at reforming the office of county commissioner that failed, and the outcome illustrates again the political power of the county commissioners if threatened.

Edmondson ran on a broad reform platform and his "Prairie Fire" campaign, as people called it, took Oklahomans by storm. Things began quite well for the youthful new administration. "The Big Red E" and his band of "crew cuts," as they were labeled in the press, scored big victories in reforming Oklahoma's liquor laws, establishing a state central purchasing system, and installing a merit system. But just below the surface a real storm was brewing over those elements of his reform program that dealt with state and county roads and bridges.

The first skirmish between the new governor and the legislature involving roads concerned the State Highway Commission. Edmondson nominated J.L. Jones to be chairman of the State Highway Commission. Jones was a Tulsa Republican and was editor of The Tulsa Tribune. In other

words, Jones represented just about everything a reformer might want and everything the Old Guard might resist.

The Old Guard controlled the 1959 legislature and was commonly associated with the Courthouse Crowd which included the county commissioners. The Courthouse Crowd, in turn, dominated county politics and county government. These rural-oriented Democrat groups saw the nomination of a big-city Republican as a threat to their vital interests and opposed it. In addition, the Edmondson administration had offended many legislators through rude treatment and a lack of consultation. Consequently, the Senate refused to confirm Jones. Edmondson was adamant and submitted Jones's nomination to the Senate a second time. The Senate again rejected it. Thus the reformers lost the first round in their road and bridge battle with the Old Guard. Governor Edmondson was, however, a very determined man and took on the Old Guard again with respect to roads and bridges.

A major part of the Edmondson reform program dealt with county roads and bridges. The plan was to centralize the county road and bridge program at the state level, but the plan met stiff resistance. County commissioners saw their turf threatened and resisted through their Association of County Commissioners. The plan also met resistance in the legislature, which in those days was generally dominated by rural interests. These rural interests saw any attempt to centralize programs at the state level as an attempt by the

large cities to take control of state government, and to diminish rural influence. It is, therefore, not surprising that Edmondson's efforts to change things via the legislature failed. But the governor was not through yet.

Edmondson next attempted to bypass the legislature. His strategy was to change the existing system via three initiative petitions presented to the people in September, 1960. In this way he could employ his considerable popularity with the people and bypass the powerful rural interests in the legislature. Furthermore, the governor placed his own prestige on the line by going out and personally debating the opposition on these issues.

State Question 396 proposed the creation of a State Highway Commission, State Question 397 proposed legislative reapportionment, and State Question 398 would transfer county road funds to the state. These changes were opposed by the Farmer's Union, the Rural Electric Administration Cooperatives, the State Farm Bureau, the Association of County Commissioners, and even by his own party! It was, therefore, Edmondson v. Everybody Else. And popular as the "Big Red E" was, he was still unable to overcome the combined weight of all his opponents. All three state questions were resoundingly defeated by margins of over two to one. But there was also another big loser - Governor Edmondson. Scales and Goble summarize the impact upon him saying "In less than two years he had lost party control,

legislative command, and his faintly remembered mandate, as well."4

It would be incorrect to assert that all of this damage resulted from his duel with the county commissioners, but they certainly played an important part in it. The Governor had enjoyed considerable success until he attacked the vital road and bridge turf of the commissioners, and these reform proposals were central to his reform program. This episode, coupled with the legislature's response to the Sandlin Report, confirms the political influence of the county commissioners within the Oklahoma legislature. Further confirmed is the relative autonomy of the commissioners with regard to state supervision. As for local efforts at reform, these, too, encountered problems as the Stephens County Grand Jury inquiry illustrates.

The Stephens County Grand Jury

In 1978, Mrs. Billy McCartney, a resident of Stephens County, Oklahoma began a grand jury investigation of the county commissioners within Stephens County. This episode is significant for two main reasons. In the first place it illustrates some of the problems encountered by local government in investigating, prosecuting, and convicting county commissioners. In the second place this inquiry did finally stimulate federal authorities, and the resulting federal probe eventually broke open the scandal.

Mrs. Billy McCartney was a rural housewife who became upset about the condition of the bridges her children had to cross on their way to and from school.⁷ She knew that these were county bridges and that her county commissioner was responsible for maintaining them. She also noticed that large quantities of lumber were purchased by the county commissioners, yet the bridges remained in poor condition. Her response was to start a petition drive to call a grand jury whose purpose would be to investigate this and other matters. Her petition drive was successful and in April, 1978, a grand jury was convened in Stephens County.

On April 10, 1978, the Stephens County grand jury began a two month probe into the purchasing practices of its county commissioners.⁸ It toured various county road and bridge projects and heard testimony from over fifty witnesses.⁹ One of these witnesses was Mr. Charles Muse of Oklahoma's Office of State Auditor and Inspector.

Mr. Muse had previously conducted an audit of Stephens County and found that there was a failure to account for approximately \$1.19 million in county funds over the period of the audit.¹⁰ Muse found many deficiencies: "no fewer than 364 errors and discrepancies in the use of purchase orders by county commissioners" in only one fiscal year;¹¹ within the county clerk's office there were violations of the law "concerning the handling of warrants and purchase orders from the county commissioners" (dates had been

changed on dozens of purchase orders so that purchase orders and delivery tickets agreed);¹² the Board of County Commissioners did not comply with the statutes requiring them to advertise for bids;¹³ and "...the Board of County Commissioners purchased lumber and culvert pipe exceeding their requirements for normal maintenance and construction."¹⁴

Muse had previously reported these findings to the Oklahoma State Bureau of Investigation (OSBI). But he discovered that this information was being passed on to the very commissioners he was investigating.¹⁵ This reaction by the OSBI demonstrates that Okscam existed, at least in some measure, due to the tolerance of some state officials.

And there is additional evidence of the sufference of these practices by state officials. Mr. Tom Daxon was the incumbent State Auditor and Inspector at the time Okscam was breaking. (He served from 1978 to 1982.) He was also a Republican who ran unsuccessfully for governor in 1982. Mr. Daxon reported that his audits of county commissioners had failed to exonerate a single commissioner he had audited. In addition, he reported that in recent times his audits had become unreliable due to malpractices in accounting by the counties.¹⁶ Furthermore, his powers respecting county government entailed only the power to recommend and to pass along information to prosecutors.

Another indicator that some state officials tolerated

these practices comes from an interview with Rufus Young, an incumbent county commissioner from Wagoner County. Commissioner Young related an incident in which he complained to a member of the legislature about the low salaries commissioners received. Young said the legislator responded by saying, "Don't you know what to do about that yet, Boy."¹⁷ The clear impression Commissioner Young received was that he should augment his salary by accepting kickbacks. It is in this context that the following events in Stephens County may be viewed.

In June, 1978 the grand jury rendered its report. It charged four suppliers with fourteen counts of defrauding Stephens County and charged two commissioners with failure to account for a total of \$1.19 million.¹⁸ One of those suppliers was Mr. Don Skipworth, who was to reappear later in the federal probe. The grand jury indictment charged the two county commissioners with "gross neglect of duty" and ouster proceedings were initiated against them.¹⁹ But, as was the case with the Sandlin Report, it was mostly down hill from there in so far as state and local level prosecutions were concerned.

In the first place the Stephens County district attorney filed only misdemeanor charges against the four suppliers in spite of the grand jury evidence of the mis-appropriation of over \$1 million in county funds and 14 felony indictments.²⁰ Soon thereafter he disqualified himself from the case.²¹

Then the district judge in Stephens County who was presiding over the case disqualified himself. These disqualifications resulted in long delays in the prosecution of the case and Simpson concludes that they indicate a lack of desire to prosecute.²²

More support for the view that there may have been a lack of desire to prosecute comes from Dr. Phillip Simpson. Simpson reports that he was told by a reporter from The Duncan Banner (the newspaper serving the county seat of Stephens County) that "no one around the county courthouse wanted to move the case."²³ The reporter also stated that he had "received editor's pressure to not aggressively report the case."²⁴

A new district attorney attempted to refile the charges as felonies but he also backed off. Ouster proceedings against two of the three commissioners were moved to Comanche County where trial resumed under a different judge. The trial resulted in their eviction from office. Thus some action was taken but it came about only after much resistance and delay.

The handling of this case by local officials leaves much to be desired and was indicative of the way commissioners survived previous attempts at prosecution at the local level. The Sandlin Report, the failure of the two reform attempts by Governor Edmondson, and the Stephens County Grand Jury episode all demonstrate that the county

commissioners were well insulated from state and local government officials who sought to probe the situation and clean it up. But the commissioners did not fare nearly as well when they ran up against the federal government.

The Federal Investigation

Federal indictments against ten Oklahoma county commissioners were announced in April, 1981. These indictments resulted from a three year combined investigative effort by the IRS and the FBI. This investigation broke the back of Okscam. The FBI had, since the early 1970's, placed a higher priority on white collar crime and had become increasingly interested in the specific subject of political corruption.²⁵ FBI agents received additional training in this area and were on the lookout for indications of its existence. Their interest was, therefore, quickened by events in southwestern Oklahoma.

The FBI had been following the Stephens County case with considerable interest and had initiated its own investigation. One of the people they were interested in was a supplier from Atoka, Oklahoma named Dorothy Griffin. Mrs. Griffin was also under the scrutiny of the IRS, who suspected income tax evasion. In a meeting between an FBI agent and an IRS agent Mrs. Griffin's name was inadvertently mentioned.²⁶ Each agent was surprised to learn of the other's interest, and they decided to join forces. The

result was that agents from both services converged upon her home in Atoka. Mrs. Griffin broke down and began to cry. She took the agents to a barn at the back of her house containing several feed sacks full of phoney invoices.

These invoices were an essential part of the criminal conspiracy in the Blue Sky deals, and Mrs. Griffin was one of the sources for them. This was the big break federal authorities needed. Mrs. Griffin was in an ideal position to help because she was on the inside of Okscam. Federal authorities persuaded Mrs. Griffin to cooperate and tape her conversations with suppliers. These tapes led federal authorities to others in the system, such as Guy Moore.²⁷

Guy Moore was ideally suited to the needs of federal authorities. He was a supplier who had traveled the state calling on county commissioners for 28 years. Over the years he had paid huge sums in kickbacks. The exact amount he paid is unknown, but he estimated under oath that he paid about \$3,000 per month for 28 years, or \$1,008,000.²⁸ The FBI confronted Moore with approximately 150 tape recordings and transcriptions of tapes in an effort to induce him to go underground too. This attempt was successful.²⁹ Federal authorities now had what they really needed, the cooperation of a major long-time supplier.

Moore was instructed to continue calling on commissioners according to his normal business routine, but he now carried a hidden tape recorder. Moore was also

briefed and de-briefed by FBI agents when he took kickback money with him, the money now being provided by the FBI. The result was a devastating body of evidence, and Guy Moore became a key government witness in many of the cases that followed.

Another key development grew out of a case involving supplier and former county commissioner Don Skipworth. Skipworth was charged by federal authorities and decided to fight the case. He stood trial, was convicted, and received a 20 year prison sentence. This sentence served as a stimulus for others to plea bargain.³⁰ The U.S. Attorney took a hard line in bargaining and refused to bargain unless these subjects agreed to cooperate. These efforts were consistently backed up by Federal Judge Luther Eubanks, who read the riot act to those appearing before him. The result was a number of talkative witnesses, and the momentum of the investigation increased.³¹

At the core of the federal task force were 2 IRS agents, 4 FBI agents, and 2 members of the United States Attorney's Office (including the U.S. Attorney).³² They instructed undercover informants, interviewed informants after contacts with those under investigation, provided informants with kickback funds, etc. This task force was expanded to approximately 50 during the height of the probe as casework was assigned to agents in FBI field offices across the state.³³

The probe began in southwest Oklahoma and spread north and east across the state. The size of this scandal is indeed staggering. It has touched almost every one of Oklahoma's 77 counties. And 224 suppliers, incumbent county commissioners, and former commissioners have been convicted or pled guilty in Oklahoma alone.³⁴ In fact, the probe even crossed into northeastern Texas where 38 convictions were obtained.³⁵ This investigation broke the back of Okscam. It is time now to examine the scandal federal authorities exposed.

The Anatomy of a Scandal

This section examines the scandal itself and how it operated. The discussion begins with a brief general description of Okscam. The discussion will then move to a consideration of the three types of transactions involved: 10 percent transactions, Blue Sky transactions, and lease-purchase transactions. The fourth topic will be the socialization of newly elected commissioners into the system. The fifth section deals with the secret nature of Okscam and the final section covers the barriers to prosecution that Okscam presented.

A General Description of Okscam

Okscam centered upon those Oklahoma county commissioners who were taking kickbacks on supplies, material, and equipment connected with county road and bridge programs.

Generally, commissioners would order supplies, material, and equipment from selected suppliers if the suppliers would agree to kick back part of the cost to the commissioners. The orders were usually delivered, but sometimes they were not. If the order was delivered the kickback was 10 percent. If the order was not delivered the kickback was 50 percent. Suppliers inflated the prices charged to the county to cover the cost of the kickbacks. These inflated prices appeared on price lists and on bid lists supplied to the county by the suppliers.

Another component of Okscam involved the leasing of equipment by the counties. Heavy equipment would be leased at inflated prices and the county commissioner would receive a portion of this inflated price from the lessor as a kickback. Many suppliers accepted these arrangements. However, it was occasionally necessary for a commissioner to extort kickbacks from suppliers.

The system relied upon the autonomy of the commissioners. Each commissioner operated his own barn within his district. He bought or leased his own equipment and machinery. He decided what repair and construction projects were to be undertaken, and in what order. He also decided what materials would be used in these projects and could make the necessary purchases if he so desired. In addition, he controlled one third of the county road and bridge money. Furthermore, he could act as purchasing

agent, authorizing agent, and receiving agent. With this general overview in mind it is time to examine the way the system operated, beginning with the 10 percent transactions.

Ten Percent Transactions

In the 10 percent transactions, supplies, equipment, and material were ordered on behalf of the county. Deliveries were made and the county commissioner received a kickback in the amount of 10 percent of the value of the order. This system functioned easily within existing statutes and procedures.

A commissioner would act as his own purchasing agent and purchase or lease materials for the road and bridge program. Orders involved such things as gravel, sand, culvert pipe, lumber, bull dozers, road graders, grader blades, trucks, rock crushers, etc. Approval of the Board of Commissioners was required, but the Board was composed only of commissioners. Commissioners were encouraged to respect each other's autonomy for two main reasons. First there was the norm of turf. Commissioners expected to be left alone to take care of things in their districts and, in turn, left other commissioners alone. Second was the fact that most of Oklahoma's commissioners were on the take. And a commissioner who was on the take could not afford to be too inquisitive about the affairs of his fellow commissioners. Reliance upon the Board of County Commissioners to act as a

check and balance upon the behavior of its member commissioners was, therefore, like relying upon the fox to guard the hen house.

The requirement that the counties buy from a bid list was not an effective barrier to the kickback system for two reasons. One reason was the "lowest and best bid" loophole. Commissioners could use this loophole if the favored supplier was not the low bidder on the grounds that he was the lowest and best bidder. The second reason was that suppliers inflated their bids to cover the cost of their kickbacks.

The Board authorized county road funds to pay for these purchases. But in actuality the commissioners divided these funds into thirds and exercised autonomous control over their respective thirds. Billing the county presented no problem to the supplier because the supplier had a legitimate invoice from the vendor. The commissioner could also act as receiving agent and take delivery if he so desired. This was not a necessary power in the 10 percent deals because the material ordered was actually delivered.

All things considered, these 10 percent transactions were low in risk and coexisted easily within the mandated system. The only modifications needed were autonomous control of the money and a rubber stamp Board. Suppliers were really nothing more than middle men. The commissioner could have gotten what he needed by simply calling the

vendor directly and having the material delivered, but that would have jeopardized a lucrative source of income. And 10 percent was not enough for greedy commissioners.

Blue Sky Transactions

Blue Sky transactions were those transactions in which a commissioner gave the supplier an order but the supplier did not order anything from a vendor, and nothing was actually delivered. A kickback was paid to the commissioner in the amount of 50 percent of the value of the order.

This system presented special problems to the supplier, such as billing the county. The clerk required an invoice before payment could be made but the supplier did not have one because he had not ordered anything that would generate such an invoice. It was, therefore, necessary to have a source of phoney invoices, such as Dorothy Griffin.

Accounting for the undelivered goods presented special problems to the commissioner. One problem involved taking delivery. Whoever did so had to sign the purchase order, but if anyone other than the commissioner signed it this third person had to be in the know. This problem was solved by having the commissioner act as receiving agent and sign the purchase order himself. A related problem was that of accounting for materials that should be on hand but were not. Here, commissioners protected themselves by confining orders to expendables such as lumber, gravel, sand, etc. If

the commissioner was ever questioned he could claim that the items had already been used.

Blue Sky deals were widely regarded as the most flagrant form of corruption within the Okscam system.³⁶ To borrow from Heidenheimer, Blue Sky deals were examples of black corruption. In addition, Blue Sky deals involved a higher level of risk. This higher risk resulted from the need for a third party to provide the phoney invoices. And this proved to be the undoing of the entire system. In general, Blue Sky deals were less prevalent than the 10 percent transactions.³⁷

Lease-Purchase Transactions

Another aspect of Okscam involved the lease/purchase of heavy machinery such as road graders, rock crushers, bulldozers, etc. In these cases the commissioners took the initiative. Acquisitions of this magnitude were infrequent, usually only once or twice a year. When a commissioner was in the market he would ask suppliers to make an offer.³⁸ The motive of the supplier was to make as much as possible on these deals so they were not enthusiastic about paying a kickback. Commissioners, on the other hand, still wanted one. Consequently negotiations were required, and there was not a standard kickback percentage, but the kickback was usually in the area of 10 percent. The mechanics of how the Okscam system operated have been described, but questions

still remain concerning the origin and perpetuation of the system. How did it all start, and how did it keep going?

Socializing New Commissioners into the System

How did it all start? This question was asked repeatedly in interviews but nobody could answer with certainty, including prosecutors and commissioners.³⁹ Nor could anybody state who the first participants were. When pressed to make a guess people would say Okscam was probably started by a supplier, but nobody could offer a name, place, or date as a beginning point.⁴⁰ Okscam has, therefore, probably existed for as long as anyone living can remember and its origins will probably remain obscure.

Once started, how did it keep going? The system was perpetuated in two major ways. One method relied upon a pool of potential candidates who were basically dishonest. In other words some people probably ran for the office with the intent to bilk the county from the start.⁴¹ They could have been attracted by the reputation of the office, for it was seen by some as being somewhat corrupt.⁴² It is not possible to accurately state what percentage of new commissioners had these motives in mind when they ran, however U.S. Attorney William Price has estimated it as a "substantial percentage."⁴³ But most commissioners probably did not seek the office for this purpose. This raises the question of how a presumably honest person was incorporated

into the system.

The second method involved testing and socializing new commissioners. When a new commissioner assumed office he was tested and, if necessary, socialized by a supplier.⁴⁴ Suppliers tested new commissioners by simply offering the new commissioner a 10 percent kickback in cash. The money would be placed in plain view of the commissioner, such as on the seat of a pickup truck.⁴⁵ If the new commissioner took the money word was passed among suppliers that the commissioner was on the take.

If a commissioner was reluctant to take the money the supplier would begin the socialization process by attempting to persuade him to do so. The supplier would talk to the reluctant commissioner and offer several rationalizations for taking the money.⁴⁶ Five of the most common rationalizations offered by suppliers were:

1. The job does not pay enough and/or it does not pay what its worth.
2. Everyone knows it goes on - its been going on for years and is expected.
3. It's part of your salary. You are called a commissioner because you are entitled to a commission when you purchase something for the county.
4. You give part of your pay to your constituents out of your own pocket in order to help them when they are in trouble, and you are entitled to get it back, plus a little.
5. Refusing to take the money will not save your county anything. The prices of the materials will remain the same and they already include your 10%, so why not take what you've got coming?⁴⁷

The sad thing is that most of these rationalizations rang true. As for the first reason, most commissioners interviewed by the author did see themselves as being underpaid and thought that if the job was done right it was worth more than it paid.⁴⁸ As for the second reason, interviews indicate that some people in rural Oklahoma did suspect something illegal was going on and even seemed to tolerate it.⁴⁹ As for the third reason, a few people interviewed actually seemed to think the reason a commissioner was called a commissioner was because he was supposed to make a commission on what the county purchased!⁵⁰ The fourth reason had merit. Medical facilities in rural Oklahoma are poor and many of the people cannot afford to go far for treatment. Many of these hardship cases are laid at the commissioner's door step, and many commissioners respond by digging into their own wallet for busfare, food, and other help. Furthermore, little of this money is ever repaid.⁵¹ Even the last reason had merit for the county would not save any money if the commissioner refused to accept the kickback. On any single order the county would have to pay the price specified on the price list (or as bid) regardless of whether or not the commissioner took "his" 10 percent. While it is true that prices were increased from 25% to 40% over standard retail on the bid sheets used within each county the entire system

would have had to change in order to make a difference on any one order. And if the commissioner refused to accept the cash he knew it would just go into the supplier's pocket. All of these rationalizations made the 10 percent deals easy for many commissioners to justify.

Suppliers would try these inducements again and again. If the reluctant commissioner continued to resist, suppliers would enlist the aid of a former commissioner. The former commissioner would explain the system and attempt to persuade the new commissioner to participate. In these ways the holdout's resistance was worn down. FBI agent Hank Gibbons, part of the core FBI task force, said, "This system would have corrupted most people."⁹² And, in fact, it did.

In contrast, the Blue Sky or "50-50" deals were quite different in nature. Blue Sky deals constituted thievery so blatant that it was impossible to disguise. Consequently Blue Sky deals were not used as test material for new commissioners. How, then, would a commissioner become involved in them?

Again, suppliers enticed commissioners.⁹³ The offer would usually be made around Christmas when commissioners wanted to do something especially nice for their road crews, such as giving each person a Christmas turkey. Most commissioners were underpaid and needed extra money for such presents. Upon becoming aware of the situation, the supplier would explain how the Blue Sky deal worked. A

rationalization suppliers used in these cases was to call the payment a "campaign contribution."

The Secret Nature of Okscam

This entire system operated with great secrecy. Incumbent commissioners did not talk to each other about it.⁵⁴ Payoffs were made in secret, such as while alone in a pick-up truck, or outside the county barn and away from the road crew, or in the commissioner's office.⁵⁵ Members of the county road crews were not informed.⁵⁶ And courthouse personnel were kept in the dark. Consequently, individual commissioners within a single county were often not sure if their fellow commissioners were on the take, and the same may be said for other people working in the county courthouse. Thus, when news of a commissioner's plea bargain or indictment would break, others around the courthouse often expressed shock that THEIR commissioners were guilty too.

Factors Inhibiting Prosecution

The county commissioners involved in Okscam were protected from exposure and conviction by a whole host of reasons including: the simplicity of the system, statutory procedures that were susceptible to corruption, the secret nature of the system, the commissioner's political power, the autonomy of commissioner's operations, limitations faced by district attorneys, informal practices within courthouses

including the norm of turf, the tacit approval or actual complicity of some state officials, ineffective state institutions, and a lack of concern by local media.

Overall, the Okscam system was simple yet effective. The statutes provided a system so amenable to corruption that no major alterations were required, except in the Blue Sky deals. In the case of the 10 percent deals only two people really knew with certainty that corruption was occurring - the commissioner and the supplier. There was no effective external check or balance on the commissioner's discretion with respect to the road funds. Nor was there an effective check upon their concentration of power as authorizing agent, purchasing agent, and receiving agent. The weakest link was in the Blue Sky deals because a third party was needed to provide phoney invoices. But even here cracking this system required the cooperation of at least one of the participants, yet all parties were so deeply implicated that they were reluctant to do so. Under these conditions obtaining evidence from the participants was a difficult task, especially for local officials.

State assistance was a mixed blessing. On the one hand state law was clear that kickbacks were not to be tolerated. This was evident in the oath of office a commissioner took and in the notarized statement suppliers were required to attach to their delivery invoices. On the other hand the Sandlin Report episode makes it abundantly clear that many

members of the legislature were aware of these practices but preferred to leave the existing "spawning ground for corruption" in place. And Mr. Muse's testimony before the Stephens County grand jury is evidence that other state officials were aware of the system and were tolerant of it, even to the point of assisting commissioners under investigation. The Oklahoma Attorney General's office was of limited help too, for the Attorney General was viewed as weak. All of these ingredients combined to insulate the Okscam system from exposure and reform so well that it was able to thrive for perhaps generations before it was finally smashed.

In fact, this corrupt system might still be operating had it not been for the confluence of a number of fortuitous circumstances involving key players from local, state, and federal government. One factor was the heightened interest of the FBI in matters of corruption. The second factor was the Stephens County Grand Jury probe. The third factor was the evidence provided by Mr. Muse. The fourth factor was the inadvertant mention of Dorothy Griffin's name in the coversation between agents from the FBI and IRS. A fifth factor was the crumbling of Mrs. Griffin when confronted by federal agents.

Dorothy Griffin constituted the vital break in the case because Okscam could only have been broken with the assistance of someone on the inside. Griffin led

authorities to Moore and it was Moore's testimony that nailed most of the commissioners. In addition, federal authorities did not have the jurisdictional limitations state and local prosecutors faced, and they were insulated from the political clout of the commissioners. But careful investigation and good trial work by the U.S. Attorney was also vital, and the stiff sentence handed down to Mr. Skipworth contributed to the breaking of this scandal.

Federal authorities broke Okscam but federal authorities could not change the system within Oklahoma. Effective reform would have to come from within the state. It has already been demonstrated that the commissioners could exert considerable political muscle at the state level prior to Okscam. But how much influence would they have in the face of this scandal? And what would be the reaction of state officials when faced with a scandal they could not ignore?

Reaction and Reform

In this section the discussion will center upon the way state media and governmental leaders reacted to Okscam. The section contains four main elements. The first element describes the reaction of the media to Okscam. The second topic is the reform package recommended by the governor's Blue Ribbon Task Force. The third topic is the reform package recommended by Governor George Nigh. The fourth topic is the reform package finally enacted into law.

Reaction in the Media

The first story on the scandal appeared in May, 1979 in The Daily Oklahoman, one of the state's leading newspapers.⁵⁷ This story announced the federal investigation, advised that auditors in the state's office of Auditor and Inspector were receiving special training, and even told what they would be looking for. It also carried a response from suppliers concerning the commissioners. Poor as the grammar may be it is still worth noting:

Most commissioners aren't corrupt at all, but are merely "good ol' boys" trying to help their neighbors and who violate complicated and contradictory laws only in a technical sense.⁵⁸

This denial of wrong doing crumbled under the weight of dozens of confessions and convictions. Oklahoma's newspapers carried hundreds of articles detailing charges against commissioners, special elections to fill vacancies, the status of the probe, etc. These were augmented by editorials blasting corruption and calling for reform. The story appeared on television within Oklahoma and was picked up by the national media. Stories on the scandal were carried in major daily newspapers from coast to coast such as The Wall Street Journal⁵⁹ and The New York Times.⁶⁰ It was also covered by such major weekly news magazines as Time,⁶¹ Newsweek,⁶² U.S. News and World Report,⁶³ and America.⁶⁴ The scandal had become a national embarrassment to Oklahoma.

Governor Nigh responded by appointing a 36 person Blue Ribbon Task Force in August, 1981, to study the situation and recommend reform. In addition, the Governor called the legislature into special session to consider reform legislation. The legislature created its own joint committee to develop reform legislation.

The Blue Ribbon Task Force Reform Program

The Blue Ribbon Task Force submitted its report in November, 1981.⁴⁶ The major findings were that:

It has become increasingly clear in recent months that the problem in county government in Oklahoma goes beyond the dishonesty of individual public officials. It is the system itself - a system which fosters both dishonesty and inefficiency.⁴⁴

In addition to castigating the system in general terms the task force diagnosed specific problems and offered specific remedies. Problems were broken down into two major areas: (1) the administrative practices and structure of county government, and; (2) the professionalism of its personnel. The Task force found:

the greatest deficiency in the administration of county government in Oklahoma to be segmentation of authority... counties were run like bodies with multiple heads, without true leadership. In the case of the county commissioners, segmentation of authority and unchecked independent operating practices provided fertile breeding ground for the current scandal.⁴⁷

and

Of equal concern is the need for professionalism....⁴⁸

Having identified the major problems as segmentation of authority and professionalism, the task force went on to make several recommendations for the reform of county government:

1. To help achieve professionalism the task force recommended the creation of three full-time operating county officers in the areas of administration (county administrator), highways (county road superintendent), and purchasing (county purchasing office).
2. To make county government more accountable, the task force recommended a set of policies and procedures dealing with standardized accounting, inventory management and forms controls.⁶⁷

Other task force recommendations for the reform of the structure of county government included:

3. Expanding the number of commissioners from three to five and having them elected county-wide instead of from districts within each county.
4. Consolidating the elected offices of county treasurer and county assessor.
5. Abolishing the office of county surveyor, county superintendent of schools and county court clerk.
6. Changing the office of county clerk from an elected office to an appointed office.⁷⁰

These proposed reforms would have fundamentally altered the structure of county government if enacted. The number of commissioners would increase and their election county-wide would alter their constituencies drastically. Commissioners could no longer cater only to their own specific districts and its interests. Instead, they would have to think and act in terms of a county-wide constituency

in order to get reelected because they would all be elected by the entire county. Control, supervision, and accountability would be strengthened by the abolition of several elective offices and replacing them with appointed officials. The creation of the office of county administrator would further contribute to control and accountability. The function of purchasing agent would be separated from the authority of the commissioners and placed in a different office. The commissioner's total control over the county road program would also be broken by the establishment of the office of county road superintendent.

Phillip M. Simpson, Professor of Political Science at Cameron University and a member of the task force, has criticized certain aspects of the task force.⁷¹ The task force was representative of the various geographical areas of the state, but it had no budget or subpoena powers. Its deliberation time was short and most witnesses were from government. Academic input was "woefully inadequate" and the task force "did not have the time nor the inclination to call out-of-state expert witnesses." Although these criticisms have merit the task force still appears to have identified the major problem areas within county government and did not shrink from challenging the governor and legislature to make major reforms.

The structural reforms proposed by the task force were offered in an attempt to "seize the moment," but they soon

ran into trouble. County government officials saw real threats to their vital interests in these proposals. Enactment of these recommendations would have eliminated or seriously altered several positions presently held by these very county officials. These reform recommendations were, therefore, strongly opposed by the county lobby.⁷² Furthermore, those in favor of such major changes were not nearly as well organized as their opponents.⁷³ Simpson remarks as follows on the fate of the Blue Ribbon Task Force's program when it reached the legislature "The county lobby was aggressively working the legislature against change while most average people were silent."⁷⁴

This "county lobby" proved it was still a force with which to be reckoned, for Simpson observes that "Genuine reform bills failed one by one, as the forces opposed to county reform successfully mobilized and pro-reform forces fizzled."⁷⁵

Governor Nigh's Reform Program

Governor Nigh did not openly disavow the work of the task force. Instead, he proposed his own plan for the reform of county government. His plan was based partially upon the recommendations of the task force and partially upon the work of the joint legislative committee. The governor shied away from proposing major changes in the existing system, such as changing the number of commissioners. Instead, he

emphasized incremental changes:

1. Creating a county purchasing officer.
2. Requiring counties to use the state's central purchasing system for large items.
3. Shifting the funding of the district attorney from the county budget to the state's budget.
4. Strengthening the state's grand jury system.
5. Requiring all county officers to participate in county government training programs.
6. Reducing the maximum allowable limits for the purchase of items without advertising for bids.⁷⁶

The governor's program did not make everyone happy. In fact, some even saw Nigh's plan as a defeat for real, meaningful, and effective reform. Nevertheless, the reform package that eventually became law closely resembled the governor's ideas.

The Enacted Reform Package

The reform package that was enacted into law consisted of ten bills:

1. Senate Bill 402 created a revolving fund for the purchase of road equipment and machinery by county government. The bill authorized the Department of Transportation to purchase road equipment and machinery from the fund for lease or lease-purchase to counties. In addition, it eliminated the authority for counties to lease-purchase such equipment from anyone except the Department of Transportation.
2. Senate Bill 423 abolished the elected office of county surveyor.
3. Senate Bill 444 provided for total state funding for district attorneys. It may be recalled that the office was partially funded by the state and

partially by the county. This bill removed the office from county budgetary influences, hoping thereby to increase its independence to investigate and prosecute as needed.

4. Senate Bill 500 attempted to professionalize the county road and bridge program by: (1) requiring counties to employ a full-time or part-time engineer; (2) requiring counties to jointly employ an engineer with no more than ten other counties; or (3) request engineering services from Oklahoma's Department of Transportation. In addition, the counties were required to prepare, adopt, and submit to the Department of Transportation a one year road plan and a four year road plan.
5. Senate Bill 503 required reapportionment of the Board of County Commissioners. Commissioners were required to reapportion their districts with six months (180 days) of the release of the Federal Decennial Census. If the commissioners fail to act as required, the bill instructs the County Excise Board to so act.
6. House Bill 1511 attempted to provide the Attorney General with the power to investigate and prosecute violations by public officials.??
7. House Bill 1578 separated the functions of purchasing agent, authorizing agent, and receiving agent. It created a county purchasing agent separate from the county commissioners. In addition, it created receiving agents who are also distinct from the commissioners. Furthermore, the bill specifies procedures for county requisition, bidding, purchasing, and inventory control. The bill also required the State Auditor and Inspector to direct uniform bookkeeping procedures for the counties.
8. House Bill 1606 created the Commission on County Government Personnel Education and Training at Oklahoma State University. This bill also required the county commissioners and selected other county officials to participate in a number of educational seminars each year.
9. House Bill 1702 required the Board of County Commissioners to purchase a blanket bond for all county officers, appointive officers, employees, and reserve force deputy sheriffs.

10. House Bill 1894 establishes procedures for the sale of certain tools, machinery, and equipment owned by the county. These activities are established as a part of the duties of the county commissioners.

While these bills did not go far enough to suit some observers, several important changes were made. Many changes concerned the structure of county government. From the point of view of structure the reform package that was enacted did separate the commissioners, the purchasing agent, and the receiving agent. Another significant change was full state funding for the district attorney, thereby insulating the district attorney from the budgetary influence of the commissioners. Changes were also made in the area of county government administration by requirements for a more thorough record keeping system. Furthermore, the commissioners lost their authority to lease/purchase heavy equipment and machinery. This authority was replaced by expanding the state's central purchasing system to include these items and by requiring the counties to participate in it. These measures were coupled with a stronger Attorney General.

An attempt to enhance the professionalism of county employees and practices was made in the areas of road and bridge design by a requirement to retain the services of an engineer and the requirement to formulate long range plans. Professionalism was also enhanced by the establishment of an education center and a requirement for county officials to

participate in annual training seminars. In addition, the office of county surveyor was abolished.

On the other hand one could well argue that little real change had occurred in county government. The number of commissioners remained at three and they were still elected from one of three districts within the county, yet they were still supposed to serve the broader at-large county interests. Road funds remained free from line item budget control and were still under the control of the commissioners. In addition, commissioners retained their discretion over the road and bridge programs. Another survivor was the lowest and best bid criteria in the awarding of contracts.

Major attempts to professionalize county courthouse personnel also went down in flames. The county manager system was rejected and all of the other elected offices within county government remained, with the exception of the county surveyor. Thus political partisanship and fragmentation of authority remained in an essentially administrative set of offices.

One could take this limited response to one of the worst cases of political corruption in the nation's history as further evidence that corrupt influences have prevailed within the state and that they still do. On the other hand these reform efforts were certainly more extensive than those of previous legislatures, including the reaction to

the Sandlin Report of 1958. But the 1958 legislature was not faced with corruption on such a scale that nearly 250 convictions were obtained in federal court, or with a scandal that had become a national embarrassment. And since the reforms enacted left much of the existing system of county government intact those inclined to see the potential for corruption in county government had further ammunition to use.

What then is one to make of the evidence presented in this and previous chapters in relation to the cultural hypothesis, that is, that the state has a political culture that is tolerant of corruption. The tentative conclusion at this point would have to be in favor of the cultural hypothesis. But a method of assessment that relies only upon historical and descriptive material is not sufficient in and of itself. There is, then, a need for another approach to the assessment of the cultural hypothesis. Chapter V begins an alternative approach to the assessment of the cultural hypothesis that is based upon a more quantitative methodology.

NOTES

1. An example occurred in a conversation with a 60 year old minister who is a life-long resident of Love County during the summer of 1984. This gentleman recalled that as a young boy he would sometimes pass the home of one of their county commissioners while riding around with his father. The commissioner's home was unusually nice looking and his father would comment on this fact with the speculation that the commissioner had to be dishonest in order to afford the house. When asked why they didn't try to have the matter investigated the minister responded that they felt nothing would be done so "why bother, it wasn't worth the time."
2. Three basic references are available on the work of this committee as follows. Oklahoma Legislature. Judiciary Committee. Progress Report No. 1. Joint committee report to the Executive Committee, Fifth Regular Session, September 11, 1958. Oklahoma Legislature. Subcommittee on Purchasing Procedures of County Commissioners. Report to Judiciary Committee. Subcommittee report to the Judiciary Committee, November 13, 1958. Oklahoma Legislature. Judiciary Committee. Final Report and Recommendations. Joint committee report to the Executive Committee, Sixth Regular Session, November 17, 1958.
3. Subcommittee on Purchasing Procedures of County Commissioners. Report to Judiciary Committee. November 13, 1958. pp. 2-6.
4. Judiciary Committee. Final Report and Recommendations. November 17, 1958.
5. This discussion relies heavily upon James R. Scales and Danney Goble, Oklahoma Politics: A History (Norman, Ok.: University of Oklahoma Press, 1982), especially pages 307-333. This information was supplemented with material from Arrell Morgan Gibson, Oklahoma: A History of Five Centuries, second edition (Norman, Ok.: University of Oklahoma Press, 1981), especially pp. 246-253.
6. Scales and Goble, Oklahoma Politics: A History, pp. 234.
7. Phillip M. Simpson, "The County Government Scandals in Oklahoma: The Structure/Corruption Relationship," paper prepared for delivery at the annual meeting of the Southern Political Science Association, Atlanta,

Georgia, October 27-29, 1982.

- 8 "Jurors Begin County Roads Tour Today," The Duncan Banner, April 20, 1978, p. 2.
9. Ibid.
10. "County Funds Totaling \$1.19 Million Missing," The Duncan Banner, June 14, 1978, p. 1.
11. "Audit Reveals Hundreds of Purchase Order Discrepancies by Commissioners," The Duncan Banner, January 18, 1979, p. 1.
12. Ibid.
13. Ibid.
14. Ibid.
15. "Oklahoma Couldn't Catch Crooked Commissioners," The Sunday Constitution, February 7, 1982, p. 7A. The Oklahoma State Bureau of Investigation looked at Muse's evidence and said "you guys come up with something really concrete and we'll investigate it." One must wonder how much more concrete evidence they needed! In this same story Muse said that during the Stephens County grand jury session he was followed and that he received threatening phone calls at his home. Commenting on these experiences, Muse said "Let me assure you it was no picnic." Muse then turned to federal authorities by contacting Mr. William Price of the U.S. Attorney's Office. Reports of threats etc. are, however, the exception rather than the rule in Okscam.
16. "Kickback Probe Raises Questions of Accuracy in Future Audits, Daxon Says," The Saturday Oklahoman and Times, August 8, 1981, p. 17. Mr Daxon is another individual who was not confident that state and local government officials would prosecute cases of wrong doing by the commissioners and, consequently, turned over evidence discovered by his department to federal authorities.
17. Interview with Commissioner Rufus Young of Wagoner County conducted at Wagoner Oklahoma, May 18, 1983. Commissioner Young was the only commissioner to work undercover for the FBI in the federal probe. Young has been described as "one of a handful of county commissioners in Oklahoma who refused to accept kickbacks" in "Commissioner's Work With FBI Won Praise

and Resentment," The Sunday Oklahoman, May 8, 1983, p. 1. He was offered kickbacks on three separate occasions and then decided to approach the FBI. He reported being threatened and having received "several letters calling him a traitor to the system." Young said the most vivid letter was on yellow paper because "it's your color." The writer further said Young was "not a man" and that "you make us sick to our stomachs." The threats reported by Commissioner Young did not deter him from running again and apparently did not reflect the opinion of the people in his district in Wagoner County because he won reelection with 60 percent of the vote.

18. "County Funds Totaling \$1.19 Million Missing," p. 1.
19. Ibid.
20. The Duncan Banner originally reported that felony charges had been filed in "Four Released on Bonds," June 15, 1978, p. 1. A later story clarified matters. In "Refiling," The Duncan Banner, January 15, 1979, p. 2, the paper said that the original charges could only be treated as misdemeanors as filed.
21. The district attorney's self-disqualification resulted in a long search for a special prosecutor. One was finally found and appointed on July 12, 1978. These details are in "Special Prosecutor Named for Hearing," The Duncan Banner, July 12, 1978, p. 1. Trial did not occur until January, 1979.
22. Simpson, "The County Government Scandals in Oklahoma."
23. Ibid.
24. Ibid., p. 20.
25. James Q. Wilson, "The Changing FBI - The Road to Abscam," The Public Interest, Vol. 59 (Spring 1980), pp. 3-14.
26. Interview with FBI agent Hank Gibbons.
27. U.S. v. Orville L. Pratt, Transcript of Proceedings, June 15-18, 1981, pp. 211-212.
28. Ibid., pp. 365-367.
29. Ibid., p. 215.

30. "50 Commissioners Plan Guilty Pleas," The Lawton Constitution, July 28, 1981, p. 1.
31. Ibid.
32. Interview with FBI agent Gibbons.
33. Ibid.
34. Ibid.
35. Ibid.
36. Interviews with Mr. William Price, U.S. Attorney for the Western District of Oklahoma. There were three interviews: one on April 21, 1982; a second in the summer of 1983; and a third in the fall of 1983. Dr. Harry Holloway accompanied the author in the last interview. All interviews were conducted in Mr. Price's office, Federal Building, Oklahoma City, Oklahoma.
Interview with U.S. Attorney Price.
37. Interview with U.S. Attorney Price.
38. Ibid.
39. Interviews with 50 incumbent Oklahoma county commissioners during the period March through November 1983. Due to practical considerations a random sample was impossible to obtain. But the sample did include commissioners from all four quadrants of the state. In addition, the sample included commissioners from urban and rural counties, 3 of the 6 female commissioners, and 1 of the 2 black commissioners.
40. Consensus of opinion in all interviews with commissioners, investigators, and prosecutors.
41. Interview with U.S. Attorney Price.
42. Ibid.
43. Ibid.
44. Interview with FBI agent Gibbons.
45. Interview with U.S. Attorney Price.
46. Interview with FBI agent Gibbons.
47. Ibid.

48. Interviews with county commissioners.
49. Interviews with county commissioners and others. This opinion was most prevalent in rural Oklahoma.
50. Interviews with county commissioners. The author sought to determine if there was any basis in the law for such a view and asked Special District Judge Peter Clinton Moore for his opinion. Judge Moore reviewed state statutes and said he could find no statute supporting this view.
51. Interview with county commissioners.
52. Interview with FBI agent Gibbons.
53. Interview with U.S. Attorney Price.
54. Ibid.
55. Ibid.
56. Ibid.
57. "County Commissioners Face Wide-Scale Probe," The Daily Oklahoman, May 13, 1979, p. 1.
58. Ibid.
59. "Bad Times Are Here For Good Old Boys," The Wall Street Journal, 22 September, 1981, p. 1 cont. p. 23.
60. "Changes in Doubt," The New York Times, 12 October, 1981, p. A 21.
61. "Oklahoma! Where the Graft Comes Sweepin' Down the Plain," Time Magazine, Vol. 118, 12 October, 1981, p. 31.
62. "Payoffs as High As An Elephant's Eye," Newsweek, Vol. 98, 21 September, 1981, p. 49.
63. "Where Graft Reached Epidemic Levels," U.S. News And World Report, Vol. 92, 11 January, 1982, p. 44.
64. "Oklahoma Scandal," America, Vol. 145, 7 November, 1981, p. 272.
65. Oklahoma. Report of the Governor's Task Force on County Government, November, 1981, Oklahoma City, Oklahoma.

66. Oklahoma. Letter of Transmittal to Governor High, Report of the Governor's Task Force on County Government, November 13, 1981.
67. Ibid.
68. Ibid.
69. Ibid.
70. IbidN.
71. Simpson, "The County Government Scandals in Oklahoma."
72. Ibid.
73. Ibid.
74. Ibid., p. 32.
75. Ibid., p. 31.
76. "Nigh's 40-Point Plan Urges County Reform," The Daily Oklahoman, January 5, 1982, p. 13.
77. The actual status of this power is not yet clear. A telephone call was placed to the Attorney General's office in the fall of 1983 in an attempt to determine if he felt he had the authority to initiate and prosecute suspected violations. The Attorney General's office provided no clear answer. In addition, the entries for the office of Attorney General in the 1984-1985 edition of The Book of the States are the same as they were for the 1980-1981 edition. On the other hand the language in the bill seems to clearly grant this authority.

CHAPTER V

OKLAHOMA AND THE NATION: A COMPARISON

Introduction

Chapters II through IV took a descriptive/historical approach to the hypothesis that Oklahoma has an unusually corrupt political culture. Oklahoma's political heritage, county government, the office of county commissioner, and the scandal within that office were examined.¹ The evidence examined thus far has been generally supportive of the cultural hypothesis.

Chapter V begins the consideration of a different kind of evidence, i.e., empirical data. If Oklahoma has an unusually corrupt political culture it would be expected to manifest itself in such areas as the political attitudes of Oklahomans, and in their issue orientations. A related hypothesis is that Oklahomans are ignorant, apathetic, and cynical. If major differences between the state and nation are found in these respects this would tend to support the hypothesis of an unusually corrupt political culture. But

if Oklahoma is found to be fairly typical of the nation these findings would tend to weaken the hypothesis of an unusually high tolerance for political corruption.

Oklahoma also seems to have the image of being more rural than the nation. Oklahomans are generally thought to be less well educated and poorer than the rest of the nation. It is, therefore, important to examine demographic characteristics, key political attitudes,² and selected issue orientations in order to draw comparisons.

Demographic Comparisons

Several commonly used demographic characteristics will be compared including education, income, urban-rural residence, race, gender, age, crime rates, and religious preferences. U.S. Census data for 1980 will generally be relied upon.

Consider the demographic data in Table 5-1. Oklahoma mirrors the nation with respect to education. Within both groups 100 percent of the population over 25 years of age had, as of 1980, completed elementary school. The percentages for completion of other educational levels are either identical or they differ by only 1 percent. The notion that Oklahomans are less well educated than the nation does not stand up.

If Oklahomans are as well educated as the nation this difference has not been completely reflected in personal income. Oklahomans are generally less well to do than the

Table 5-1
Selected U.S. Census Data for Oklahoma and the Nation

Demographic Characteristic	U.S. 1980 %	Oklahoma 1980 %
Education (years completed, age 25 & older)		
Elementary school	100	100
1-3 years high school	82	82
4 years high school	66	66
1-3 years college	32	31
4 years college or more	16	15
Personal income (per capita, 1979 dollars)		
Under \$10,000	20	24
\$10,000 - \$24,999	44	47
\$25,000 - \$34,999	19	17
\$35,000 - \$49,999	11	8
\$50,000 and over	6	4
Urban-rural residence		
Urban	74	67
Rural	26	33
Race		
White	86	86
Black	12	7
Other	2	7
Gender		
Male	49	49
Female	51	51
Median family income (1979)	\$19,917	\$17,668
Median age (years)	30	30

Source: U.S. Bureau of the Census, 1984 Statistical Abstract of the United States (Washington, D.C.: U.S. Government Printing Office, 1984). Percentages may not total 100 due to rounding

tion. This is reflected in the median family income of Oklahomans, which is less than the nation's. It is also reflected in personal income data. If one uses \$10,000 as a rough break-point for the poverty level then the percentage

of Oklahomans in poverty exceeds the national level by 4 percent. Oklahoma also has a somewhat higher percentage of its personal income in the next lowest income category. On the other hand, there are slightly fewer percentages of Oklahomans in the two upper-most categories. There is a uniform trend throughout each level of personal income, but the percentages of difference are small in each case. It may, therefore, be concluded that Oklahomans are somewhat less well off than the national average, but that the differences are small and probably of little substantive significance. In other words the The Grapes of Wrath image of Oklahoma certainly seems out of date.

Oklahoma is a bit more rural than the nation, but the difference is not large. Twenty-six percent of the nation lives in rural areas while 33 percent of Oklahomans live there, the difference being only 7 percent. But Oklahoma does have strong wheat and cattle industries, both of which reflect a rural orientation. This rural tradition and Western heritage are also indicated by the persistence of "country" ways and by the presence of the Cowboy Hall of Fame in Oklahoma. Furthermore, country music, ten gallon hats, and other manifestations of our Western heritage are now quite popular nationally, so Oklahoma is perhaps not as far apart from the rest of the nation in its rural-urban orientation as the state's image might indicate.

Racially, Oklahoma mirrors the nation in terms of the

percentage of white residents but differs somewhat in other categories. The black population is only about one-half the national level, and Oklahoma contains a larger percentage of "other" ethnic groups (especially Indians) than does the nation. Oklahoma is also currently attracting large numbers of Hispanics and Asians. The state is, therefore, less diverse ethnically than the nation, but still does have some ethnic differences.

There are almost no differences between Oklahoma and the nation respecting gender and age. The population of both the state and the nation is 49 percent male, and their median ages are also the same (30 years).

If Oklahoma has an unusually corrupt political culture the state might be expected to have substantially higher crime rates than the rest of the nation. Crime rate data for the state and nation are taken from U.S. Census and are presented in Table 5-2.

Overall, Oklahoma has a lower crime rate than the nation, but there is no uniform pattern. Oklahoma has crime rates that are lower than the nation and higher than the nation in both the violent crime category and the property crime category. It is plain, however, that Oklahoma's crime rates are not significantly higher than the nation's as would be expected by the cultural hypothesis. Taken as a whole, these data do not support the hypothesis of an unusually corrupt culture that is significantly more

Table 5-2
Crime Rate Data for Oklahoma and the Nation

Type of Crime	Crime Rates	
	U.S. 1982	Oklahoma 1982
Violent Crimes		
Murder	9.1	10.8
Forcible rape	33.6	37.1
Robbery	232	133
Aggravated assault	281	263
Property Crimes		
Burglary	1,475	1,604
Larceny-theft	3,070	2,686
Motor vehicle theft	453	489
Total crime rate	5,553	5,222

Source: U.S. Bureau of the Census, 1984 Statistical Abstract of the United States (Washington, D.D.: U.S. Government Printing Office, 1984).

tolerant of crime than is the nation.

Now it is time to consider religious preferences. In considering religion survey data will be consulted. Data for Oklahoma will come from the 1982 survey while national data are from the 1980 national election study. These data are presented in Table 5-3. Oklahoma has a larger Protestant group than does the nation (about one-third larger) and a smaller Catholic population. Thus, Oklahoma is more homogeneous than the nation in terms of religious preferences.

In sum, Oklahoma seems to be much like the national mainstream in education, income, urban-rural residence, race, gender, and age. The major difference was in the area

Table 5-3
Religious Preferences for Oklahoma and the Nation

Religious Preference	U.S. 1980 N=1639 %	Oklahoma 1982 N=895 %
Protestant	59	79
Catholic	23	9
Other	9	5
No preference or none	10	8

Figures rounded to the nearest whole number. Percentages may not total 100 due to rounding.

of religious preference. In general, however, the dominant pattern is one of similarity and not difference.

Political Attitude Comparisons

Having compared state and nation demographically, the focus now shifts to political attitudes, the major ones being party identification, political efficacy, and political trust. If Oklahoma is an unusually corrupt state substantial differences between state and nation might exist on these key political attitudes.

Consider the party identification data in Table 5-4. In general, the state's distribution of party identification tends to be similar to that of the nation, but Oklahomans tend to be a little more heavily Democratic. Strong Democrats and weak Democrats together total 53 percent of Oklahomans, as against 44 percent of the nation's respondents. Less expectedly, the state has smaller

Table 5-4
Party Identification in Oklahoma and the Nation

Party Identification	Percentages	
	U.S.* 1982 N=1,418	Oklahoma 1982 N=895
Strong Democrat	20	24
Weak Democrat	24	29
Independent Leaning Democrat	11	6
Independent Leaning To Neither	11	8
Independent Leaning Republican	8	6
Weak Republican	14	14
Strong Republican	10	11

* The figures for the U.S. are from David B. Hill and Norman R. Luttbeg, Trends in American Electoral Behavior (Itasca, Ill: F.E. Peacock, 2nd ed., 1983), p. 32.

percentages than the nation in the various categories of Independents. The percentages of weak and strong Republicans, however, are equal. It is worth mentioning that in 1980 Oklahomans voted heavily for Ronald Reagan (60 percent), and that Oklahoma is frequently called "Reagan Country." Furthermore, Oklahomans elected a Republican U.S. Senator, Don Nickles, in that same year, and the Democrats have not carried this state in a presidential election since 1964. This pattern is not much different from the nation: Jimmy Carter carried the nation in 1976, but lost narrowly in Oklahoma. Otherwise, Republicans have carried both state and nation in recent years. Thus, overall, Oklahoma would appear to be more like the nation than not in its pattern of party identification and presidential voting.

The next comparison will be political efficacy. The

concept of political efficacy is dichotomized into internal efficacy and external efficacy.³ Internal efficacy refers to how much influence a person feels that he or she may have politically and is measured by the following three "Agree-Disagree" items:

1. I don't think public officials care much what people like me think.
2. Generally speaking, those we elect to Congress in Washington lose touch with the people pretty quickly.
3. Parties are only interested in people's votes, but not in their opinions.

External efficacy refers to the sense people have of the responsiveness of the political system and is measured by these three "Agree-Disagree" items:

1. Voting is the only way people like me can have any say about how the government runs things.
2. Sometimes politics and government seem so complicated that a person like me can't really understand what's going on.
3. People like me don't have any say about what government does.

Having seen how efficacy is measured, it is time to examine the efficacy data in Table 5-5. The table relies on national data from 1980 because alterations in the wording of the 1982 survey limited comparisons.⁴ But it is unlikely that the difference of two years would matter. What stands out is the remarkable similarity, the differences being so slight as to be insignificant. When it comes to external efficacy, Oklahomans match the nation in their attitudes

Table 5-5
Political Efficacy in Oklahoma and the Nation

Political Efficacy Item	Percent Agree	
	U.S.* 1980	Oklahoma 1982 N=895
External Political Efficacy Items		
Voting is my only say	70	71
Politics is so complicated	53	55
People like me have little say	39	37
Internal Political Efficacy Items		
Public officials don't care much	52	53
Congressmen soon lose touch	71	72
Parties only want votes	59	62

* These figures are from S.M. Lipset and William Schneider, "The Decline in Confidence in American Institutions," Political Science Quarterly, vol. 98 (Fall 1983), pp. 385-386. N is not given but the authors cite the series of national election studies conducted by the Center for Political Studies, University of Michigan.

toward voting as the only way people can have a say in government, their belief that politics and government are complicated, and their feeling that they don't have "any say" in what's going on. As for internal efficacy, Oklahomans agree with people all over the U.S. in thinking that public officials don't care much about "people like me," that Congressmen quickly lose touch with the people back home, and that parties want only votes and not opinions. Thus, in general, Oklahomans were neither more nor less efficacious than other Americans.

The third key political attitude for comparison is political trust (also called "confidence in government").⁵

Trust is commonly measured by the following four items:

1. How much of the time do you think you can trust the government in Washington to do what is right?
2. Would you say the government is pretty much run by a few big interests looking out for themselves or that it is run for the benefit of all of the people?
3. Do you think the people in government waste a lot of money we pay in taxes, some of it, or don't waste very much of it?
4. I don't think public officials care much what people like me think.⁴

Consider now the trust data in Table 5-6. Again, the striking similarities stand out. The most noteworthy difference is apparent in the first question inquiring about trusting the government in Washington "to do what is right:" Oklahomans are more trusting of the federal government "most of the time" than is the nation by a margin of 10 percent. In other cases Oklahomans are less trusting than the nation, but the differences are 3 percent in two cases and 7 percent in one case. Thus differences do exist, but they are certainly not great, and the message is more one of similarity than difference. In effect, Oklahomans have trust levels much like the rest of the nation.

In sum, it has been found that Oklahomans tend to be generally similar to the nation in three major political attitudes. The two groups are similar in their party identification, in their levels of political efficacy, and in their levels of political trust.

Table 5-6
Political Trust in Oklahoma and the Nation

Political Trust Item	Percent Agree	
	U.S.* 1980	Oklahoma 1982 N=895
Can you trust government to do right?		
Some of the time	62	52
Most of the time	31	41
Government run for all or big interests?		
Few big interests	61	64
Benefit of all	29	20
How much money does government waste?		
A lot	66	69
Some	29	28
Public officials don't care what I think		
Agree	46	53
Disagree	49	45

* These figures are from Arthur Miller, "Is Confidence Rebounding?" Public Opinion, Vol. 6 (June/July 1983), p. 17. N is not given but the author cites the series of national election studies conducted by the Center for Political Studies, University of Michigan.

Issue Comparisons

Oklahoma has a reputation as a conservative state. This conservatism will be probed on a variety of issues on which state and national survey data are available. The issues range from national spending priorities to civil liberties to such matters as gun control.

The first comparisons involve spending priorities. Data for the nation are from 1980 national surveys while data for Oklahoma are from the Oklahoma survey of 1982.⁷ The items

and responses are presented in Table 5-7.

Table 5-7
Spending Priorities of the Nation and Oklahoma

Spending Priority Issue	U.S. 1980 N=1468 %*	Oklahoma 1982 N=895 %*
National defense		
Too little	60	41
About right	28	25
Too much	12	34
Improving and protecting the environment		
Too little	51	46
About right	33	27
Too much	16	26
Improving and protecting national health		
Too little	57	52
About right	35	27
Too much	8	20
Halting the rising crime rate		
Too little	72	72
About right	22	18
Too much	6	10

* These percentages exclude missing data. Missing data was generally quite small and would affect these percentages only slightly.

There is considerable divergence on national defense spending. A large majority of the nation, 60 percent, say too little is being spent on this matter while only 41 percent of Oklahomans fall in this category. About one-fourth of both the nation and state say defense spending is about right, but there is a difference when we look at those who think too much is being spent. We surprisingly find a higher percentage of Oklahomans in this "liberal"

category and the difference is large, 22 percent. In general, then, most of the nation at this time took a conservative position favoring current or increased defense spending while most Oklahomans took a less hawkish position favoring current or reduced defense spending.⁶ This might also reflect a desire on the part of Oklahomans for less government, a position more in tune with conservatism.

There is general agreement on spending to improve and protect the environment. About half of the nation and almost the same percentage of Oklahomans say too little is being spent on the environment. Approximately one-third of the nation feels environmental spending is about right whereas only one-quarter of Oklahomans feel this way. A higher percentage of Oklahomans think too much is being spent on the environment than does the nation. Generally, however, the bulk of both groups feels that environmental spending is inadequate.

A majority of both groups say that spending to improve and protect national health is inadequate. Looking at those who say health spending is about right, we find the same pattern as with the environment. Approximately one-third of the nation agrees with current health spending while a little over one quarter of Oklahomans agree with current spending levels. More than twice the percentage of Oklahomans think health spending is too high when compared to the nation.

There is close agreement on spending to reduce the crime rate. About three-quarters of the nation and state say too little is being spent on this problem. This same general level of agreement holds for the other two categories (not spending enough and spending too much).

Responses to civil liberties questions may also be compared.⁹ These data are presented in Table 5-7. One question asked if a racist should be allowed to give a public speech and the second question asked if a communist should be allowed to do so. The gun control question falls outside the range of normal civil liberties issues but bears some kinship to them and is of special interest given Oklahoma's image as a conservative rural state.

Looking at civil liberties, a majority of both the nation and state say that racists and communists should be allowed to give a public speech, but there is more tolerance for racism than communism. Furthermore, there is much agreement between the nation and the state on these issues. Sixty-three percent of the nation would allow a racist to speak and nearly the same percentage of Oklahomans, 59 percent, would be willing to do so. When it comes to a communist, however, we find both groups somewhat less tolerant. Oklahoma is a bit less tolerant than the nation but not too much so. In general, then, Oklahomans are similar to the nation on these civil liberties questions.

Opinions on gun control are more divergent. Over one-

Table 5-8
Civil Liberties and Gun Control
Issues for Oklahoma and the Nation

Issue Item	U.S. 1980 N=1468 %*	Oklahoma 1982 N=895 %*
Racist be allowed to speak in public?		
Yes	63	59
No	37	41
Communist be allowed to speak in public?		
Yes	57	50
No	43	50
Require police permit to buy a gun?		
Favor	71	56
Oppose	29	44

* These percentages exclude missing data. Missing data was quite small and does not significantly affect these results.

half of the state and nation favor the idea of requiring a police permit in order to purchase a gun, but the difference between them is substantial. Looking at the nation, we find nearly three-quarters favor the proposal whereas only a little over one-half of Oklahomans are so inclined. This is not surprising since Oklahoma prides itself on its fine hunting and fishing resources. Such an attitude would also be in tune with Oklahoma's Western heritage. Nonetheless a substantial majority of Oklahomans do favor this mild form of gun control, a response that is somewhat at odds with expectations.

This section has examined spending priorities on national defense, the environment, national health, and

combating crime. The overall picture on spending priorities is one of general agreement with respect to the environment, national health, and crime. Significant differences do, however, exist respecting defense spending. In this case the nation was found to be more conservative than Oklahoma! Two questions dealing with civil liberties were examined and it was found that the state and nation are similar in their attitudes here too. The last issue concerned gun control and a big difference was found here. While a majority of both groups favored a gun control proposal, Oklahomans were less enthusiastic in their support of it than was the nation. When, however, one looks at all seven issues the overall impression is one of general agreement. Yes, differences did exist on defense spending and gun control, but these were the exceptions rather than the rule. It can, therefore, be concluded that Oklahoma is reasonably like the nation on most issues. If the state has a political culture unusually tolerant of political corruption it is not evident in these issue orientations.

This chapter set out to compare Oklahoma with the nation. Such a comparison was necessary because of the possibility that Oklahoma has an unusually corrupt political culture. If Oklahoma is unusually tolerant of political corruption one might expect differences in other characteristics such as demographic features, key political attitudes, and issue orientations. If major differences are

found in these areas this would tend to support the hypothesis of atypicality. If, on the other hand, few major differences in these areas are found this would tend to weaken the hypothesis of atypicality. Oklahoma was, therefore, compared to the nation in three major categories: demographics, key political attitudes, and selected issue orientations. It would be unreasonable to expect Oklahoma to be exactly like the nation in these respects. One would, instead, expect to find differences, but the key lies in the nature and magnitude of these differences. If the differences are large and pervasive then Oklahoma may well be unusual, but if the differences are minor or isolated then Oklahoma can be considered to be fairly typical of the nation. What, then, were the findings?

Demographic comparisons revealed much more similarity than divergence. Oklahoma was found to be similar to the nation in terms of education, income, urban-rural residential patterns, racial composition, gender, and age. A difference did occur with respect to religious preferences in that Oklahoma is more Protestant than the nation and more homogeneous in terms of religion.

Comparisons of party identification, political efficacy, and political trust revealed a pattern dominated again by similarities rather than differences. Oklahoma is somewhat more Democratic than the rest of the country, but it has voted with the nation in most recent presidential elections.

And Oklahomans are like the nation in their attitudes toward political efficacy and political trust.

Issue comparisons also indicate a preponderance of similarities over differences. Oklahomans were seen to be much like the nation in their spending priorities on such issues as crime, the environment, and national health. Significant differences did, however, exist on spending priorities connected with national defense, but Oklahomans turned out to favor the "liberal" side of this issue! Oklahomans displayed similar attitudes on civil liberties but differed on gun control although a majority of the state did favor gun permits. The difference on gun control probably reflects the popularity of outdoor recreation, especially hunting and fishing, in Oklahoma and Oklahoma's Western heritage.

What may one conclude from this evidence? The conclusion seems clear enough. Oklahoma is very much like the nation in most of the areas examined. Some differences were found, but the major pattern is one of similarity and not difference. Thus the image of Oklahoma as a poor state whose people are not very well educated seems out of date. Furthermore, these results weaken the hypothesis that Oklahoma has a political culture that is unusually tolerant of political corruption and suggest that Oklahomans may not be unusually tolerant corruption. This is at variance with the historical and descriptive evidence presented earlier

and suggests a need to probe further into the empirical evidence. Chapter VI probes further into the attitudes of Oklahomans.

NOTES

1. Some of the material in this chapter has been presented elsewhere by the author and other members of the dissertation committee as follows: Harry Holloway and Jeffrey Brudney, "Attitudes Towards Corruption: The Case of Oklahoma," paper presented at the Annual Meeting of the Southwestern Political Science Association, March 16-19, Houston, Texas; Harry Holloway, Frank S. Meyers, and Jeffrey Brudney, "Elite and Mass Attitudes Toward Corruption: The Case of Oklahoma," paper presented at the Annual Meeting of the Southern Political Science Association, November 3-5, 1983, Birmingham, Alabama; Harry Holloway and Frank S. Meyers, "Political Corruption and Political Attitudes: The Case of Oklahoma," paper presented at the Annual Meeting of the Southwestern Political Science Association, March 20-24, 1984, Fort Worth, Texas.
2. The designation of certain political attitudes as "key political attitudes" is based upon Paul R. Abramson, Political Attitudes in America, (San Francisco, CA: W.H. Freeman and Company, 1983). He also asserts that the trends in these attitudes are very important. This is an excellent source of information on the literature connected with these attitudes, and we shall have occasion to refer to Abramson at other times in this, and later, chapters. Abramson devotes much of this entire volume to the study of three political attitudes; party ID, political efficacy, and political trust.
3. For a good discussion of this topic see Abramson, Political Attitudes in America, especially pp. 135-192.
4. The 1982 election study contained only two efficacy items, one of which was that "public officials don't care what people like me think," and the other being "people like me have little say in what the government does."
5. There is a debate over just what these "trust" items are measuring. In Abramson's words, "To answer this question, we must deal with a fundamental question of validity." (See Abramson, Political Attitudes in America, p. 193.) Arthur Miller contends that these items probe feelings about government people and institutional legitimacy whereas Jack Citrin contends that Miller overstates the case. Citrin maintains that these items are really measuring only feelings about the people in government. This debate is not resolved as of

this writing. Matters are further confused because the concept being measured, whatever it may be, is sometimes measured with four questions and at other times with five questions. Abramson rightfully calls for more work on the nature and measurement of this elusive notion.

6. The original four items did not include the question "Would you say the government is pretty much run by a few big interests looking out for themselves or that it is run for the benefit of all the people?" This item was added in 1964.
7. The 1982 Oklahoma survey did not include all of the NORC spending priority items. All items common to both surveys have been included in this analysis.
8. National opinion on defense spending was significantly different in 1982 according to a Gallup Poll conducted November 5-8, 1982. In the January 1983 issue of Public Opinion Gallup Report No. 208 indicated the following results on defense spending:

	Too little	Too much	About right	No opinion
National Opinion	16	41	31	12

The question was "There is much discussion as to the amount of money the government in Washington should spend for national defense and military purposes. How do you feel about this? Do you think we are spending too little, too much, or about the right amount?"

Here we see big differences between the nation and state, but Oklahoma is now more hawkish than is the nation. Only 16 percent of the national sample felt too little was being spent on national defense whereas 41 percent of the Oklahoman sample fell into this category. Thirtyone percent of the national sample felt defense spending was about right compared to 25 percent of the Oklahoma sample. And 41 percent of the national sample felt too much was being spent compared to 34 percent of the Oklahoma sample. Thus Oklahoma appears to have been considerably more hawkish than the nation in 1982, a result that is more in line with expectations given Oklahoma's conservative reputation.

9. The 1982 Oklahoma survey did not include all of the NORC civil liberties items, and the NORC data set does not contain data on all items for 1980. The comparison presented in this study consists of all items common to both studies for which data were available in both cases.

CHAPTER VI

PUBLIC OPINION IN OKLAHOMA

Introduction

In Chapter V an empirical approach to an evaluation of the cultural hypothesis was initiated by comparing Oklahoma and the nation with respect to demographics, political party, political efficacy, trust in government, and certain issues. It was found that Oklahoma was very much like the nation, an initial finding at odds with the hypothesis that Oklahoma has a distinctively corrupt political culture.

This chapter continues to probe public opinion but concentrates more intensely upon Oklahoma.¹ The chapter explores the hypothesis that the Oklahoma electorate is cynical, apathetic, and ignorant. This hypothesis will be examined via several variables including public participation in county government, knowledge of county government, and trust in county government. Attention will also be devoted to tolerance for rule-breaking. Rule-breaking is divided into rule-breaking by public officials and rule-

breaking by private individuals. If Oklahoma has a culture that is tolerant of corruption the public would be expected to be tolerant of rule-breaking by private individuals and public officials. A series of new items were included in the Oklahoma public opinion survey designed to measure this concept. In addition, a demographic comparison of those low in tolerance for public rule-breaking with those high in tolerance will be made to see if any significant differences exist. With respect to attitudes, it is expected that rule-breaking by public officials will be positively related to rule-breaking by private individuals, to knowledge of county government, and to trust in government. Testing these expected relationships will involve factor analyses and a multivariate regression analysis.

Testing Oklahomans for Apathy, Information, and Cynicism

The electoral hypothesis proposes that the people of Oklahoma are apathetic, poorly informed, and distrustful. Several questions in the survey were directed at these characteristics. Apathy was operationalized via a body of questions concerning contact with local government. These questions, and their associated responses, are presented in Table 6-1.

When asked if "you had ever talked to anyone such as a friend or neighbor about county government" nearly 60 percent said they had, and 43 percent claimed to have

Table 6-1
Concern For County Government

Item	Response	Percent N=895
Ever discussed county government?	Yes	59
	No	41
Ever contacted county government?	Yes	43
	No	57
Voted in county government elections?	All	36
	Most	30
	Some	18
	None	16

contacted an official of county government. As for electoral participation, two-thirds claimed to have voted in "most" or "all" elections. Based upon these responses it would be difficult to characterize the electorate as apathetic about county government.

Knowledge of county government was operationalized by several questions. These questions, and their associated responses, are presented in Table 6-2. Fully 90 percent of the respondents had heard of the investigation of county commissioners, and 57 percent knew, correctly, that two-thirds or more of the commissioners were involved. Most people demonstrated correct knowledge regarding some of the major functions of county government. Three-quarters of the sample knew, for example, that roads are an important function of county government, and nearly two-thirds knew that law enforcement and tax collection are also important.

Table 6-2
Knowledge of County Government

Item	Response	Percent N=895
Heard of investigation?	Yes	91
	No	9
Number of commissioners involved?	1/3 or less	14
	1/3 to 2/3	26
	2/3 or more	57
	DK	3
Number of commissioners in your county (respondent supplied answer)	correct	42
	incorrect	58
How are commissioners selected?	Elected	79
	Appointed	2
	DK	19
Roads part of county government job?	Large part	76
	Small part	21
	No part	2
	DK	1
Tax collection part of county gov.?	Large part	64
	Small part	28
	No part	6
	DK	2
Law enforcement part of county gov.?	Large part	69
	Small part	26
	No part	4
	DK	1

Another set of questions dealt with knowledge of the office of county commissioner. Over three-quarters of those surveyed knew how commissioners are selected and 42 percent knew the correct number of commissioners, three, in each county. These questions did not require sophisticated political knowledge, but they did explore a basic level of

knowledge about county functions and components. And it cannot be said from these data that the Oklahoma public is abysmally ignorant of county government.

Cynicism was operationalized by one dozen "trust in government" items taken or adapted from the ICPSR election study question bank. We have already seen that Oklahoma is about as trusting as the nation, but the survey probed further dimensions of trust. One set of four questions asked how often each level of government could be trusted to "do what is right." These questions, along with their associated responses, are presented in Table 6-3.

Table 6-3
Trust in Levels of Government

Item	Response	Percent* N=895
Trust in national government	Always	3
	Most time	41
	Some time	52
	None	3
Trust in state government	Always	6
	Most time	53
	Some time	39
	None	2
Trust in county government	Always	6
	Most time	49
	Some time	42
	None	4
Trust in city government	Always	7
	Most time	50
	Some time	37
	None	6

* Percentages may not total 100 due to rounding.

Some 44 percent said they could trust the national government "most of the time" or "always," while 59 percent reported similar trust in state government, and nearly the same number reported this level of trust in city government. Fifty-five percent said they could trust county government "most of the time" or "always." The federal government is seen as least trustworthy. State, county, and city governments have approximately the same level of trustworthiness.

The level of confidence in county government is somewhat surprising in view of the publicity Okscam received across the state. U.S. Attorney William Price suggests one possible explanation. He suggests that people believe the investigations have generally cleaned up county government corruption and have made the counties about as worthy of trust as state and city governments across the state.²

Another set of items sought to measure relative levels of confidence in the federal government and county government. This was accomplished by asking the standard four "trust in government" items from the ICPSR question bank respecting the federal government and four similar items directed at county government. These items, along with their associated responses, are presented in Table 6-4.

Nearly two-thirds of the sample said that both the federal and the county governments are run for "a few big

Table 6-4
Confidence in Federal and County Government

Item	Response	Federal N=895 %*	County N=895 %*
Government run for benefit of big interests vs all people	Few big interests	65	65
	Benefit of all	20	34
	Depends-both	15	1
People in government waste tax money	Lot of money	70	43
	Some money	28	47
	Not much money	2	11
People in government know what they are doing (vs don't know)	All smart	49	45
	All not smart	34	55
	Both-depends	17	0
How many people in government are crooks	Quite a few	35	31
	Not many	53	50
	Hardly any	12	19

* Percentages may not total 100 due to rounding.

interests," but more people believe that county government is run for "all the people" than the federal government. County government looks considerably better than the federal government regarding perceived levels of wasteful spending.

Seventy percent thought the federal government wastes a "lot of money" while only 43 percent said this is true of county government. On the other hand, county government looks somewhat worse than the national government regarding the competence of their governmental employees. Approximately one-third responded that not all of the federal employees know what they are doing, whereas over one half said this of county employees. Both levels of government were quite close in perceived levels of crooked personnel.

Although both levels of government seem to be fairly similar, county government seems to enjoy a higher level of over-all confidence than does the federal government. It is perceived to be less wasteful, run more for the benefit of all the people, and to be about as honest as the federal government. Its employees are, however, believed to be somewhat less competent.

The above analysis does not support the contention that the electorate in Oklahoma is apathetic, uninformed, and cynical about county government. Critics might quibble over some of the questions used, but they do provide a picture of the electorate resulting from the 22 separate items that is not unfavorable. In short, Oklahoma voters do not appear to be notably apathetic, ignorant, or cynical.

Tolerance of Rule-Breaking: Public and Private

Political culture is an important element within Michael Johnston's systems framework.³ If Oklahoma has a relatively corrupt political culture one would expect to find wide-spread tolerance for rule-breaking by public officials. This, in turn, might also be associated with attitudes toward rule-breaking by private individuals. It is, therefore, necessary to examine tolerance for rule-breaking by both public officials and private citizens.

Two special sets of questions were devised for the Oklahoma public opinion survey in order to operationalize

these two hypothesized dimensions of rule-breaking. Eight items were posed to measure tolerance for private rule-breaking. Each item consisted of a statement whose response categories consisted of a four-item Likert scale ranging from "Strongly agree" to "Strongly disagree." These items, and their associated response frequencies, are presented in Table 6-5. Seven items measured attitudes toward rule-breaking by public officials. These items are presented in Table 6-6.

Looking first at Table 6-5, it was found that nearly three-quarters of the sample agreed that churches should be allowed to run bingo games, but tolerance ends here. Over two-thirds disagreed with simply warning a speeding driver, even if nobody has been hurt, and an overwhelming majority of 95 percent rejected only warning a drunk driver under similar conditions. Over three-quarters agreed with a maximum punishment for those who report false information to the IRS, and over two-thirds agreed with a maximum punishment for those who fail to register for the draft. Another overwhelming majority of 90 percent agreed with a maximum punishment for those who report false information in order to get food stamps. And almost everyone, 97 percent, rejected accepting favors from public officials and outright stealing, even if the value of the goods stolen is not great. The majority in many of these situations is truly huge and is not indicative of a permissive public.

Table 6-5
Tolerance for Private Rule-Breaking

Item	Response	Percent* N=895
Churches should be allowed to run bingo games	Strongly agree	13
	Agree	57
	Disagree	21
	Strongly disagree	9
Speeding drivers should only be warned instead of ticketed if nobody has been hurt	Strongly agree	3
	Agree	28
	Disagree	54
	Strongly disagree	14
People who report false info to the IRS should be punished to the maximum limit	Strongly agree	20
	Agree	59
	Disagree	18
	Strongly disagree	3
People who fail to register for the draft should be punished to the maximum limit	Strongly agree	24
	Agree	46
	Disagree	26
	Strongly disagree	5
Drunk drivers should only be warned instead of ticketed if nobody has been hurt	Strongly agree	1
	Agree	4
	Disagree	34
	Strongly disagree	61
People who report false info to get food stamps should be punished to the maximum limit	Strongly agree	36
	Agree	54
	Disagree	9
	Strongly disagree	1
It's OK to take home things from work if they don't cost very much	Strongly agree	0
	Agree	3
	Disagree	60
	Strongly disagree	37
Its OK to accept favors from public officials and if nobody gets hurt (even if the favors are illegal)	Strongly agree	0
	Agree	3
	Disagree	63
	Strongly disagree	34

* Percentages may not total 100 due to rounding.

Table 6-6
Tolerance for Public Rule-Breaking

Item	Response	Percent* N=895
Ok for a public official to accept campaign presents from companies	Strongly agree	1
	Agree	21
	Disagree	52
	Strongly disagree	26
Ok for a public official to benefit from land sale to the government if nobody is hurt	Strongly agree	1
	Agree	20
	Disagree	56
	Strongly disagree	23
Ok for a public official to accept campaign contributions from those doing business with the county	Strongly agree	1
	Agree	31
	Disagree	53
	Strongly disagree	15
Ok for a public official to find government jobs for relatives or friends	Strongly agree	1
	Agree	24
	Disagree	52
	Strongly disagree	23
Ok for a public official to do favors for people (even if the favors are illegal) if nobody gets hurt	Strongly agree	0
	Agree	4
	Disagree	64
	Strongly disagree	31
Ok for public officials to not follow the strict letter of the law if it helps people	Strongly agree	2
	Agree	44
	Disagree	45
	Strongly disagree	10
Public officials who accept kickback should be punished to the full extent of the law	Strongly agree	42
	Agree	53
	Disagree	5
	Strongly disagree	1

* Percentages may not total to 100 due to rounding.

Looking next at Table 6-6, it was found that the sample was split fairly evenly over the question of whether or not it is permissible to deviate from the strict letter of the

law "if it helps people." Forty-six percent said it is permissible while 55 percent said it is not. This near parity in tolerance fell off sharply when more specific questions were posed. For example, three-quarters disapproved of accepting presents from companies and a similar majority disapproved of a public official profiting from a land sale to the government, even if nobody is hurt. Two-thirds disapproved of accepting campaign contributions from those doing business with the government and three-quarters rejected the practice of finding government jobs for "friends and relatives." Overwhelming majorities of 95 percent rejected accepting kickbacks and doing favors under the condition that nobody gets hurt.

The message from these responses is clear. Oklahomans do not admit to condoning rule-breaking by their politicians. As with attitudes toward rule-breaking by private individuals, the level of agreement in opposition to rule-breaking is astonishingly large in several cases. From these data it would be difficult to characterize Oklahoma's political culture as tolerant of corruption.

Oklahomans demonstrated an intolerant attitude toward rule-breaking by private citizens, a finding which is in apparent conflict with similar research reported recently in The Wall Street Journal.⁴ The Wall Street Journal funded a public opinion survey conducted by the Gallup Organization concerning ethical standards on the part of the national

public and the business community. Samples from both the general public and business executives were asked if they had ever taken home work supplies; 74 percent of the business executives said they had and 40 percent of the general public said they had. When asked if they had ever overstated deductions on their income taxes, 35 percent of the executives said they had while only 13 percent of the general public admitted to having done so. A third relevant question asked if they had ever driven while drunk; 80 percent of the executives admitted to drunken driving while 33 percent of the public admitted to the same practice. Otherwise, the public gave low marks to the business community regarding ethical standards yet executives said they apply higher standards.

On the whole, Oklahomans seem less tolerant of private rule-breaking than does the nation, but the differences may result partly from the types of questions used. In the Oklahoma survey the items asked about attitudes toward specific kinds of rule-breaking behavior but not about actual behavior. The Gallup survey asked if people would admit to having done certain things. Thus a difference exists with respect to exactly what was asked. In any event, the Gallup research does not support the notion that Oklahoma is dominated by a more corrupt political culture than is the nation. In fact, Oklahoma seems to contain a culture with higher standards than the nation!

Although there is general consensus on the items among Oklahomans, there is also some variance. Perhaps there are demographic differences between those who scored high on tolerance of public rule-breaking as opposed to those who scored low on this variable.

Demographic Differences

In general, respondents rather one-sidedly rejected rule-breaking. But it is possible that there are significant demographic variations between those who exhibited a low tolerance for rule-breaking by public officials and the minority who were tolerant. One might, for example, expect that rural residents would be more tolerant of rule-breaking by public officials than urban residents since residential patterns are more stable and personal among rural residents. These more stable and personal residential patterns lead to stronger and longer-lasting friendships. This would seem to create an environment more conducive to tolerance for rule-breaking than one would find in an urban area, with its more impersonal life style. Other demographic variables of interest include gender, education, age, and family income.

In order to test demographic differences a scale of tolerance was created. The items in the scale were based upon a factor analysis of the public rule-breaking items in order to eliminate those items that did not load well on a

single factor. As a result of this procedure four of the eight public rule-breaking items were selected:

1. It's all right for a public official to accept campaign presents from companies as long as the taxpayers don't suffer.
2. It's all right for a public official to make a profit when the government buys some land so long as only a fair price is charged.
3. It's all right for a public official to accept campaign donations from people or organizations who do business with the government.
4. It's all right for public officials to find government jobs for friends or relatives in government.

The resulting scale ranged from a low score of 1 representing the lowest tolerance to a high score of 13 representing the highest tolerance. The distribution of scores on this scale is presented in Table 6-7.

Table 6-7
Tolerance for Rule-Breaking by Public Officials

Scale Score		N=895	%
1	Lowest tolerance	48	5
2		35	4
3		72	8
4		100	11
5		241	27
6		158	18
7		113	13
8		64	7
9		20	2
10		2	0*
11		0	0
12		0	0
13	Highest tolerance	1	0*
	Missing data	41	5

* Less than one half of one percent.

This distribution is skewed with the bulk of respondents at the lower end of the scale, indicating again that the Oklahoma public has a low tolerance for rule-breaking. In fact, the data are so skewed that they present a problem in the designation of high and low categories. For example, nearly three-quarters of the sample was intolerant of rule-breaking and only three people out of 895 respondents could be classified as very tolerant.

The ideal situation for comparing low and high tolerance groups would be to divide the scale into four equal categories and compare them. But there were not enough cases in the highest category to use four nearly equal categories as units of analysis. It was therefore decided to select the bottom three values (i.e., scores 1,2, and 3) as the "Low Tolerance" category (N=155) and the top 7 scores (i.e., scores 7,8,9,10,11,12, and 13) as the "High Tolerance" category (N=200). This procedure focuses upon the two extremes of the scale while also balancing N to a reasonable degree. This should maximize any existing differences between the extremes and provide enough cases for a meaningful analysis.

Data on urban-rural residence, education, family income, gender, and age were obtained for the low tolerance and high tolerance groups and are presented in Table 6-8. An urban-rural variable was created in which communities of less than 10,000 were classified as rural. It did not seem

Table 6-8
Demographic Characteristics
Low and High Tolerance for Public Rule-Breaking

Variable	Low Tolerance N=895		Hi Tolerance N=895	
	N	%	N	%
Urban-rural residence				
Urban	89	58	116	59
Rural	64	42	82	41
Education				
Less than HS graduate	29	19	23	12
High school graduate	38	25	62	33
Some college	51	33	47	25
College graduate & +	34	22	56	30
Family Income				
Up to \$10,000	27	17	41	20
\$10,000 - \$25,000	65	42	69	34
\$25,000 - \$50,000	46	30	63	32
\$50,000 and over	17	11	27	14
Gender				
Male	81	53	121	61
Female	72	47	78	39
Average age (std. dev.)				
	45.2	(16.1)	40.9	(17.4)

* Percentages may not total 100 due to rounding.

to matter whether one lived in an urban or rural area when considering tolerance of rule-breaking by public officials. Of those intolerant of rule-breaking, 58 percent were urban residents and 42 percent were rural, and of those high in tolerance 59 percent were urban and 41 percent were rural. This was somewhat surprising. It was initially expected that rural residents would have a higher tolerance for rule-breaking than urban residents since rural residents were thought to be better acquainted with their political figures and more understanding about coping with life in

rural Oklahoma. But the data did not support this expectation.⁵

Some differences did exist respecting education.⁶ Among those who were intolerant, 22 percent were college graduates while 30 percent of the highly tolerant had graduated from college. Furthermore, among those who were intolerant, 19 percent had not graduated from high school while only 12 percent of the highly tolerant had not done so. Fifty-eight percent of both the tolerant and the intolerant groups were high school graduates or had some college. These findings corresponded closely to expectations.

Little difference existed respecting family income. Among those who were intolerant 17 percent had incomes of \$10,000 or less, while 20 percent of the highly tolerant group had a similar income level. Looking at family incomes of \$50,000 or more, it is found that 17 percent of the intolerant group were in this income category compared with 14 percent of the tolerant group. Among those who were intolerant 72 percent had family incomes between \$10,000 and \$50,000 while 66 percent of the highly tolerant had similar family income levels. Family income, like urban-rural residence, did not help much in understanding the difference in attitude respecting rule breaking.

Some differences were found with respect to gender and age. Among those who are low in tolerance 53 percent are

males. On the other hand among those high in tolerance 61 percent are male. If, therefore, one is tolerant then one is more likely to be a male. Those who are high in tolerance are also younger, but not much more so. The average age of those high in tolerance is 41 years while the average age of those low in tolerance is 45 years.

The attempt to construct demographic profiles of those low in tolerance vs those high in tolerance has met with limited success. There were no appreciable urban-rural differences, nor did significant differences occur in family income. The highly tolerant individual does, however, appear to be a male who is bit younger than his intolerant counterpart and who is also better educated. On the other hand, the intolerant could well be male or female, but he or she is likely to be a bit older and less well educated.

Understanding Tolerance for Public Rule-Breaking

If tolerance for rule-breaking by public officials is an element of the political culture within a state, it should be an identifiable and perhaps quantifiable entity. The data thus far suggest some support for this attitude as a distinct entity, but its independence from other variables has yet to be demonstrated. This construct has, therefore, been selected as the dependent variable for consideration in a multivariate analysis involving factor analysis and regression analysis.

From a theoretical point of view there are several clusters of questions within the survey that appear to be useful in understanding tolerance for public rule-breaking. It is, for example, reasonable to expect a relationship between one's attitudes toward rule-breaking by private individuals and rule-breaking by public officials. Those who are more tolerant of private rule-breaking would be expected to be more tolerant of public rule-breaking. In other words it is expected that these two variables will be positively related.

Trust in government is another plausible candidate. The reasoning here is that those who are more trusting in government would be more willing to grant discretion to public officials in their resolution of problems. Since doing what is right to solve a problem may not always be synonymous with strict obedience of the law, there is an implicit allowance for some rule-breaking. Thus one might expect a positive relationship between trust in government and tolerance for rule-breaking by public officials.

A third variable that seems plausible is knowledge of county government. It seems reasonable to expect that as one becomes more familiar with the duties, responsibilities, and finances, of county government, one would become more aware that rules cannot be written to cover all situations. Hence, it may be necessary to occasionally break a rule. The more knowledgeable a person is regarding these

circumstances, the more tolerant that person would be expected to be respecting rule-breaking. Consequently, one would, again, expect a positive relationship between these two variables.

Each of the three variables (attitudes toward private rule-breaking, trust in government, and knowledge of county government) was operationalized by a number of distinct sets of questions in the Oklahoma survey. The dependent variable was also operationalized by several questions. The first task is, therefore, one of data reduction. These numerous questions, roughly 35, should be reduced to a more manageable number for input into a multiple regression analysis.

This situation calls for factor analysis,⁷ but a problem arises due to the assumptions underlying factor analysis. Factor analysis assumes interval level measurements and linear relationships yet our data are ordinal and the relationships may not be linear.⁸ It is, however, felt that the power and parsimony obtained from factor analysis far outweigh any damage resulting from violating these assumptions. And since many of these items are new, no established empirical guides exist for this research. In exploratory situations such as this factor analysis is an appropriate technique.

The Dependent Variable

The first factor analysis concerned the dependent variable, tolerance for rule-breaking by public officials. Seven questions were developed to measure this concept. These seven items were subjected to a principle components factor analysis under Kaiser's criteria which resulted in one factor accounting for 34.8 percent of the variance. The items and their factor loadings are presented in Table 6-9.

Table 6-9
Public Rule-Breaking Factor Loadings

Item	Factor Loading
OK to do favors	.6539
OK to accept presents	.6513
OK to find jobs	.6209
OK to accept campaign donations	.6141
OK to take kickbacks	.5744
OK to profit from land sale	.5535
OK to not obey strict letter of the law	.4280

Eigenvalue = 2.434 Explained Variance = 34.8%

These data indicate that one very powerful factor is present, a situation which is theoretically pleasing even if the explained variance is not as large as one might desire. This provides a conceptually clear dependent variable suitable for use in a regression analysis. This factor was labeled PUBLIC-1 and the factor scores generated from it will constitute the data for the dependent variable.

Independent Variables Related to Private Rule-Breaking

The second factor analysis developed a set independent variables that concentrated upon tolerance for rule-breaking by private individuals.⁹ In this case it was necessary to conduct several factor analyses in order to eliminate those items which did not load well on any factors and those items which produced factors that contained only one item.¹⁰ Kaiser's criteria were applied and the factors were subjected to a Varimax rotation. These procedures reduced the original eight items to two factors that accounted for 57.6 percent of the variance, as indicated in Table 6-10.

Table 6-10
Private Rule-Breaking Factor Loadings

Item	Factor Loadings	
	Factor 1	Factor 2
OK to steal from work	.8275	.1251
OK to accept favors	.8259	.0872
OK to warn drunk driver	.5582	.0918
Punish tax cheaters	.0259	.7724
Punish draft evaders	.0597	.7652
Punish foodstamp cheaters	.3253	.6772
Eigenvalue (3.4611)	2.2466	1.2145
Explained Variance (57.6%)	37.4%	20.2%

The first factor relates mostly to stealing from work, accepting favors from a public official, and approval of only warning a drunken driver. The second factor relates mostly to punishment for violating federal rules and

regulations such as cheating on one's taxes, not registering for the draft, and providing false information in order to receive foodstamps. The first factor, then, seems to be a general rule-breaking factor while the second seems to be a federal rule-breaking factor. These two factors were labeled PRIVATE-1 and PRIVATE-2 respectively, and the factor scores generated from them will constitute the data for these independent variables.

Independent Variables Related to Trust in Government

The third factor analysis developed a set of independent variables that concentrated upon trust in government. The twelve trust items were subjected to a principal components factor analysis based upon Kaiser's criteria. This produced four factors which accounted for 61.8 percent of the variance. These four factors were also subjected to a Varimax rotation. The variables, factors, and factor loadings are presented in Table 6-11.

The first factor clearly relates to the direct question of trust in the four levels of government. The basic question was how often one could "trust the (federal, state, city, or county) government to do what is right." Thus this factor appears to be a "trust in government" factor. The second factor relates mostly to county government. It combines the three items concerning waste in spending by county government, whether county government is run for the

Table 6-11
Trust in Government Factors and Loadings

Item	Factor Loadings			
	Factor 1	Factor 2	Factor 3	Factor 4
Trust state gov.	.7769	.0707	.0910	.1526
Trust city gov.	.7754	.2252	.0158	.0889
Trust county gov.	.7584	.3644	-.0054	.0799
Trust federal gov.	.6088	-.1322	.5420	.1005
County gov. crooks	.0809	.7505	.0862	.0619
County gov. waste	.1857	.6871	.2030	-.0339
County gov. big int.	.2259	.6057	.1411	.2412
Federal gov. waste \$.0070	.1736	.7645	-.1131
Federal gov. big int.	.1165	.1026	.6979	.2741
Federal gov. crooks	.0209	.3826	.5421	.1311
Federal people smart	.1227	-.0437	.1601	.8253
County people smart	.1504	.2686	.0100	.7675
Eigenvalue (7.4113)	3.7153	1.3937	1.1912	1.1111
Explained Variance (61.8%)	31.0%	11.6%	9.9%	9.3%

benefit of a few big interests or for all the people, and how many of the county government people are crooks. This factor appears to be a "confidence in county government" factor. The third factor is similar to the second but the focus here is upon the federal government. The last factor relates mostly to the competence of governmental employees at both the federal and county levels. This is indicated by the fact that the two items loading most strongly ask whether the people in the federal government and county government are smart or don't seem to know what they are doing. Thus this last factor appears to be a "competence in

governmental personnel" factor. These four factors were labeled TRUST-1, TRUST-2, TRUST-3, and TRUST-4 respectively and the factor scores generated from them will constitute the data for these four independent variables in the upcoming regression analysis.

Independent Variables Related to County Government

The fourth factor analysis developed a set of independent variables that concentrated upon knowledge of, and participation in, county government. There are several such items within the questionnaire and a series of factor analyses was conducted to weed out those items which did not load well on any single factor and those which seemed to create factors on which only a single item loaded well. The result of this procedure was that eight items were subjected to a principle components factor analysis under Kaiser's criteria. This factor analysis produced a three factor solution that accounted for 49.3 percent of the variance. These three factors were then subjected to a Varimax rotation. These items, the three factors, and the factor loadings are presented in Table 6-12.

The first factor seems to relate mostly to interest and participation in county government. Four items load strongly on this factor, three of which indicate an interest or participation in the affairs of county government. One item asked if the respondent had ever contacted an official

Table 6-12
Knowledge of County Government Factor Loadings

Item	Factor Loadings		
	Factor 1	Factor 2	Factor 3
Ever contacted county gov.?	.7210	-.0043	-.0330
Ever discussed county gov.?	.6995	-.0196	-.1373
Voting in county elections	.5830	.0268	.1480
Number of commissioners	.5278	.3786	.1548
How commissioners selected	-.0052	.7287	.1140
Roads important county job?	.0568	.6947	-.1475
Impact of investigation	.1047	-.1040	-.7080
Corruption a serious problem?	.1568	-.1151	.7023
Eigenvalue (3.9437)	1.7525	1.1110	1.0802
Explained Variance (49.3%)	21.9%	13.9%	13.5%

of county government. A similar item asked if the respondent had ever discussed the scandal, and a third item asked how often the respondent voted in county elections. The fourth item is a knowledge of county government item in which the respondent was asked to state the number of commissioners per county. Thus the first factor is dominated by "interest" and "participation," and can be identified as an "interest in county government" factor. The second factor is dominated by two "knowledge of county government" items. One item asked how commissioners are selected while the second asked if roads were a large part the job of county government. The second factor therefore seems to be a "knowledge of county government" factor. The

third factor is dominated by two items connected to the scandal. One item asked if corruption is a serious problem in county government while the second asked if the federal probe would make corruption a more serious problem, less serious, or have no effect. We may, therefore, identify this factor as a "reform factor." These three factors were labeled COUNTY-1, COUNTY-2, and COUNTY-3 respectively. Factor scores from these three factors will constitute the input data for a regression analysis.

These efforts have resulted in reducing 35 questionnaire items to 10 factors. One of these factors, PUBLIC-1, will become the dependent variable in the regression analysis, and the other nine will constitute the independent variables. Data reduction has, therefore, been successful. It is now time to turn to the regression analysis.

Multiple Regression Analysis

A multiple regression analysis was performed to explore the relationship of the nine independent variables to tolerance for rule-breaking by public officials.¹¹ One of the assumptions of this technique is that the data are interval level, a condition which is satisfied reasonably well by the generation of factor scores. Another assumption of regression is that the bivariate distributions of each independent variable with the dependent variable are homoscedastic and normal. An examination of the bivariate

scatterplots indicates that this assumption has not been met.¹² Another assumption of regression is that the independent variables are statistically independent of each other. An examination of the correlation matrix of these independent variables indicates that this assumption has been generally well met. The suitability of regression under these conditions is a matter of judgement. It is, however, felt that regression is appropriate in spite of the failure to fully meet all assumptions because of the power and robustness of regression and because of the exploratory nature of this inquiry.

The factor analysis has produced nine independent variables and one dependent variable. The initial multivariate model is, therefore, as follows:

$$\begin{aligned} \text{PUBLIC-1} = & B_0 + B_1(\text{PRIVATE-1}) + B_2(\text{PRIVATE-2}) + B_3(\text{TRUST-1}) \\ & + B_4(\text{TRUST-2}) + B_5(\text{TRUST-3}) + B_6(\text{TRUST-4}) \\ & + B_7(\text{COUNTY-1}) + B_8(\text{COUNTY-2}) + B_9(\text{COUNTY-3}) \\ & + \text{Error} \end{aligned}$$

where:

PUBLIC-1 = Dependent Variable = Tolerance for Rule-Breaking
by Public Officials

B_0 = Intercept on Y axis

B_1 through B_9 = Regression coefficients for the nine
independent variables

PRIVATE-1, PRIVATE-2, TRUST-1, TRUST-2, TRUST-3, TRUST-4,
COUNTY-1, COUNTY-2, and COUNTY-3 = The nine independent
variables

Error = Error term

The above model was evaluated using least squares regression. Stepwise and simultaneous solutions were specified, and standardized regression coefficients (Beta weights) were obtained.¹³ The resulting solution included the following five independent variables: PRIVATE-1, PRIVATE-2, TRUST-1, TRUST-2, and TRUST-3. These five variables accounted for a little over one-fourth of the variance, $R^2 = .272$.¹⁴ A serious problem with this solution was that N fell 54 percent, from the original 895 to 432. Various treatments of missing data were utilized in an attempt to salvage N but with little success. It was also observed that none of the three COUNTY variables entered the equation.

Since the COUNTY variables did so poorly another configuration of these COUNTY variables was also tested. This configuration included eleven items and the factor analysis produced four COUNTY factors.¹⁵ The regression analysis was then performed on this version of the original model in which these four new COUNTY variables replaced the original three COUNTY variables. The simultaneous solution to this model included PRIVATE-1, PRIVATE-2, TRUST-1, TRUST-2, TRUST-3, and COUNTY-3 and accounted for about one-quarter of the variance, $R^2 = .282$. In this configuration one COUNTY variable did enter the equation, but it contributed only 0.013 to R^2 . N continued to be low

at 411. An examination of the bivariate scatterplots revealed that these COUNTY variables were also the primary cause of the drastic fall in N.

Since these COUNTY variables were performing so poorly in the regression analysis and were also the cause of the fall in N, it was decided to omit them from further consideration. This led to the specification of a modified model:

$$\text{PUBLIC-1} = B_0 + B_1(\text{PRIVATE-1}) + B_2(\text{PRIVATE-2}) + B_3(\text{TRUST-1}) \\ + B_4(\text{TRUST-2}) + B_5(\text{TRUST-3}) + B_6(\text{TRUST-4}) + \text{Error}$$

where the various terms have similar meanings to those previously defined.

The simultaneous least squares solution to this model contained four of the six independent variables: PRIVATE-1, PRIVATE-2, TRUST-2, and TRUST-3. These four variables accounted for almost one-fourth of the variance, $R^2 = .244$. This was a bit below those obtained in the first two cases ($R^2 = .272$ and $.282$ respectively), but the difference was only .04 percent at the most. This difference is so small that it is trivial, especially when compared to the parsimony gained by the deletion of the COUNTY variables from the model. This model also resulted in a significant improvement in N. In this case $N = 741$ whereas it had equaled only 432 and 411 in the two previous cases. Thus the revised model offered an improvement in N, more parsimony, and comparable explained variance. This was,

therefore, the final solution. The final model is presented below:

$$\text{PUBLIC-1} = 2.312\text{E-}03 + .3908(\text{PRIVATE-1}) + .2186(\text{PRIVATE-2}) + .1171(\text{TRUST-2}) + .1050(\text{TRUST-3})$$

The data from this solution are presented in Table 6-13.

Table 6-13
Regression Analysis Results

Variable	Beta	SE Beta	t	Significance of t
PRIVATE-1	.3908	.0322	12.119	.0000
PRIVATE-2	.2186	.0327	6.693	.0000
TRUST-2	.1171	.0323	3.620	.0003
TRUST-3	.1050	.0320	3.287	.0011

$B_0=2.313\text{E-}03$ N=741 F=39.440 Significance of F=.0000

Tolerance of rule-breaking by private individuals seems to be an important variable in understanding tolerance for rule-breaking by public officials. This is attested to by the fact that the two most powerful independent variables in this model were PRIVATE-1 and PRIVATE-2. Furthermore, the signs of both regression coefficients are positive as was expected by theory. PRIVATE-1 concerns taking things home from work (i.e., stealing), accepting favors from a public official, and only warning a drunk driver. PRIVATE-2 concerns punishment for the violation of certain federal laws and regulations, such as cheating on one's taxes, failure to register for the draft, and providing false

information in order to receive foodstamps.

An understanding of tolerance for public rule-breaking also seems to be assisted by knowledge of attitudes toward trust in government. This is evidenced by the fact that the other two items in the equation were TRUST-2 and TRUST-3 respectively. Here again, the signs of both coefficients are positive as was expected by theory. It may be recalled that these were the two factors dealing with confidence in the federal government and confidence in county government. Both factors were dominated by similar items such as the federal (or county) government wastes money, is run for the benefit of a few big interests, and has crooked people.

Taken collectively, these four variables account for one-quarter of the variance and the F statistic indicates that random factors are quite unlikely to have played a role in the observed relationships. The performance of the COUNTY items was poor. It may be that the theory is at fault here, but there may also be a measurement problem. It was noted earlier that these were rather crude measures of knowledge of county government or interest in county government, and it may well be that this is the problem. If a wider range of interest and knowledge questions were posed, such items may have distinguished better among the sample. This is an area for future research on the subject of quantification in the field of political corruption.

In the end, however, it appears from these relationships

that tolerance for rule-breaking by public officials is a political attitude that may be distinguished from others and that it is related to other important political attitudes.

This chapter presented an inquiry into certain aspects of Oklahoma's political culture. The first matter for discussion dealt with the hypothesis that Oklahomans are apathetic, ill-informed, and cynical. The findings from these data were that the original hypothesis was not supported. In other words Oklahomans cannot be characterized as notably apathetic, ill-informed, or cynical.

The second subject for analysis was tolerance for rule-breaking by private individuals and by public officials. If Oklahoma has a distinctly corrupt political culture then one would expect to find considerable tolerance for public rule-breaking. The findings were that Oklahomans are not tolerant of rule-breaking by private citizens. In fact, they appear to be quite intolerant. With respect to tolerance for rule-breaking by public officials, the findings were again in the negative. In other words Oklahomans cannot be characterized as being tolerant of rule-breaking by its public officials. One must conclude from these findings that Oklahoma is not dominated by a corrupt political culture, at least in so far as such a political culture is manifested in these measurements.

The third major topic for discussion was an attempt to

understand tolerance for rule-breaking by public officials. This was approached by combining factor analysis and multiple regression analysis. Factor analysis reduced some 35 individual survey items to 10 variables. One factor was tolerance for rule-breaking by public officials and it became the dependent variable in the multiple regression analysis. The other nine factors constituted the independent variables and fell into three major categories: tolerance for rule-breaking by private individuals, attitudes toward trust in government, and knowledge of or interest in county government. It was generally found that tolerance for rule-breaking by public officials is a distinct and measurable political attitude and that it is related to tolerance for rule-breaking by private individuals and to attitudes toward trust in government. Knowledge of, or interest in, county government contributed little in this regard despite good theoretical support and it was suggested that the problem lay with measurement in that these items were not wide-ranging enough.

Thus far Okscam has been examined in terms of systemic and institutional factors as suggested by Johnston, but he also recommends looking at the people themselves. This will be the task in the next chapter.

NOTES

1. Much of the material in this chapter has been presented in convention papers by the author and other members of the committee as follows: Harry Holloway and Jeffrey Brudney, "Attitudes Towards Corruption: The Case of Oklahoma," paper presented at the Annual Meeting of the Southwestern Political Science Association, March 16-19, Houston, Texas; Harry Holloway, Frank S. Meyers, and Jeffrey Brudney, "Elite and Mass Attitudes Toward Corruption: The Case of Oklahoma," paper presented at the Annual Meeting of the Southern Political Science Association, November 3-5, 1983, Birmingham, Alabama; Harry Holloway and Frank S. Meyers, "Political Corruption and Political Attitudes: The Case of Oklahoma," paper presented at the Annual Meeting of the Southwestern Social Science Association, March 20-24, Fort Worth, Texas.
2. Interviews with Mr. William Price, U.S. Attorney for the Western District of Oklahoma. One of these interviews occurred during the summer of 1983 and Dr. Holloway accompanied the author. Mr. Price was shown the data about trust in the various levels of government. By way of explanation he said that perhaps people felt that the investigation had done a pretty good job of cleaning up county government.
3. Michael Johnston, Political Corruption and Public Policy in America (Monterey, CA: Brooks/Cole, 1982).
4. The Wall Street Journal, October 31 through November 3, 1983. Four articles, each authored by Roger Ricklefs, appeared as follows: "Executives and General Public Say Ethical Behavior is Declining in U.S.," Monday, October 31, 1983, pp. 25 and 41; "On Many Ethical Issues, Executives Apply Stiffer Standard than Public," Tuesday, November 1, 1983, p. 31; "Public Gives Executives Low Marks For Honesty and Ethical Standards," Wednesday, November 2, 1983, p. 29; and, "Executives Apply Stiffer Standards Than Public to Ethical Dilemmas," Thursday, November 3, 1983, pp. 27 and 43.
5. The University of Michigan's urban-rural coding system was used. This system was further refined by coding each community for Standard Statistical Area (SSA) status. Communities were coded for either being in an SSA or not. It was thereby possible to designate as rural only those communities with a population of less than 10,000 and not in an SSA.

6. The positive relationship between education and tolerance is well known in the social sciences. For two reviews of the literature on this subject from differing perspectives see Thomas R. Dye and L. Harmon Zeigler, The Irony of Democracy, 6th Edition (Monterey, CA: Brooks/Cole, 1984), especially pp. 117-130, and Harry Holloway and John George, Public Opinion (New York, NY: St. Martin's Press, 1979), especially pp. 89-106.
7. Several good references are available on the subject of factor analysis. For a brief treatment see Samuel A. Kirkpatrick, ed. Quantitative Analysis of Political Data (Columbus, OH: Charles E. Merrill Publishing Co., 1974), especially pp. 237-256, or Fred N. Kerlinger, Foundations of Behavioral Research, 2nd Edition (New York, NY: Holt, Rinehart and Winston, Inc., 1964), especially pp. 659-692. A convenient step by step approach to factor analysis can be obtained from David G. Kleinbaum and Lawrence L. Kupper, Applied Regression Analysis and Other Multivariable Methods (Boston, MA: Duxbury Press, 1978), especially pp. 376-413. SPSS users will find useful information in interpreting an SPSS printout in Norman H. Nie et. al. SPSS, 2nd Edition (New York, NY: McGraw Hill Book Company, 1975), especially pp. 468-514. This SPSS manual is not valid for SPSSX but is much better than the SPSSX manual with respect to the interpretation of a factor analysis output. SAS users must rely upon a separate companion volume to the basic SAS users guide which is SAS User's Guide: Statistics (Cary, NC: SAS Institute, Inc., 1982). More detailed coverage of factor analysis can be found in the following two companion SAGE publications: Jae-On Kim and Charles W. Mueller Introduction to Factor Analysis: What It Is and How To Do It (Beverly Hills, CA: SAGE Publications, 1978) and Jae-On Kim and Charles W. Mueller Factor Analysis: Statistical Methods and Practical Issues (Beverly Hills, CA: SAGE Publications, 1978). Two of the most complete references on the subject are Harry H. Harmon Modern Factor Analysis (Chicago, Ill: The University of Chicago Press, 1967) and R. J. Rummel Applied Factor Analysis (Evanston, Ill: Northwest University Press, 1970).
8. The other assumptions of factor analysis are similar to those of regression. It is assumed that the variances are equal (homoscedasticity) and that error is statistically independent.
9. This factor analysis began with all 15 rule-breaking items in order to see if the items clustered into the two intended groups (public rule-breaking and private

rule-breaking). In general they did but a few items did not. Some items, or pairs of items, did not cluster as cleanly as expected and several factor analyses were required to eliminate those items which were clearly not related to tolerance for public rule-breaking or tolerance for private rule-breaking.

10. The bingo item was eliminated because it did not load well on any factor. The item asking about warning a speeding driver was eliminated because it was the only item on a factor. A more parsimonious solution was obtained by eliminating this item because this also reduced the number of factors from 3 to 2.
11. Several good references are available on the subject of regression analysis. It is, for example, treated in numerous basic statistics texts such as Hubert M. Blalock, Jr. Social Statistics, 2nd Edition (New York: McGraw Hill Book Company, 1972). SPSS users should consult second edition of the SPSS users guide noted in note 5 above as well as the current guide to SPSSX. SAS users will also need the companion volume cited in note 5 above. A conceptual and relatively non-technical treatment of regression may be found in Sam K. Kachigan Multivariate Statistical Analysis: A Conceptual Introduction (New York, NY: Radius Press, 1982). A more thorough treatment is available in Fred R. Kerlinger and Alazar J. Pedhazur Multiple Regression in Behavioral Research (New York, NY: Holt, Rinehart and Winston, Inc., 1973).
12. Regression also assumes that the error terms are uncorrelated but there is no way to evaluate this assumption. The general practice is to simply proceed as if this assumption were met.
13. Beta weights are preferable since they eliminate the impact of different units of measurement by relying upon Z scores instead of raw scores. Care must, however, be used because the use of beta weights is not justified when comparing regression results from different samples. See Charles F. Cnudde and Donald J. McCrone, "Reply," in Kirkpatrick, Quantitative Analysis of Political Data, pp. 226-230.
14. A forward stepwise solution was obtained in order to assess the impact of multicollinearity. It was found that the beta weights were a little unstable but not severely so. As a further check on the impact of multicollinearity a second order factor analysis was performed upon factors constituting the independent

variables in which an orthogonal rotation (Varimax) was specified. The idea for factor analyzing factors comes from Kerlinger in Foundations of Behavioral Research. Kerlinger calls this technique "second order factor analysis." The results were substantially the same as were obtained from the simultaneous regression. It does not, therefore, appear that these results were contaminated by multicollinearity problems. The forward stepwise regression and the second order factor analysis were performed on all subsequent regression runs with similar results.

15. The modified COUNTY variable contained the following items:

- (1) How are county commissioners selected?
- (2) How many commissioners are there per county?
- (3) What part does road work play in county government?
- (4) What part does law enforcement play in county government?
- (5) What part does tax collection play in county government?
- (6) Have you ever discussed Ok-scams with anyone?
- (7) Have you ever contacted an official of county government?
- (8) How often have you voted in county elections?
- (9) How serious a problem is corruption in county government?
- (10) How will the federal probe impact corruption in county government?
- (11) Have you heard of the scandal in county government?

CHAPTER VII

DEMOGRAPHIC AND ATTITUDINAL CHARACTERISTICS OF OKLAHOMA'S COUNTY COMMISSIONERS

Introduction

Since Okscam involved pervasive corruption among Oklahoma's county commissioners it is necessary to examine them closely. It may be recalled that a major hypothesis was that Oklahoma is dominated by a corrupt political culture. Considerable support for the cultural hypothesis was obtained via the descriptive and historical approach taken in Chapters II, III, and IV. But the empirical data in Chapters V and VI did not support the thesis. It may, however, be that Oklahoma's county commissioners hold a set of attitudes that reflect a corrupt culture. But if the commissioners do not evidence a distinctive set of attitudes in this regard, then the cultural hypothesis will be further weakened. Previous chapters focused upon systemic variables in Michael Johnston's analytical scheme.¹

In this chapter the focus shifts to the third component in Michael Johnston's approach, the county commissioners

themselves. A finding that the county commissioners held a set of attitudes tolerant of rule-breaking would indicate that Okscam resulted in part from weaknesses within these public officials, the "bad apples" in the system. This finding would be in addition to the institutional weaknesses already noted. Okscam would then not be explained due a popular culture laced with corruption. It would, instead, be due to weak institutions and weak people. But a finding that the commissioners do not hold such attitudes would indicate that Okscam was primarily the result of problems in only one of his categories, a permissive institutional environment.

The discussion begins with a description of the interviews and questionnaire. This will be followed by demographic data and data on the attitudes of commissioners. The discussion of attitudes compares the commissioners and the general public in Oklahoma. Public rule-breaking will be taken as a dependent variable and examined in relation to private rule-breaking and trust via multiple regression. The intent is to parallel the analysis in Chapter VI as much as possible. The last section concentrates on the guilty commissioners.

Methodology

Data on Oklahoma's county commissioners was collected from 112 of the state's 231 incumbent county commissioners as of

1983. In addition data was obtained from 14 convicted commissioners. Data from incumbent commissioners was collected from the spring to the fall of 1983. Data from the convicted commissioners was collected in the summer of 1984. Incumbent commissioners and convicted commissioners will be treated separately in the forthcoming analysis.

The Questionnaire

The same instrument was used for both incumbent commissioners and convicted commissioners, and for personal interviews as well as mail survey efforts. (See Appendix 1.) Most of the 42 questions were taken from the Oklahoma public opinion questionnaire in order to develop a comparable body of data. But the fact that the instrument had to be suitable for mailing restricted its length. Some items applied only to the county commissioner, but both the public and commissioners were asked many of the same questions including all tolerance of rule-breaking questions, four trust in government items, selected demographic items, and certain other questions.

Incumbent Commissioner Data

Data from incumbent commissioners were obtained via personal interviews and a mail survey. Personal interviews were conducted with 49 incumbent commissioners located throughout the state and a mail questionnaire was sent to all commissioners not personally interviewed.

Personal interviews were conducted in commissioner's offices, county barns, a commissioner's home, and even a restaurant in one case. Every effort was made to establish rapport during the interview. Techniques of establishing rapport included appropriate attire (casual dress such as blue jeans) and an informal approach. This was supplemented by a letter of introduction from the Chairman of the Dissertation Committee. In addition, the cooperation of the Association of County Commissioners was obtained.

The President of the Association agreed to be the first commissioner interviewed and the Association's name was used in arranging interview appointments. The author also attended several state conventions of the Association to mingle on an informal basis. The author was introduced at one of these meetings by the President of the Association, who asked the commissioners to cooperate. Such measures were helpful given the sensitive nature of the topic and the group of people involved. Nevertheless, not all incumbent commissioners contacted for an interview cooperated. Some said they were too busy while others simply said they did not wish to be interviewed. Even though some commissioners did not cooperate many did.

Mail questionnaires were sent to all 182 incumbent commissioners not personally interviewed. A cover letter explaining the research project was enclosed and a postage-paid institutional return envelope was enclosed with

the questionnaire. Each questionnaire was assigned a control number in order to identify those responding. This survey netted 63 replies. Thus the combined N for all incumbent commissioners was 112. This group amounted to almost one-half of the state's incumbent commissioners (i.e., 48 percent) and was as representative as circumstances allowed. Ideally a random sample would have been used, but this was not possible due to the geographic dispersion of the commissioners, time and financial constraints, scheduling problems, and the cooperativeness of the commissioners. Although the sample was not random it did include commissioners from all geographic regions of the state, all six female commissioners, and one of the two black commissioners.

Convicted Commissioner Data

Data from convicted commissioners was difficult to obtain. Problems were encountered in unexpected places and contributed heavily to the small number of convicted commissioners who finally participated in the study. Some account of the difficulties that crippled this phase of the project would, therefore, seem in order.

The Bureau of Prisons at first refused to grant permission to enter the El Reno Federal Reformatory to interview commissioner inmates, who totaled roughly 80 or so in 1983. The requisite forms were filled out and permission

to interview was first submitted in March, 1983. No response was received from the Bureau for several weeks and during the summer of 1983 it was discovered that they had lost the application. The application was resubmitted. In the fall of 1983 the Bureau responded with a curt letter refusing permission.

The next phase in attempting to interview incarcerated inmates involved contacting the staff of one of the state's federal office holders and a personal visit in Washington D.C. with one of the leading administrators within the Bureau of Prisons by the Chairman of the Dissertation Committee. These efforts to gain access to the convicts were not successful.

Permission was finally granted in the Spring of 1984 after the U.S. Attorney for the Western District of Oklahoma, Mr. William Price, put in a good word for this research with Prison Bureau bureaucrats. The resulting delay was devastating because most all of the incarcerated commissioners had been released by this time. Only 13 remained from an original group that numbered nearly 80. Of these 13 only six agreed to be interviewed.

If the bureaucrats in Washington were reluctant to permit access the same could not be said of the staff at the El Reno Reformatory. Dr. Jerome Sullivan, staff psychologist at the El Reno Reformatory, was the point of contact and was most helpful. He assisted in filling out

the necessary forms and supported the research from the very beginning. Furthermore, he and others at the prison were very helpful in the actual conduct of the interviews by making inmates available and offering important comments. Interviews were conducted with all six inmates who were willing to cooperate. Prisoners were required by the Bureau of Prisons to fill out an informed consent form. These forms are on file at the El Reno Reformatory. Interviews were conducted by the author and Dr. Holloway. Neither Dr. Sullivan nor any other prison administrative personnel were present during these interviews.

The Bureau of Prisons requires that the researcher recognize their cooperation in the presentation of the results of the research. Such cooperation is herein recognized, in so far as it went.

Due to the difficulties in gaining access to the convicted commissioners still in prison consideration was given to interviewing those who had already been released, but this option was not feasible. Most of these people live in rural areas throughout the state. Contacting them for appointments would have been expensive and finding their homes would have been difficult. The problems encountered in locating the residence of one incumbent commissioner was convincing evidence of the magnitude of the problem if such attempts were made on a large scale. To try to track down convicted commissioners in their homes throughout the vast

Oklahoma countryside would have been extremely time-consuming and expensive. And experience later showed that many would probably have refused to cooperate.

The guilty commissioners were none too cooperative. In the first place these convicts still faced possible legal problems because state officials talked of instituting suits for damages, and some law suits were actually filed. Second, many of these guilty commissioners simply wanted to put this affair behind them and not discuss it anymore. This attitude became evident when interviews were sought with convicted commissioners in the Lawton area. Requests for interviews were repeatedly refused.

Since interviewing a large number of convicted commissioners was not feasible it was decided to try mail questionnaires. Names and addresses for as many convicted commissioners as possible were obtained. This information was available for 86 convicted commissioners and questionnaires were mailed to each one. Twelve responses were received. Two respondents simply returned the questionnaire unanswered. Two others returned the questionnaire unanswered but wrote a letter expressing their views. Eight returned a completed questionnaire. A second mailing produced no responses.

Another problem concerns the validity of the data obtained from these convicted commissioners. One must bear in mind that these respondents may have taken this

comparison with the general public in order to examine how representative commissioners are, and to lay a foundation for the attitudinal comparisons to come.³ Table 7-1 presents comparative demographic data for the incumbent commissioners and the Oklahoma public.

The general public and the county commissioners within Oklahoma are similar in their educational levels, although the commissioners tend to be a bit less educated than the public. It may seem unusual for an elite to be less educated than the public, but this is understandable in the case of the commissioners. The office of county commissioner has traditionally been seen as the province of rural interests and its incumbents have generally been farmers.⁴ The fact that the general public appears to be somewhat more educated may also be due to a slight over-sampling of the higher educational levels in the general population.⁵ Furthermore, today's commissioners are more educated than their predecessors of two decades ago.

Bertil Hanson reports educational data on a sample of commissioners from two decades ago.⁶ These data and educational data from contemporary commissioners are presented in Table 7-2. In 1965 nearly two thirds of the sample reported only a high school education or less, but by 1983 this group had diminished to just over one half of the sample. Furthermore, only 4 percent of the sample reported having a college degree or more in 1965, whereas 15 percent

Table 7-1
The Public and County Commissioners Compared:
Demographic Characteristics

Demographic Characteristics		Public N=895 %*	Commissioners N=112 %*
Education	High school or less	48	52
	Some college	29	33
	College graduate & +	23	15
Ethnicity	White	91	95
	Black	4	1
	Indian	4	5
Sex	Male	53	95
	Female	47	5
Party ID	Strong Democrat	24	56
	Not so strong Democrat	29	24
	Lean Democrat	6	3
	Independent	8	4
	Lean Republican	6	1
	Not so strong Republican	14	11
	Strong Republican	11	3
Religion	Protestant	79	86
	Catholic	9	3
	No preference	5	8
Age	Mean	44	50
Residence in state	Mean	32	45
Residence in county	Mean	23	40

* Percentages may not total 100 due to rounding.

of the 1983 sample reported having a college degree or more. Although contemporary commissioners are more educated than their predecessors neither group could be called especially well-educated.

Table 7-2
Educational Levels of County Commissioners
1965 vs 1983

Educational Level	1965 N=131 %*	1983 N=112 %*
High School or less	63	52
Some college	34	33
College graduate and over	4	15

* Percentages may not total 100 due to rounding.

In addition to their educational similarities, the public and the commissioners are also similar in their ethnicity and religious affiliations. Both are overwhelmingly white and predominately Protestant. Ninety-one percent of the public was white and 79 percent of it was Protestant. With percentages of this magnitude in the general population one would expect similar percentages in its elected officials.

Commissioners do differ significantly from the public in other respects. Ninety-five percent of the commissioners are male and approximately three-quarters of them are Democrats, while the general public is about equally divided in each of the above areas. It should not be surprising that the office is dominated by males since this is the norm in most political offices. Nor should it be surprising that the office is dominated by Democrats since Oklahoma politics has traditionally been dominated by Democrats, as was pointed out in Chapter II. It is, however, of interest that

nearly twice as many commissioners self-identify as strong Democrats as does the public. This, however, is also understandable since running for elected office is often motivated by strong partisan motivations.

Another major difference exists with respect to residential patterns. Commissioners are much more stable than the general public. On the average, commissioners have lived in the state 45 years while the public has lived in Oklahoma an average of 32 years. In other words commissioners have lived in Oklahoma nearly 50 percent longer than the public. But the difference is even more striking when it comes to county residential patterns. On the average, commissioners have lived in their counties 40 years whereas the public has lived in the county only 23 years. In other words commissioners have lived within their respective counties almost twice as long as the public. A related difference is age. Commissioners tend to be somewhat older than the public, as evidenced by the fact that the average age for the commissioners was 50 while the average age of the public was 44. But one must bear in mind that the sample of the public could include most any age from 18 on up, whereas it is unusual for the young to be elected officials, particularly at the county level.

It therefore appears that Oklahoma's county commissioners are much like the public in most ways although there are differences. Having examined some basic

demographic attributes, the focus will now shift to a comparison of the attitudes of the commissioners and the public.

Comparative Attitudes Toward Trust in Government

It may be recalled that one of the attitudes that was found important to the understanding of tolerance for public rule-breaking was trust in government. Table 7-3 presents comparative data on trust in government.

Table 7-3
The Public and County Commissioners Compared
Trust in Government

Trust in Government Item	Response	Public Commissioners	
		N=895 %*	N=112 %*
Trust the federal government to do what is right	Most/always	44	37
	Some of time	52	62
	None of time	3	1
Trust the state government to do what is right	Always	6	2
	Most of time	53	49
	Some of time	39	47
	None of time	2	2
Trust the city government to do what is right	Always	8	6
	Most of time	50	66
	Some of time	37	27
	None of time	6	1
Trust the county government	Always	6	16
	Most of time	29	68
	Some of time	42	16
	None of time	4	0

* Percentages may not total 100 due to rounding.

Generally, the federal government is not trusted by the public or the commissioners, whereas state and local

governments are. These patterns are highlighted when the categories are collapsed. "Always" and "most of time" are collapsed into "trusting," and "some of the time" and "none of the time" are collapsed into "distrusting."

Although both the public and the commissioners generally distrust the federal government, the commissioners are even less trustful than is the general public. This is evidenced by the fact that 55 percent of the public is distrusting whereas 63 percent of the commissioners is so classified. Furthermore, both groups generally trust state and local government, but some interesting variations occur here. The public demonstrates a rather consistent level of trust for all three levels of state and local government. Their consistency is indicated by the fact that the range of trust is only four percent for the general public, but the same cannot be said of the commissioners. The commissioners are evenly split in their trust of state government, but they trust local government by a large margin. Eighty-four percent trust county government and 72 percent trust city government.

The finding that the commissioners are trusting of local government is not surprising, but the wide range of their level of trust over all four levels of government is impressive. Perhaps the often heard refrain that the best government is the government closest to the people is a matter of conviction on the part of Oklahoma's county

commissioners. This finding is also consistent with Oklahoma's populist background and rural heritage.

Comparative Attitudes Toward Public Rule-Breaking

Another important group of items that bear comparison are the attitudes of commissioners and the public concerning tolerance for rule-breaking. Both the public and the commissioners were presented all 15 tolerance for rule-breaking items. The first items to be examined deal with tolerance for rule-breaking by public officials. These data are presented in Table 7-4.

The major pattern in these data is one of similarity. Three-quarters or more of both samples concur that public officials should not accept presents from companies; that it is not proper for a public official to profit from the sale of his own land to the government, even if no one is hurt; that public officials should not do favors that may be illegal, even if no one is hurt; and that a public official who accepts a kickback should be punished to the maximum extent allowed by the law. There are a few percentage points of difference between these two groups on each item, but these are small in comparison to the magnitude of agreement in each case. There is also an unusually high level of agreement concerning the propriety of accepting campaign contributions from those doing business with the government. Approximately two thirds of each group

Table 7-4
The Public and County Commissioners Compared:
Tolerance for Rule-Breaking by Public Officials

Item	Response	Public Commissioners	
		N=895 %*	N=112 %*
OK to accept cam- paign presents from companies	Strongly agree	1	2
	Agree	21	17
	Disagree	52	49
	Strongly disagree	26	32
OK to benefit from land sale if no one is hurt	Strongly agree	1	6
	Agree	20	17
	Disagree	56	41
	Strongly disagree	23	36
OK to accept cam- paign \$ from those doing business with government	Strongly agree	1	6
	Agree	31	31
	Disagree	53	41
	Strongly disagree	15	23
OK to find govern- jobs for friends and relatives	Strongly agree	1	3
	Agree	24	41
	Disagree	52	44
	Strongly disagree	23	12
OK to do favors for people even if illegal so long as nobody is hurt	Strongly agree	0	5
	Agree	4	7
	Disagree	64	62
	Strongly disagree	31	26
OK not to follow strict letter of the law if it helps people	Strongly agree	2	6
	Agree	44	49
	Disagree	45	38
	Strongly disagree	10	7
Maximum punishment for public offic- ials who accept kickbacks	Strongly agree	42	31
	Agree	53	58
	Disagree	5	10
	Strongly disagree	1	1

* Percentages may not total 100 due to rounding.

disagreed with such practices. Thus on five of the seven items related to tolerance for rule-breaking by public officials both the commissioners and the public are in substantial agreement. The remaining two items deal with a public official finding jobs for friends and relatives, and deviating from the strict letter of the law if the results help people. Over half of each group disagrees with a public official finding jobs for friends and relatives, but there is a significant difference in the level of disapproval. Three-quarters of the public sample disagrees with this practice while only slightly over one-half of the sample of commissioners disagree. Thus commissioners are much more willing to tolerate this practice—than is the public. This may be related to the experiences of commissioners because almost every commissioner interviewed reported frequent requests by members of the public for jobs and help in finding jobs. These requests from the public may convey the impression that finding jobs for friends and relatives is permissible. Such an impression is probably strengthened by the long-standing patronage system in Oklahoma wherein a person had to have a letter from a legislator in order to obtain employment in many areas of state government. Furthermore, commissioners hire their own road crews and are not without influence with other elements in state in local government. It should not, therefore, be surprising to find a difference here.

The only real disagreement between the public and the commissioners occurred on the issue of deviating from the strict letter of the law in order to help people. Fifty-five percent of the public disagrees with this practice while 55 percent of the commissioners agree with it. Commissioner's responses to this item support the hypothesis that commissioners tend to see the office more as a political one than as an administrative one. The public, on the other hand, tends to favor an impartial administrator as opposed to a politico.

The difference in role perceptions may also be related to knowledge of county government. Commissioners frequently reported that strict obedience to the law is really impossible because laws sometimes conflict with other laws, and laws can be vague and confusing to laymen.⁷ Furthermore, commissioners soon realize that laws cannot be written to cover all circumstances and that technical violations are sometimes necessary. Consider, for example, the case of a farmer who has a tractor stuck in a muddy field following a rain. It is a technical violation of the law for the commissioner to use county road equipment for personal service to a private individual, especially on that individual's private property. But it would go against the grain of the commissioner and the farmer for the commissioner to simply drive by and ignore an old friend in need. In this situation the commissioner would probably use

the county road grader to pull the farmer's tractor out of the mud. Since commissioners encounter such situations more frequently, and in a wider variety of contexts, than do members of the public it is not surprising to find that there are disagreements on this issue.

In sum, there is a high level of similarity between the public and the commissioners in their attitudes toward rule-breaking by public officials. Both groups generally condemn such behavior, but variations do exist.

Comparative Attitudes Toward Private Rule-Breaking

Eight items measured attitudes toward private rule-breaking. Comparative data for the public and the commissioners are presented in Table 7-5.

As with attitudes toward public rule-breaking, the major pattern in these data is one of similarity between the commissioners and the public. In every case there is consensus-level agreement. Seventy percent of both samples agree with church bingo. Nearly the same percentage of both groups disagree with only warning a speeding driver, even if nobody has been hurt. Approximately 80 percent of both groups agree with administering the maximum punishment to those who report false information to the IRS. Commissioners take a harder line on punishing draft-dodgers, but both groups are overwhelmingly against it. Eighty-five percent of the commissioners agree with a maximum punishment

Table 7-5
The Public and County Commissioners Compared:
Tolerance for Rule-Breaking by Private Individuals

Item	Response	Public Commissioners	
		N=895 %*	N=112 %*
OK for churches to run bingo games	Strongly agree	13	7
	Agree	57	63
	Disagree	21	23
	Strongly disagree	9	7
OK to only warn a speeding driver if no one is hurt	Strongly agree	3	6
	Agree	28	22
	Disagree	54	54
	Strongly disagree	14	17
People who report false info to IRS should receive maximum punishment	Strongly agree	20	22
	Agree	59	59
	Disagree	18	17
	Strongly disagree	3	2
People who do not register for draft should receive maximum punishment	Strongly agree	24	33
	Agree	46	52
	Disagree	26	10
	Strongly disagree	5	4
OK to only warn a drunk driver if no body has been hurt	Strongly agree	1	3
	Agree	4	5
	Disagree	34	42
	Strongly disagree	61	49
People giving false info to get food-stamps should receive max punishment	Strongly agree	36	43
	Agree	54	50
	Disagree	9	6
	Strongly disagree	1	2
Its OK to take things from work if they do not cost very much	Strongly agree	0	5
	Agree	3	2
	Disagree	60	41
	Strongly disagree	37	52
Its OK to accept favors from public officials if no one gets hurt	Strongly agree	0	3
	Agree	3	3
	Disagree	63	52
	Strongly disagree	34	41

* Percentages may not total 100 due to rounding.

for those not registering for the draft while 70 percent of the public sample agreed.

The levels of consensus on the last four items are staggering. Over 90 percent of both samples disagreed about only warning a drunk driver, even if nobody has been hurt. Ninety percent or more of both samples agreed that people who report false information in order to receive foodstamps should receive the maximum punishment. Over 90 percent of both samples disagreed with the statement that its OK to take things home from work so long as they don't cost much. And over 90 percent of both groups disagreed with the statement that its OK to accept legal or illegal favors from public officials so long as no one gets hurt.

There is a high level of similarity between the public and the commissioners in their attitudes toward rule-breaking by public officials and rule-breaking by private individuals. Furthermore, both groups have somewhat similar levels of trust in government, but the commissioners have a wider range in their level of trust. The next task will be to attempt to understand attitudes toward rule-breaking by public officials in terms of attitudes toward private rule-breaking and trust in government.

Understanding Tolerance for Public Rule-Breaking

In Chapter VI a relationship between tolerance for public rule-breaking, private rule-breaking, and trust in

government was found. In this chapter this analysis will continue, but a comparative perspective will be employed. A similar set of variables will be developed to compare the public and the county commissioners in their attitudes toward public rule-breaking. Public rule-breaking will again be the dependent variable and regression will again be used.

Although the analysis in this chapter will employ the same basic variables as in the previous chapter, certain differences are necessary. In the first place the county commissioner's questionnaire did not contain any of the knowledge of county government items presented to the general public. But knowledge of county government did not perform well as an independent variable in the preceding analysis and it caused quite a reduction in N. This variable was, therefore, dropped from the model.

A second difference concerns the independent variable "trust in government." The county commissioner's questionnaire did not contain the complete set of trust items. Commissioners were asked only the four trust questions pertaining to levels of government, as indicated earlier in this chapter. In fact, these four items correspond to the first factor generated by the factor analysis of the trust items in Chapter VI. It may be recalled that this factor did not enter the regression equation in the previous analysis, but it will be employed

in this analysis because a different method of constructing the variable will be used in the forthcoming analysis.

As indicated above, a third difference concerns the way the variables are constructed. In Chapter VI factor analysis was used to construct each variable in the regression model and factor scores constituted the input data for the regression analysis. This procedure could be applied here, but several problems occur. First, a factor analysis of the county commissioner public rule-breaking data did not produce a single factor solution. Instead, the result was two factors. This situation clouds the clarity of the dependent variable for the county commissioner model and precludes a direct comparison of this dependent variable with the single-factor dependent variable resulting from the public opinion data. Second, the input data for the public and the commissioners would be difficult to compare because one would have to compare two different scales of factor scores. Clearly, then, conceptual clarity and comparative efforts would both benefit in this case from some alternative to factor analysis.

In view of the above difficulties it was decided to adopt a different way of constructing the variables for the regression model. This analysis will be based upon three variables, each of which will consist of a simple additive index for the items in question. The dependent variable, PUBLIC, will now be composed of an index based upon each of

the seven public rule-breaking items. Each respondent will have an index score determined by adding his score to each item in the scale. The independent variable PRIVATE will now be composed of an index based upon each of the eight private rule-breaking items. Again, the index score will be the sum of the scores for each item in the index. The independent variable TRUST will now be based upon the four trust items and each respondent will have an index score determined by adding his scores to each of the trust items.⁹ This procedure produces comparable indices and each index results in data that are approximately interval in nature. Furthermore, the variables are directly comparable and conceptual clarity is achieved. In addition, this provides an alternative procedure to the analysis presented in Chapter VI. If substantially similar results are obtained then the general conclusions are strengthened by the incorporation of such an alternative procedure. Prior to examining the results of the regression analysis it is first necessary to examine the basic frequency distributions for each variable.

Tolerance for Rule-Breaking by Public Officials

Tolerance for public rule-breaking is the dependent variable in each regression analysis and is labeled PUBLIC in both cases. The index for PUBLIC ranges from a low score of 1 which represents the lowest possible tolerance for

rule-breaking, to a high of 22 which represents the highest possible tolerance for rule breaking. This index and the associated data are presented in Table 7-6.

The similarity of the two groups is evident all along the index. One indicator of their similarity is provided by the mean scores. The mean for the public was 7.9 while it was 8.4 for the commissioners. Although the mean for the commissioners was somewhat higher the difference was only one-half of one point on a scale containing 22 points. This difference is not considered to be significant.

The similarity of the two groups is further highlighted by collapsing the index into four categories. Index values 1-6 are categorized as "very intolerant," values 7-11 as "intolerant," values 12-16 as "tolerant," and values 17-22 were categorized as "very tolerant." Not only are both groups similar in their attitudes toward rule-breaking by public officials, both groups are intolerant of it. The public seems a bit less tolerant as evidenced by the fact that 27 percent of the public was very intolerant compared with 22 percent of the commissioners. The two groups differed by only one point in the intolerant category since 59 percent of the public was intolerant while 58 percent of the commissioners was so classified. Seven percent of the public was tolerant while 9 percent of the commissioners were so classified. It is also interesting to note that absolutely none of the public was very tolerant while 2

Table 7-6
The Public and County Commissioners Compared:
Performance on a Tolerance for Public Rule-Breaking Index

Index Value	Public N=895 %*	Commissioners N=112 %*
1 Lowest Tolerance	2	4
2	2	2
3	4	2
4	4	3
5	6	4
6	9	7
7	10	11
8	15	11
9	16	15
10	11	12
11	7	9
12	5	4
13	2	3
14	0**	2
15	0**	0
16	0**	0
17	0	0
18	0	0
19	0	2
20	0	0
21	0	0
22 Highest Tolerance	0	0
Missing Data	6	11
Mean	7.9	8.4
Standard deviation	2.7	3.3
Range	15	18

* Percentages may not total 100 due to rounding.

** Less than one-half of one percent.

percent of the commissioners were so classified.

Tolerance for Rule-Breaking by Private Individuals

Tolerance for private rule-breaking is one of the dependent variables in each regression model and is labeled PRIVATE in both cases. The index for PRIVATE ranges from a low score of 1 which represents the lowest possible tolerance for rule-breaking to a high of 25 which represents the highest possible tolerance for rule-breaking. This index and the associated data are presented in Table 7-7.

As with the public rule-breaking data, the indexing procedure reinforces the previous discussion which emphasized the overall similarity between the attitudes of commissioners and the public concerning rule-breaking by private individuals. Although minor differences do exist at some values, the major message is one of similarity all through the index. Their similarity is evidenced by comparing the mean scores. The mean for the public was 8.7 and it was 8.2 for the commissioners, the difference being only one-half of a point on a 25 point index.

This is further reinforced by collapsing these data into four broad categories. Index values 1-6 are categorized as "very intolerant," values 7-12 as "intolerant," values 13-19 as "tolerant," and values 20-25 were categorized as "very tolerant." The commissioners seemed a bit more intolerant of private rule-breaking than the public since 21 percent of the public was very intolerant compared to 27 percent of the commissioners, while 68 percent of the public was intolerant

Table 7-7
The Public and County Commissioners Compared:
Performance on a Tolerance for Private Rule-Breaking Index

Index Value	Public N=895 %*	Commissioners N=112 %*
1 Lowest Tolerance	1	1
2	1	1
3	2	4
4	4	5
5	6	6
6	7	10
7	7	14
8	11	7
9	14	12
10	18	12
11	10	8
12	8	6
13	4	4
14	1	3
15	0**	0
16	0**	0
17	0	0
18	0	0
19	0	0
20	0	0
21	0	0
22	0	0
23	0	0
25	0	0
25 Highest Tolerance	0	0
Missing Data	6	7
Mean	8.7	8.2
Standard deviation	2.8	2.9
Range	15	13

* Percentages may not total 100 due to rounding.

** Less than one-half of one percent.

compared with 59 percent of the commissioners. Only 5 percent of the public was classified as tolerant compared to 7 percent of the commissioners. It is also interesting to note that absolutely none of the public or of the commissioners were classified as very tolerant of private rule-breaking.

Trust in Government

Trust in government is the second and last independent variable in the regression model. The index for TRUST ranges from a low score of 1 which represents the lowest possible level of trust in government, to a high of 13 which represents the highest possible level of trust in government. This index and the associated data are presented in Table 7-8.

The index indicates that neither group overwhelmingly trusts government. This is indicated by the fact that the scores cluster in the center of the index. Furthermore, the means for both groups fall almost exactly in the center of the index. The mean for the public was 7.2 and for the commissioners it was 7.6. Thus, in overall trust both groups are similar. But variations do exist.

These variations are highlighted by collapsing the data into four categories. Index values 1-3 are categorized as "very distrusting," values 4-6 as "distrusting," values 7-9 as "trusting," and values 10-13 as "very trusting." Only 2

Table 7-8
The Public and County Commissioners Compared:
Performance on a Trust in Government Index

Index Value	Public N=895 %*	Commissioners N=112 %*
1 Lowest level of trust	0**	0
2	1	0
3	1	0
4	2	1
5	22	12
6	9	12
7	16	21
8	17	15
9	23	30
10	4	5
11	2	2
12	1	1
13 Highest level of trust	1	0
Missing Data	1	2
Mean	7.2	7.6
Standard deviation	2.0	1.6
Range	12	8

* Percentages may not total 100 due to rounding.

** Less than one-half of one percent.

percent of the public was classified as very distrusting and none of the commissioner fell into this category. One-third of the public, 33 percent, was classified as distrusting while one-quarter, 25 percent, of the commissioners were so classified. Over one-half, 56 percent, of the public was classified as trusting while fully two-thirds, 67 percent, of the commissioners were so classified. And an equal proportion of both groups, 8 percent, were classified as

very trusting. Thus the similarity indicated by the mean trust index scores masks some variations, but the dominant theme is one of overall similarity. Having examined each variable in the regression analysis individually, it is now time to proceed to the regression analysis itself.

Regression Analysis

One regression model will be developed and applied to both the public opinion data set and the county commissioner data set. The purpose is to compare the performance of the independent variables discussed in the previous section. It is expected that the general results will be the same for both groups since the basic frequency distributions for the groups have been similar for each of the variables involved.

Prior to specifying the regression model some remarks are in order concerning the frequency distributions involved. An examination of the distributions reveals that none meet regression's requirement of normality. The least disturbed of the three is the TRUST distribution, but even it is not normal. In fact, all three distributions are skewed. The applicability of regression in situations where important assumptions are not met is a matter of judgement. But the argument was made in the previous chapter that the advantages of regression outweigh the impact of potential problems resulting from the violation of certain assumptions. With the above caveats in mind, the regression

model is as follows:

$$\text{PUBLIC} = B_0 + B_1\text{PRIVATE} + B_2\text{TRUST} + E$$

where:

PUBLIC = Tolerance of rule-breaking by public officials, the dependent variable

B_0 = Constant

PRIVATE = Tolerance of rule-breaking by private individuals, the first independent variable

TRUST = Trust in government, the second independent variable

E = Error term

This model was applied to the public opinion data set and to the county commissioner data set. A stepwise and a simultaneous least squares solution was obtained in each case. The results of the stepwise regression are indicated in Table 7-9.

The relationship between PUBLIC and PRIVATE is similar for both groups as evidenced by the regression coefficients. PRIVATE's Beta for the public opinion data set was .438 and for the county commissioner data set Beta = .522. The sign of both coefficients is positive and their magnitudes are similar. Furthermore, the t statistic for both relationships falls well within the .05 level of significance.

The TRUST variable did not perform as well. It entered the equation only in the public opinion data set, and even here the contribution to explained variance was small ($R^2 = .014$). This relationship is, however, on a par with

Table 7-9
Comparative Stepwise Regression Analysis
Public Opinion and County Commissioner Data Sets

Regression Statistic	Public N=895	Commissioners N=112
Adjusted N	793	95
B ₀ (constant)	2.999	3.453
PRIVATE (Independent variable)		
R square	.189	.273
Beta	.438	.522
t	13.787	5.908
Significance of t	.000	.000
TRUST (Independent variable)		
R square	.014	did not enter N/A
Beta	.117	N/A
t	3.691	N/A
Significance of t	.000	N/A
Total R square	.203	.273
Adjusted R square	.201	.265
F	100.714	34.902
Significance of F	.000	.000
Correlation coefficients		
PRIVATE×TRUST	-.023	.114
PUBLIC×PRIVATE	.435	.522
PUBLIC×TRUST	.107	.181

Resulting Regression Equations

Public PUBLIC = 2.999 + .438(PRIVATE) + .117(TRUST)
Commissioners PUBLIC = 3.453 + .522(PRIVATE)

that obtained for this portion of the TRUST variables analyzed in the last chapter. But why didn't it enter the equation for the county commissioners? One would expect it to since the correlation coefficient for PUBLIC×TRUST is

larger in the county commissioner data set than in the public opinion data set (.181 v .107). This precludes the explanation that the relationship simply is not as strong in the case of the county commissioners, for if this were the case the correlation coefficient would be smaller rather than larger. The most likely answer is that the adjusted N is much larger in the public opinion data set (793 v 95). When N is this large even weak relationships can achieve statistical significance, and this appears to be the case in the public opinion data set. If N for the commissioners had been larger this variable would probably have entered the equation.

Both equations appear to reflect a substantive relationship between the dependent variable PUBLIC and at least one of the independent variables, as evidenced by the level of significance of F in each case (.000). Furthermore, multicollinearity does not appear to be a problem in either case, as evidenced by the small correlation coefficients between the two independent variables in each data set. In addition, N did not suffer excessively in either case. The adjusted N for the county commissioners was 95, a figure which is large enough for the number of variables under consideration. This conclusion is supported by the small difference between R^2 and the adjusted R^2 for the commissioners (.273 v .265). If N were too small to yield a meaningful analysis the adjusted R^2

would have been considerably smaller.

The above analysis yields several tentative conclusions. First, it would appear that tolerance for rule-breaking by public officials is a viable concept and that it is quantifiable. Second, it would seem that this concept is related to a tolerance for rule-breaking by private individuals. This relationship appeared in the regression analysis for both data sets and the chances that it was the result of random forces is remote. Third, tolerance for rule-breaking by public officials is probably related to trust in government, but the relationship seems to depend upon the way trust is operationalized and a large sample may be required to be required to capture it. The focus thus far has been upon comparing the public and the incumbent commissioners, but it is now time to consider the guilty commissioners and how they compare to the incumbents.

The Guilty Commissioners

The analysis of the guilty commissioner data will begin with demographic information. This will be followed by attitudinal information from the questionnaires. The demographics and attitudes of the guilty commissioners will be compared with the incumbent commissioners, but before entering such a discussion some ground rules should be mentioned. This is necessitated by the fact that N is small for the guilty commissioners. Since N is only 14, small

changes in N result in large changes in the percentages. For example, each response amounts to 7 percent of the whole. Hence questions arise as to how big a difference between the incumbent commissioners and the guilty commissioners must exist to be regarded as significant.

One way of addressing this issue is with tests for statistical significance. When public opinion data were compared with incumbent commissioner data very large N's were involved, thereby making statistical significance easy to obtain, even with small differences. In these circumstances tests for statistical significance were not really helpful. Consequently the issue of significance was decided by judging the magnitude of the observed differences in the context of the individual item or situation. But when incumbent commissioner data and convicted commissioner data are compared the N's are not so large, thereby making statistical significance more difficult to obtain. Judging the significance of the observed differences is difficult in these circumstances. It would, therefore, seem to be appropriate to use some statistical test such as the t-test for a difference of means, or the difference of proportions test, a variant of the t-test.¹⁰ But another problem is that these data do not strictly meet the assumptions for such tests.¹¹ The difference of proportions test and t-test are, however, otherwise well suited for the situation and should be employed if caution is exercised in interpreting

the results. The results should provide a rough guide to the issue of how big a difference must exist to say the difference is meaningful.

Since N is small and many questions have four response categories per question some simplification is in order. This will be accomplished by dichotomizing the response categories. This procedure clarifies comparisons and reduces the statistical problem to simple differences of proportions among dichotomies.

One further issue is the specific criteria to be employed in judging whether or not an observed difference is significant. The standard criteria is the .05 level of significance, but this is too forgiving under the present circumstances because it is known that the data do not meet the required assumptions. Consequently some more stringent criteria needs to be used and the .01 level of significance therefore seems appropriate.

Demographic Comparisons

Demographic data for incumbent and guilty commissioners are presented in Table 7-10. The major message of the comparative demographic data is one of similarity. For example, the entire sample of guilty commissioners was white and male and white males dominated the incumbent commissioners. Ninety-five percent of the incumbent commissioners were male and 95 percent were white. Both

Table 7-10
Incumbent and Guilty Commissioners Compared:
Demographic Characteristics

Demographic Characteristics		Incumbent N=112 %*	Guilty N=14 %*
Education	High school or less	52	71
	Some college	33	29
	College graduate & +	15	0
Ethnicity	White	95	100
	Black	1	0
	Indian	5	0
Sex	Male	95	100
	Female	5	0
Party ID	Strong Democrat	56	21
	Not so strong Democrat	24	50
	Lean Democrat	3	0
	Independent	4	0
	Lean Republican	1	7
	Not so strong Republican	11	3
	Strong Republican	3	0
Religion	Protestant	86	86
	Catholic	3	0
	No preference	8	14
Age	Mean	50	60
Residence in state	Mean	45	54
Residence in county	Mean	40	58

* Percentages may not total 100 due to rounding.

groups were also similar in their party identification. Seventy-one percent of the guilty commissioners claimed to be Democrats, 21 percent Republican, and 7 percent Independent. The incumbent commissioners contained 79 percent Democrat, 13 percent Republican, and 7 percent

Independent. An interesting variation did however occur with respect to party identification, since 56 percent of incumbents classified themselves as strong Democrats whereas only 21 percent of the guilty commissioners so classified themselves. Another similarity occurred in religious affiliation. Eighty-six percent of both groups were Protestant.

The largest differences appeared in age and residential patterns. On the average, the guilty commissioners have lived in the same county and the state substantially longer than the incumbent commissioners. Guilty commissioners averaged 54 years in the same county whereas incumbent commissioners averaged 40 years. And guilty commissioners averaged 57 years in Oklahoma whereas incumbent commissioners averaged 45 years. The guilty commissioners were also somewhat older than the incumbent commissioners. The average age of the convicted commissioners was 60 years whereas the average age of incumbent commissioners was 50 years.

The age differential and county residential difference were statistically significant, but the state residential difference was not. A t-test for the 10 year age differential resulted in a t score of 3.469, and the required t for a two tailed t-test (since the direction could not be predicted) at the .01 level of significance and 124 degrees of freedom is 2.575. In fact, this difference

was significant at the .001 level since the required t is 3.300. A t-test for the 18 year difference in county residence resulted in a t score of 4.292. Again, this meet the criteria for significance at the .01 level, and even the .001 level. The t-test for the 9 year difference in state residence resulted in a t score of 2.479. This fell just short of the required 2.575 value of t for significance at the .01 level, but it was significant at the traditional .05 level (the required t being 1.960).

Another area of difference concerned education. In general, the incumbent commissioners were more educated than the guilty commissioners. Fifteen percent of the incumbents had a college degree or more, whereas none of the guilty commissioners fell in this category. Furthermore, 52 percent of the incumbents had a high school education or less whereas 71 percent of the guilty commissioners fell in this group.

In sum, the two groups appear to be generally similar in demographic terms, but differences do exist. Both groups are similar in their ethnicity, gender, party identification, religious affiliation, and state residential patterns. On the other hand the guilty commissioners are several years older than the incumbent commissioners and they have resided in their counties for a longer period. Furthermore, the incumbents seem more educated than the guilty commissioners.

Attitudes Toward Trust in Government

The guilty commissioners were presented the same four trust items as were the incumbent commissioners. In view of the experiences of the convicted commissioners it is expected that they will evidence a more distrustful attitude. Since direction can be predicted a one-tailed test of significance is appropriate, and the required value of t for a one-tailed test at the .01 level of significance and 124 degrees of freedom is 2.237. If the calculated t meets or exceeds this value the difference will be regarded as significant. The data are presented in Table 7-11.

Both groups appear to trust local government more than they do the federal government. And both groups trust county government more than any other level of government. Furthermore, both groups appear to be similar in their overall patterns of trust. None of this should be surprising since all of the respondents are, or were, county government officials. These are, however, best highlighted when the data are collapsed. "Always" and "Most of the time" will be collapsed into "Trusting," and "Some of the time" and "None of the time" will be collapsed into "Distrusting."

Both groups are nearly identical in their level of trust in the federal government. Thirty-seven percent of the incumbents were trusting and 36 percent of the guilty were so classified. A difference of proportions test for this

Table 7-11
Incumbent and Guilty Commissioners Compared:
Trust in Government

Trust Item	Responses	Incumbent N=112		Guilty N=14	
		Freq	%*	Freq	%*
How much of the time can you trust the federal government to do what is right	Always	0	0	0	0
	Most of the time	41	37	5	36
	Some of the time	68	61	9	64
	None of the time	1	1	0	0
How much of the time can you trust the state government to do what is right	Always	2	2	0	0
	Most of the time	54	48	5	36
	Some of the time	52	46	8	57
	None of the time	2	2	1	7
How much of the time can you trust the county government to do what is right	Always	18	16	1	7
	Most of the time	75	67	12	86
	Some of the time	17	15	1	7
	None of the time	0	0	0	0
How much of the time can you trust the city government to do what is right	Always	7	6	0	0
	Most of the time	72	64	11	79
	Some of the time	30	27	3	21
	None of the time	1	1	0	0

* Percentages may not total 100 due to rounding.

difference of 1 percent resulted in a Z of .072 which was not significant, even at the traditional .05 level. Fifty percent of the incumbents trusted state government whereas only 36 percent of the guilty commissioners trusted it. Z for this 14 percent difference was .979 and was not significant. Eighty-three percent of the incumbents trusted county government as compared with 93 percent for the guilty commissioners. Z for this 10 percent difference was .962 and was not significant. Sixty-eight percent of the incumbents trusted city government as compared with 79

percent of the guilty commissioners. Z for this 11 percent difference was .833 and was not significant.

In sum, none of the differences in levels of trust achieved statistical significance, even at the more forgiving .05 level of significance. At times the guilty commissioners appeared to be more trusting than incumbents, while at other times they appeared to be less trusting. But none of these differences were significant. And the direction of the observed differences was in the expected direction in only one-half of the items. The conclusion is, therefore, that both groups were about the same in their trust in government.

Attitudes Toward Rule-Breaking by Public Officials

Both groups were presented all seven public rule-breaking items and their responses are reported in Table 7-12. In general, one would expect the guilty commissioners to be more lenient than the incumbent commissioners. Since direction can be predicted a one-tailed test is in order. Thus the calculated value of Z must equal or exceed 2.237 for a difference to be significant at the .01 level. (Z must equal or exceed 1.645 for significance at the traditional .05 level of significance, and 3.100 for significance at the .001 level of significance.)

It would appear that differences exist between these groups in their attitudes toward rule-breaking by public

Table 7-12
Incumbent and Guilty Commissioners Compared:
Tolerance for Rule-Breaking by Public Officials

Item	Response	Incumbent N=112		Guilty N=14	
		Freq	%*	Freq	%*
OK to accept campaign presents from companies	Strongly agree	2	2	2	14
	Agree	19	17	9	64
	Disagree	53	49	2	14
	Strongly disagree	35	32	1	7
OK to benefit from land sale if no one is hurt	Strongly agree	6	6	0	0
	Agree	18	17	2	14
	Disagree	44	41	8	57
	Strongly disagree	38	36	4	29
OK to accept campaign \$ from those doing business with government	Strongly agree	6	5	2	14
	Agree	34	31	7	50
	Disagree	45	41	4	29
	Strongly disagree	25	23	1	7
OK to find government jobs for friends and relatives	Strongly agree	3	3	0	0
	Agree	45	41	7	50
	Disagree	48	44	7	50
	Strongly disagree	13	12	0	0
OK to do favors for people even if illegal so long as nobody is hurt	Strongly agree	5	5	1	7
	Agree	8	7	4	29
	Disagree	67	62	7	50
	Strongly disagree	28	26	2	14
OK not to follow strict letter of the law if it helps people	Strongly agree	7	6	2	14
	Agree	53	49	9	64
	Disagree	41	38	3	21
	Strongly disagree	8	7	0	0
Maximum punishment for public officials who accept kickbacks	Strongly agree	34	31	0	0
	Agree	64	58	8	57
	Disagree	10	9	4	29
	Strongly disagree	1	1	2	14

* Percentages may not total 100 due to rounding and to the fact that missing data were not included.

officials. These differences are more apparent if the data are collapsed. "Strongly agree" and "Agree" are collapsed into "Agree," and "Strongly disagree" and "Disagree" into

"Disagree."

One significant difference occurred on the question of accepting campaign presents from companies, and the difference was in the expected direction. Only 19 percent of the incumbent commissioners agreed with this practice whereas 78 percent of the guilty commissioners agreed. The calculated value of Z in this case was 4.72, thus this difference of 59 percent was significant at the required .01 level of significance. In fact, this difference was significant at the more stringent .001 level.

A second significant difference occurred on the question of punishment for accepting kickbacks. Both groups expressed agreement that accepting kickbacks should be severely punished, but the guilty commissioners were significantly more lenient. An overwhelming majority of 89 percent of the incumbent commissioners agreed to maximum punishment, whereas slightly over one-half, 57 percent, of the guilty commissioners agreed. It is somewhat surprising that guilty commissioners would agree with such a statement since this was the charge on which most were convicted. The difference in this case was 32 percent and Z was 3.168. This difference was significant at the .01 level. In fact, it was also significant at the .001 level.

A third significant difference occurred on the issue of doing favors for people. Both groups expressed disapproval, but the guilty commissioners were significantly more

lenient. Only 12 percent of the incumbent commissioners agreed with this practice while some 36 percent of the guilty commissioners agreed. Z for this item was 2.376. This difference of 24 percent achieved significance at the .01 level. There was also disagreement over the practice of accepting campaign contributions from those doing business with the government, but the difference did not achieve statistical significance at the required level. Here, only 36 percent of the incumbents agreed while 64 percent of the guilty commissioners felt this was proper. Z for this difference was 2.014. This difference of 28 percent was significant at the .05 level of significance, but it did not achieve significance at the more rigorous level required by this research.

Both groups disagreed with profiting from the sale of land at roughly the same levels. Seventy-seven percent of the incumbents disagreed and 86 percent of the guilty commissioners disagreed. The difference in this case was only 9 percent and Z was .763. This difference did not achieve statistical significance, even at the .05 level. Both groups felt about the same regarding the practice of finding jobs for friends and relatives. Forty-four percent of the incumbents agreed with this practice while 50 percent of the guilty commissioners agreed. This difference of only 6 percent did not achieve statistical significance, even at the .05 level of significance since Z was .423. A majority

of both groups agreed that it is all right to not follow the strict letter of the law if the results help people, but the guilty commissioners were again more lenient. Fifty-five percent of the incumbent commissioners agreed whereas 78 percent of the guilty commissioners agreed. The difference in this case was 23 percent. Z was 1.631 and did not achieve significance, even at the .05 level (although it was close).

In sum, statistically significant differences existed in almost one-half of the public rule-breaking items. Three of the seven items elicited significantly different responses. And the guilty commissioners were more tolerant in every case, even if the difference was not statistically significant. Attention will now shift to the private rule-breaking items.

Attitudes Toward Rule-Breaking by Private Individuals

The data for the eight private rule-breaking items are presented in Table 7-13. Convicted commissioners are again expected to be more tolerant of rule-breaking than the incumbent commissioners. Consequently a one-tailed test for significance is again in order. It would appear that more similarities exist here than in the public rule-breaking items but this pattern will become more evident after the responses are dichotomized.

There were statistically significant differences in two

Table 7-13
Incumbent and Guilty Commissioners Compared:
Tolerance for Rule-Breaking by Private Individuals

Item	Response	Incumbent N=895		Guilty N=14	
		Freq	%*	Freq	%*
OK for churches to run bingo games	Strongly agree	8	7	2	14
	Agree	69	63	7	50
	Disagree	25	23	5	36
	Strongly disagree	8	7	0	0
OK to only warn a speeding driver if no one is hurt	Strongly agree	7	6	2	14
	Agree	24	22	5	36
	Disagree	59	54	7	50
	Strongly disagree	18	17	0	0
People who report false info to IRS should receive max- imum punishment	Strongly agree	24	22	0	0
	Agree	65	59	10	71
	Disagree	19	17	3	21
	Strongly disagree	2	2	1	7
People who do not register for draft should receive max- imum punishment	Strongly agree	37	33	2	15
	Agree	58	52	9	69
	Disagree	11	10	1	8
	Strongly disagree	4	4	1	8
OK to only warn a drunk driver if no body has been hurt	Strongly agree	3	3	0	0
	Agree	6	5	4	29
	Disagree	47	42	7	50
	Strongly disagree	54	49	3	21
People giving false info to get food- stamps should rec- eive max punishment	Strongly agree	47	43	1	7
	Agree	55	50	10	71
	Disagree	6	6	3	21
	Strongly disagree	2	2	0	0
Its OK to take things from work if they do not cost very much	Strongly agree	5	5	0	0
	Agree	2	2	0	0
	Disagree	46	41	11	79
	Strongly disagree	58	52	3	21
Its OK to accept favors from public officials if no one gets hurt	Strongly agree	3	3	0	0
	Agree	3	3	6	43
	Disagree	57	52	7	50
	Strongly disagree	45	41	1	7

* Percentages may not total 100 due to rounding and to the fact that missing data were not included.

cases, and all observed differences except one were in the expected direction. One significant difference was found in the item dealing with the practice of accepting favors from public officials. Only 6 percent of the incumbent commissioners agreed with this practice while 43 percent of the guilty commissioners agreed. The difference here was 37 percent and Z was 4.302. This difference was significant at the required .01 level. In fact, it was significant at the .001 level.

Another significant difference occurred in the item dealing with the treatment of drunk drivers. Only 8 percent of the incumbent commissioners felt that simply warning them was proper whereas 29 percent of the guilty commissioners felt this way. This difference of 21 percent resulted in a Z of 2.414. This qualifies for significance at the .01 level. A similar item dealing with speeding drivers did not achieve significance. Only 28 percent of the incumbent commissioners agreed with the practice of warning speeders instead of giving them a ticket whereas 50 percent of the guilty commissioners felt a warning was sufficient. The difference in this case was 22 percent and Z was 1.679. This difference would have been significant under the .05 criteria, but it failed to meet the more rigorous .01 criteria.

Both groups approved of church-run bingo games and the difference was not significant. Seventy percent of the

incumbents agreed and 64 percent of the guilty commissioners agreed. The difference in this case was only 6 percent and Z was .458. This was not statistically significant, even at the .05 level. Both groups also agreed that those reporting false information to the IRS should receive the maximum punishment. Eighty-one percent of the incumbent commissioners agreed and 71 percent of the guilty commissioners agreed. The difference here was only 10 percent and Z was .877. Thus the difference was not significant. A similar item dealing with foodstamps produced somewhat similar results. This item asked if people who report false information in order to receive foodstamps should receive the maximum allowable punishment. Ninety-three percent of the incumbents agreed and 78 percent of the guilty commissioners agreed. This difference of 15 percent resulted in a Z of 1.875. Under the more forgiving .05 criteria this difference would have been significant, but it failed to meet the more stringent .01 criteria. And similar levels of agreement were found concerning maximum punishment for those not registering for the draft. Here, 85 percent of the incumbent commissioners agreed and 84 percent of the guilty commissioners agreed. This difference of only 1 percent was not significant ($Z=.095$).

There was almost complete agreement on the question of stealing. The item asked if its OK to take home and keep things from work if these things don't cost much. Only 7

percent of the incumbent commissioners agreed with this practice and none of the guilty commissioners agreed. This was the only case where the guilty commissioners expressed a more intolerant attitude than the incumbents. This difference of 7 percent resulted in a Z of .273 and the difference was not significant.

In sum, the overall pattern in attitudes toward private rule-breaking was one of similarity, but variations did exist. Both groups expressed similar approval of church-run bingo. Both groups similarly approved of administering the maximum punishment for cheating on taxes, lying to receive foodstamps, and not registering for the draft. In addition, both groups rejected stealing at similar levels. Two significant differences were observed. Incumbent commissioners were less tolerant of accepting favors from public officials and just warning drunk drivers. This has laid the foundation for constructing a profile of the guilty and incumbent commissioner.

Profiles of Incumbent and Guilty Commissioners

Another way of comparing the guilty and incumbent commissioners is to construct a profile of a typical commissioner from each group. The first profile will be the typical incumbent commissioner.

The typical incumbent commissioner is a white male Protestant who has a high school diploma and some college.

He is also a 50 year old Democrat who has lived in Oklahoma 45 of his 50 years, and who has lived in the same county 40 of his 50 years. He trusts the federal government the least and county government the most. He thinks it improper to accept campaign presents from companies or to accept campaign contributions from those doing business with the government. With respect to rule-breaking by public officials, he disapproves of profiting from the sale of land to the government; doing special favors; and finding government jobs for friends and relatives. He also thinks that public officials who accept kickbacks should receive the maximum punishment, but he thinks it is all right to not follow the strict letter of the law if the results help people. With respect to rule-breaking by private citizens, he approves of church-run bingo; feels speeders and drunk drivers should receive tickets instead of warnings; thinks that the maximum punishment should be administered to people who report false information to the IRS, people who give false information in order to get foodstamps, and people who do not register for the draft. In addition, he strongly disapproves of stealing and accepting favors from public officials.

The typical guilty commissioner is also a white male Protestant who has a high school education or less. He is a 60 year old Democrat who has lived in the state 54 of his 60 years, and who has lived in the same county 50 of his 60

years. He trusts the federal government the least and county government the most. With respect to rule-breaking by public officials, he thinks it is all right to accept campaign presents from companies and to accept campaign contributions from those doing business with the government. He disapproves of profiting from the sale of land to the government and doing special favors. He thinks it is all right to not follow the strict letter of the law if the results help people and probably thinks it is all right to find government jobs for friends and relatives. He also thinks that public officials who take kickbacks should be punished as much as the law allows. With respect to rule-breaking by private citizens, he approves of church-run bingo; feels speeders and drunk drivers should be ticketed instead of warned; thinks that people who report false information to the IRS, people who give false information in order to get foodstamps, and people who do not register for the draft should all be punished to the fullest extent of the law. In addition, he strongly disapproves of stealing and accepting favors from public officials.

In comparing these two profiles certain similarities and differences exist. Both are white male Protestant Democrats, but the guilty commissioner tends to be somewhat older and is a longer resident of his county and the state. The guilty commissioner and incumbent commissioner also seem to be have about the same level of trust in government.

Furthermore, both commissioners are intolerant of public and private rule-breaking, however the incumbent commissioner tends to be somewhat more strict. The incumbent commissioner takes a significantly harder line against accepting favors from public officials and just ticketing drunk drivers. In addition, he takes a significantly harder line against accepting presents from companies and administering the maximum punishment for accepting kickbacks.

In this chapter the focus was upon the individual actors in Michael Johnston's analytical system. A finding that the county commissioners were intolerant of rule-breaking would reinforce the conclusion that Okscam resulted chiefly from a permissive institutional environment and further weaken the cultural hypothesis that public attitudes were a significant contributing factor. To this end the incumbent commissioners were examined in terms of their demographics and attitudes toward trust in government, rule-breaking by public officials, and rule-breaking by private individuals. Furthermore, these incumbent commissioners were also compared with the general Oklahoma public and with the convicted commissioners.

With respect to demographics, the incumbent commissioners were found to be generally similar to the Oklahoma public and to the guilty commissioners. Incumbents were similar to the public in the areas of education,

ethnicity, religious affiliation, and age. Differences were, however, found in the areas of party identification and residential patterns. Incumbent commissioners were more Democratic and had more stable residential patterns. Incumbents were also similar to guilty commissioners in terms of gender, ethnicity, party identification, and religious affiliation. Significant differences were, however, found in the areas of education, age, and residential patterns. Incumbents were better educated, younger, were somewhat less stable in their residential patterns than the guilty commissioners.

With respect to trust in government, the incumbent commissioners were more trusting of local government than was the public, but they were less trusting of state and federal government. On the other hand incumbents turned out to be about the same as the guilty commissioners in their trust patterns.

With respect to tolerance for rule-breaking by public officials, incumbents were quite similar to the general public. Both groups generally condemned it. Major differences existed only in the areas of finding jobs and not obeying the strict letter of the law if the results help people. On these two issues incumbent were more tolerant. When incumbents were compared with guilty commissioners a it was found that both groups disapproved of rule-breaking by public officials, but the guilty commissioners tended to be

more lenient. Significant differences were found on the issues of accepting presents from companies, accepting campaign contributions from those doing business with the government, and strict punishment for public officials who accept kickbacks. It was hypothesized that the guilty commissioners would be more tolerant and this expectation was found in every case, even if the difference was not statistically significant.

With respect to tolerance for rule-breaking by private individuals, incumbents were again much like the general public. Again, both groups condemn it. When incumbents were compared to guilty commissioners a similar pattern emerged. Significant differences were found in only two of the eight private rule-breaking items. One difference was that the convicted commissioners were more tolerant of private citizens accepting favors from public officials and the other difference was that guilty commissioners were more tolerant of just warning drunk drivers. It was hypothesized that the guilty commissioners would be more lenient and this was the case in all items save one.

Another portion of this chapter concerned a comparative regression analysis. The purpose was to see how well the model developed in the previous chapter performed in comparing the public and the incumbent commissioners with respect to attitudes toward rule-breaking by public officials. The same model was applied to both data sets and

the results were similar. Tolerance for rule-breaking by public officials was most strongly related to tolerance for rule-breaking by private individuals.

The most outstanding finding was the high level of similarity in so many areas. Yes, differences did exist throughout, but they were overwhelmed by the similarities. Neither the public, the incumbent commissioners, nor the guilty commissioners were tolerant of rule-breaking. This finding further weakens the hypothesis that Okscam resulted from a political culture that is tolerant of political corruption, at least in so far as it is operationalized herein. One is, therefore, left with the conclusion that Okscam resulted primarily from a permissive institutional environment rather than from corrupt systemic factors (i.e., a corrupt culture) or corrupt officials. These findings must be tempered by the fact that N for the guilty commissioners was small and by the fact that they are convicted felons. Furthermore, these findings are only part of the total effort, and it now time to summarize and conclude the entire project. This will be the task in the next, and last, chapter.

NOTES

1. Michael Johnston, Political Corruption and Public Policy in America (Monterey, CA: Brooks/Cole, 1982).
2. Bertil L. Hanson, "County Commissioners of Oklahoma," Midwest Journal of Political Science, Vol. 9 (November 1965), pp. 388-400.
3. Much of the material in this chapter has been presented in convention papers by the author and other members of the committee as follows: Harry Holloway and Jeffrey Brudney, "Attitudes Towards Corruption: The Case of Oklahoma," paper presented at the Annual Meeting of the Southwestern Political Science Association, March 16-19, Houston, Texas; Harry Holloway, Frank S. Meyers, and Jeffrey Brudney, "Elite and Mass Attitudes Toward Corruption: The Case of Oklahoma," paper presented at the Annual Meeting of the Southern Political Science Association, November 3-5, 1983, Birmingham, Alabama; Harry Holloway and Frank S. Meyers, "Political Corruption and Political Attitudes: The Case of Oklahoma," paper presented at the Annual Meeting of the Southwestern Social Science Association, March 20-24, Fort Worth, Texas.
4. Hanson, "County Commissioners of Oklahoma."
5. Holloway, Meyers, and Brudney, "Elite and Mass Attitudes Toward Corruption: The Case of Oklahoma," p. 4.
6. Hanson, "County Commissioners of Oklahoma," pp. 393-394.
7. Interviews with 50 incumbent county commissioners.
8. Ibid.
9. The scores on each of the three indices have been adjusted such that the lowest score is 1 in each case. This was done by subtracting an appropriate number from an individual's score. For example consider the Trust Index. In this case the index contained 4 items and the minimum coded value for each item was 1. Therefore the minimum undadjusted score for a respondent was 4, but 4 is a clumsy number with which to begin an index. Since it is preferable to begin indices with 1, 3 was subtracted from each respondents unadjusted trust score. In the case of the Public Rule-Breaking Index 6 was subtracted from each respondent's unadjusted score because the index contained 7 items. In the case of the

Private Rule-Breaking Index 7 was subtracted since the index contained 8 items.

10. For an explication of the conceptual and mathematical relationship between the t test and the difference of proportions test see Hubert M. Blalock, Jr., Social Statistics, 2nd ed. (New York, N.Y.: McGraw-Hill Book Company, 1972), pp. 219-232.
11. Ibid. The t test assumes interval level data, independent random samples, and normal distributions.

CHAPTER VIII

SUMMARY AND CONCLUSIONS

Introduction

The analysis of the county commissioners fills in the third and final portion of the analytical framework, and the empirical data relevant to it, as projected initially in this study of Okscam. What remains is to review the inquiry and its findings, then to draw conclusions that apply to Okscam and beyond. The first stage of this review process begins with a restatement of the rationale for the study, and the hypotheses to be researched. This will be followed by a summary of the findings from each chapter. Attention will then shift to conclusions and implications for further research in the study of political corruption.

Rationale for the Study

There were a number of reasons, substantive, theoretic, and methodological, for studying Okscam. A basic initial reason was substantive. Okscam was one of the biggest cases of

political corruption in American history. It raised questions about Oklahoma and the state's political culture. Oklahoma had also been the scene of a series of political scandals dating back to Oklahoma's earliest days of statehood, and even before. The county commissioner scandal was only the latest episode of political corruption. It therefore appeared that Oklahoma might be dominated by a corrupt political culture. In any event a scandal so important had to be investigated.

A second major reason for studying Okscam concerned matters of theory and the definition of political corruption. Political corruption has been variously defined in the literature. The major form of crime in Okscam was a system of kickbacks, which falls well within the traditional legal definition of political corruption. But Okscam raised issues that went beyond kickbacks. Okscam's pervasiveness and long history suggested that the public tolerated corruption. The possibility of such an attitude raised questions about the meanings of corruption as perceived by the public and by elites.

A third reason for studying Okscam was partly theoretic and partly methodological: to test a theoretical framework. The literature on political corruption is not well organized and consists mostly of a number of contending ideas that overlap and lack an integrating framework for analysis. Since Okscam was pervasive and long-lasting it was advisable

to proceed with care and to proceed broadly on many fronts. A broad systems approach was deemed to be in order. Michael Johnston has offered such a systems model, and a part of this study involved a test of his model.

A fourth reason for studying Okscam has to do with both methodology and data collection. Political corruption has usually been studied after the fact from records that pertain directly to criminal activity. In the case of Okscam a conscious effort was made to expand the scope of this inquiry in several ways. One key source of empirical data was a large public opinion survey of Oklahomans which probed opinions on Okscam. Another major body of empirical data derived from interviews conducted with a large number of incumbent county commissioners and with a small group of convicted commissioners. The public opinion survey and the county commissioner interview schedule each contained questions devised for this study to test attitudes toward rule-breaking, both public and private. In addition, national public opinion polls were consulted to draw comparisons between the state and the nation. The result was to bring together a large body of empirical data as a major feature of the study of corruption.

A fifth reason for studying Okscam was to see if it was possible to specify some conditions that contribute to corruption. To do so would be an addition to theory. Mixed with theory was a normative concern, to contribute to

corrective legislation. At issue as well in this reform purpose was the desire to reinforce reforms already enacted, and to prevent a weakening of them over time.

Hypotheses

The major hypotheses devised were guided by Michael Johnston's systems framework. He advocated a three-pronged approach to the study of corruption which led to a focus upon systemic factors relating to public opinion and political culture, institutional factors centering on the commissioner's role in county government, and personal factors relating to commissioners as individuals with certain characteristics. Hypotheses for each of these three major elements of the framework were developed.

Generally, it was hypothesized that Oklahoma's political culture was permeated by a tolerance for corruption that pervaded public opinion, the institutions of state and local government, and the office-holders. In this scheme the public was expected to be apathetic, ignorant, and cynical. From an institutional perspective, it was hypothesized that the usual checks and balances supposed to operate in state and county government broke down, giving commissioners considerable autonomy in allocating resources. As for personal factors, it was hypothesized that the office of county commissioner was occupied by a group of people of limited background and outlook who would be susceptible to

corruption when the opportunity arose.

This framework led to more specific sets of hypotheses. Thus the broad cultural hypothesis suggested that the public was apathetic, ignorant, and cynical. A further implication was that the people of Oklahoma manifested distinctive political attitudes and issue orientations. It was, therefore, hypothesized that Oklahomans were different from the nation in such key political attitudes as party identification, political trust, and political efficacy. Oklahomans were also expected to be different from the nation in their positions on certain political issues such as national defense spending, spending to improve and protect the environment, spending to control crime, gun control, and such civil liberties issues as allowing a racist or communist to speak in public.

Since Oklahomans were expected to be apathetic and ignorant they were not expected to know much about county government. This included such things as the way county commissioners are selected and the number of commissioners per county. A lack of participation in elections was also expected. These were rather basic measures but if these expectations were confirmed they would tend to confirm the electoral hypothesis.

Oklahomans were also expected to be at least somewhat tolerant of rule-breaking. More specifically, they were expected to be tolerant of a politician who accepts favors

from those doing business with government, of profiting from the sale to the government of personally held land, of accepting campaign contributions from those doing business with government, of finding government jobs for friends and relatives, and perhaps even of accepting kickbacks. In addition they were expected to be tolerant of such private rule-breaking as cheating on personal income taxes, of only warning a drunk driver or speeding driver, of allowing bingo games in church, and of accepting favors from politicians even if they are illegal.

Another set of hypotheses related to institutions. The general hypothesis was that the system of checks and balances among the institutions within Oklahoma's state and local governments broke down. The result was that the county commissioners operated autonomously. A set of conditions conducive to this autonomy were hypothesized and investigated. Effective constraints upon their use of road moneys were expected to be lacking, both from state audits and from internal county mechanisms such as the Board of County Commissioners. Further conducive to autonomy were such conditions as the following: the norm of "turf;" the lack of adequate investigative authority on the part of law enforcement authorities at both the state and local level; the inhibiting effects of the commissioners as politically powerful forces at both the local and state level; and the absence of an inquisitive press and public.

The last set of hypotheses in this systems framework pertained to the personnel. In general it was hypothesized that the office of county commissioner was generally held by a group of people of limited background with attitudes amenable to some rule-breaking. They were expected to be long-time residents of county and state without a great deal of formal education, and with a tendency to see the office more in political terms than as professional administrators. They were expected to feel that they were inadequately compensated, faced strong institutional pressures, and tended to function rather informally.

All together these sets of hypotheses included the public, the institutions, and the personnel. What they added up to was a system hypothesized to be quite vulnerable to corruption. The public was apathetic, cynical, and ignorant. The commissioners functioned with almost total autonomy in the disposition of road money, given the breakdown of checks and balances. And the commissioners themselves were people of limited background and outlook who were willing to break the rules to help themselves and their constituents.

In testing these hypotheses two somewhat different kinds of methodology were utilized. One was historical, the other empirical. The first approach, the historical and descriptive, involved an examination of Oklahoma's history with an eye to the major scandals in the state's history.

Against this background, the structure of county government within Oklahoma was examined, and Okscam itself was analyzed in detail. The second approach was heavily empirical. Oklahoma was compared with the nation in such matters as demographics, political attitudes, and issue orientations. Public opinion within Oklahoma was examined in considerable detail. Then the incumbent commissioners and the guilty commissioners were examined in detail regarding demographics and political attitudes.

Summary of Findings

Chapter I reviewed the literature on political corruption concentrating on definitions, concepts, and theories. The study of political corruption was found to suffer from problems of definition. Scholars have offered four major types or forms of definition: the legalistic, the market-centered, the public opinion, and the public interest form. Each one presented certain problems, but a consensus was found to be developing around the legalistic definition. In addition, a legal definition clearly applied to the major crime associated with Okscam, the kickbacks. It was therefore decided that a legalistic definition would be appropriate for this study.

Theories abound on the causes of political corruption. Over the centuries this question has been considered by normative political theorists, nation-builders,

sociologists, reformers, journalists, historians, and others. The result has been the postulation of all manner of causes including political machines, the unequal distribution of wealth in society, supply-demand imbalances respecting governmental services, faulty governmental structure, the role of money, and human nature. This literature was found to be relatively unorganized and without neat paradigms. Certainly there was no consensus as to the causes of political corruption.

This body of literature was divided into two sections. One section was labeled the "traditional literature." This literature extended from the writings of the classical normative theorists until, roughly, the early twentieth century. The other section was labeled the "contemporary literature." This literature extends roughly from the 1950's until the present time.

In the traditional period a wide-spread concern with corruption existed among such writers as the classical scholars, the Founding Fathers, Karl Marx, Woodrow Wilson, Frank J. Goodnow and Lincoln Steffens. There was an emphasis upon the corrupting influences of power, the inherent weaknesses of human nature, and the system, as causes of corruption.

The contemporary literature continued these concerns, including the normative perspective. But the modern literature was also different in some important ways. One

difference was the beginning of the application of quantitative techniques to the study of corruption. The period also witnessed the formation of contending schools of thought on the subject, as evidenced by the debate between functionalists and post-functionalists. But the modern literature also contained another contribution long needed in this field of inquiry. This was an approach that integrated these various possible causes into a framework, a comprehensive model that could direct research in a systematic way and yet allow flexibility. Michael Johnston's framework was adopted for its breadth and flexibility. In light of this background of hypotheses and literature review, the inquiry into Okscam began with a long look at the past.

Chapter II turned to the historical record, including an examination of the political culture of Oklahoma. This reference to political culture, in turn, required a theoretical foundation. This foundation was established by presenting Daniel Elazar's work on political subcultures. He hypothesized three political subcultures; the moralistic, individualistic, and traditionalistic. He also categorized Oklahoma as a blend of the individualistic and traditionalistic subcultures. Both of these subcultures were found to be conducive to the existence of political corruption.

Second, the history of Oklahoma was examined in search

of evidence supportive of the theory of a distinctively corrupt political culture. It was found that the territorial days were those of the rough and tumble frontier where greed, opportunism, and lawlessness were rampant. But there was a unique element present in Oklahoma. Oklahoma was, for a time in those days, the last place in the nation where the criminal element could escape U.S. legal jurisdiction. This condition attracted some of the worst elements of American society, and their contribution to the political culture of the area was probably anything but benign.

The record since statehood was reviewed for evidence of political corruption. It was found that every branch of state government has been touched by major political scandals, from the very highest levels on down. Scandals have been present for decades and continue to surface. It was concluded that there was good reason to believe that the state was distinctively corrupt. The historical record supported the cultural hypothesis.

Chapter III concentrated on county government and the office of county commissioner. The basic theme was the autonomy of the county commissioners. This autonomy resulted from a combination of six major influences. First, the statutes gave the Board of County Commissioners complete authority over the entire county road and bridge program. Second, the commissioners exercised autonomous control over

county road funds. Third, an individual commissioner could function as authorizing agent, purchasing agent, and receiving agent in the expenditure of road funds. The Board of County Commissioners became a rubber stamp. Fourth, the commissioners were well insulated from detection, prosecution, and conviction by local authorities or the public. Nor did the local media in rural areas take a keen interest in the proceedings of the Board of County Commissioners. Fifth, the commissioner's autonomy was further enhanced by their insulation from checks at the state level. Sixth, the autonomy of the county commissioners was enhanced by their reputation as a powerful political force at both the state and local level. The net result of these six conditions was a highly permissive institutional environment.

Chapter IV focused on the scandal itself. The descriptive material supported the hypothesis that Oklahoma was dominated by a culture tolerant of corruption. It appeared as if this tolerance of corruption was so pervasive that it infected other institutions within the state and made the Okscam system resistant to reform.

Two major state-level reform attempts failed. In 1958 the legislature of Oklahoma investigated the purchasing practices of the county commissioners and rendered a report known as the Sandlin Report. This investigation resulted in 27 separate findings indicating that the existing system was

a "spawning ground for corruption." In response the committee recommended several reforms, but the legislature failed to enact them. Governor Edmondson also attempted to reform county government, but he was not successful either. A major part of the Edmondson reform program dealt with county roads and bridges. The plan was to centralize the county road and bridge program at the state level. He submitted his plan to the legislature where it failed. Edmondson next attempted to bypass the legislature via three initiative petitions, but all three were defeated. These episodes confirmed the political influence of the county commissioners within the Oklahoma legislature. Further confirmed was the relative autonomy of the commissioners with regard to state supervision.

A 1978 grand jury investigation in Stephens County, Oklahoma also investigated the purchasing practices of the county commissioners. This investigation resulted in the removal from office of two commissioners, but only after long delays. This episode also demonstrated that Okscam existed in part due to the complicity of some state officials.

The Sandlin Report, the failure of the two reform attempts by Governor Edmondson, and the Stephens County Grand Jury episode all demonstrated that the county commissioners were well insulated from state and local government officials who sought to probe the situation and

clean it up.

A Federal investigation involving both the IRS and the FBI finally broke the back of Okscam. The probe was stimulated by the Stephens County Grand Jury. It began in southwest Oklahoma and spread north and east across the state. The size of this scandal was indeed staggering. It touched almost every one of Oklahoma's 77 counties. Approximately 250 suppliers, incumbent county commissioners, and former commissioners, were convicted or pled guilty, with 224 convictions in Oklahoma alone. In fact, the probe even crossed into northeastern Texas where 38 convictions were obtained.

The system relied upon the autonomy of the commissioners. Each commissioner operated his own barn within his district. He bought or leased his own equipment and machinery. He decided which repair and construction projects were to be undertaken, and in what order. He also decided what materials would be used in these projects and could make the necessary purchases if he so desired. In addition, he controlled one third of the county road and bridge money. Furthermore, he could act as purchasing agent, authorizing agent, and receiving agent.

The origin of Okscam is obscure, but it has probably existed since statehood since it has apparently been going on for as long as anyone can remember. The system was perpetuated in two major ways. One method relied upon a

pool of potential candidates who were basically dishonest. In other words some people probably ran for the office with the intent to bilk the county from the start. The second method involved testing and socializing new commissioners. When a new commissioner assumed office he was tested and, if necessary, socialized by a supplier.

Several factors inhibited prosecutions including: the simplicity of the system, statutory procedures that were susceptible to corruption, the secret nature of the system, the commissioner's political power, the autonomy of commissioner's operations, limitations faced by district attorneys, informal practices within courthouses including the norm of turf, the tacit approval or actual complicity of some state officials, ineffective state institutions, and a lack of concern by local media.

In fact, this corrupt system might still be operating had it not been for the confluence of a number of fortuitous circumstances involving key players from local, state, and federal government. One factor was the heightened interest of the FBI in matters of corruption. The second factor was the Stephens County Grand Jury probe. The third factor was the evidence provided by Mr. Muse, an auditor from the state's Office of Auditor and Inspector. The fourth factor was the inadvertant mention of Dorothy Griffin's name in the conversation between agents from the FBI and IRS. A fifth factor was the crumbling of Mrs. Griffin when confronted by

federal agents.

The media failed to cover the scandal over the years, but it did publicize the investigation once it began to break. Oklahoma's newspapers eventually carried hundreds of articles detailing charges against commissioners, special elections to fill vacancies, the status of the probe, etc. These were augmented by editorials blasting corruption and calling for reform. The story appeared on television within Oklahoma and was then picked up by the national media. The scandal had become a national embarrassment to Oklahoma.

Governor Nigh responded by appointing a 36 person Blue Ribbon Task Force. In addition, the Governor called the legislature into special session to consider reform legislation. The legislature created its own joint committee to develop reform legislation.

The Blue Ribbon Task Force found that the problem in county government went far beyond the mere dishonesty of individual public officials. The Task Force concluded that it was the system itself that was at fault - a system which fostered both dishonesty and inefficiency. The big problem in administration was the segmented authority within the counties, but of equal concern was the need for professionalism in the county government work force. The Task Force went on to make several recommendations for the reform of county government, but the county lobby was able to defeat these measures in the legislature.

Governor Nigh proposed his own plan for the reform of county government. His plan was based partially upon the recommendations of the Task Force and partially upon the work of the joint legislative committee. The governor shied away from proposing major changes in the existing system, such as changing the number of commissioners. Instead, he emphasized incremental changes, and much of the governor's program eventually became law.

Many changes concerned the structure of county government. From the point of view of structure the reform package that was enacted did separate the commissioners, the purchasing agent, and the receiving agent. Another significant change was full state funding for the district attorney. Changes were also made in the area of county government administration by requirements for a more thorough record keeping system. Furthermore, the commissioners lost their authority to lease/purchase heavy equipment and machinery. These measures were coupled with an attempt to strengthen the office of Attorney General.

On the other hand, one could well argue that little real change had occurred in county government. The number of commissioners remained at three, and they were still elected from one of three districts within the county. Yet they were still supposed to serve the broader at-large county interests. Road funds remained free from line item budget control and were still under the control of the

commissioners. And commissioners retained their discretion over the road and bridge programs. Another survivor was the lowest and best bid criterion in the awarding of contracts. In addition, the county manager system was rejected and all of the other elected offices within county government remained, with the exception of the county surveyor. Thus political partisanship and fragmentation of authority remained in an essentially administrative type of government.

Overall, the evidence from the historical and descriptive approach supported the hypothesis that the state had a political culture that tended to be tolerant of corruption. But a method that relied only upon historical and descriptive material was not sufficient in and of itself. There was a clear need for another approach to the assessment of the cultural hypothesis.

Chapter V began the consideration of an alternative approach to the cultural hypothesis with a focus upon empirical data. If Oklahoma had a distinctively corrupt political culture it would presumably be manifested in a variety of political attitudes and in popular issue orientations. A related hypothesis was that Oklahomans were ignorant, apathetic, and cynical. If major differences were found in these respects this would tend to support the hypothesis of an unusually corrupt political culture. If, on the other hand, Oklahoma was found to be fairly typical

of the nation these findings would tend to weaken the hypothesis of an especially high tolerance for political corruption. Consequently, demographic characteristics, key political attitudes, and selected issue orientations were examined in an effort to draw comparisons.

Demographic comparisons revealed much more similarity than divergence. Oklahoma was found to be similar to the nation in terms of education, income, urban-rural residential patterns, crime rates, ethnicity, and age. A sizeable difference was found concerning religion, but in most of its basic demographic characteristics Oklahoma was similar to the nation.

Comparisons of party identification, political efficacy, and political trust revealed a pattern dominated again by similarities rather than differences. Oklahoma was somewhat more Democratic than the rest of the country, but it voted with the nation in most recent presidential elections. And it was like the nation in terms of political efficacy and political trust. Thus Oklahomans were not found to be appreciably less trusting than other Americans tested in national surveys.

Issue comparisons also indicated a preponderance of similarities over differences. Oklahomans were seen to be much like the nation in their spending priorities on such issues as crime, the environment, and national health. Significant differences did, however, exist on spending

priorities connected with national defense, but Oklahomans turned out to favor the "liberal" side of this issue! Oklahomans displayed similar attitudes on civil liberties. They did differ on the gun control issue, but a majority of the state still did come down in favor of gun permits.

The conclusion was that Oklahoma was much like the nation in most of the subjects examined. Some differences were found, but the major pattern was one of similarity and not difference. Thus the image of Oklahoma as a poor state whose people are not very well educated and who are also somehow tolerant of corruption, was found to be exaggerated and largely inaccurate.

These results weakened the hypothesis that Oklahoma is unusually high in its tolerance for political corruption. This conclusion was at variance with the historical and descriptive evidence presented earlier and confirmed the need to probe further into the empirical evidence.

Chapter VI continued to probe public opinion, but concentrated intensively upon Oklahoma. The chapter explored specifically the hypothesis that the Oklahoma electorate is cynical, apathetic, and ignorant. The variables examined included public participation in county government, knowledge of county government, and trust in county government. Attention was also devoted to tolerance for rule-breaking. Rule-breaking was divided into rule-breaking by public officials and rule-breaking by

private individuals. If Oklahoma had a culture that was tolerant of corruption the public would be expected to be tolerant of rule-breaking by private individuals and public officials. A series of new items were included in the Oklahoma public opinion survey designed to measure this concept. In addition, a demographic comparison was made of those low in tolerance for public rule-breaking with those high in tolerance to see if any significant differences existed. With respect to attitudes, it was expected that rule-breaking by public officials would be positively related to rule-breaking by private individuals, to knowledge of county government, and to trust in government. Testing these expected relationships involved factor analyses and a multivariate regression analysis.

The first subject for discussion was apathy, cynicism, and ignorance. The findings from these data did not support the hypothesis that Oklahomans were unusually apathetic, ignorant, or cynical.

The second subject for analysis was tolerance for rule-breaking by private individuals and by public officials. The findings were that Oklahomans were not tolerant of rule-breaking by private citizens. In fact, they appeared to be quite intolerant. With respect to tolerance for rule-breaking by public officials, the findings were again in the negative. In other words Oklahomans could not be characterized as being tolerant of

rule-breaking by its public officials. The conclusion from these findings was that Oklahoma was not dominated by a corrupt political culture, at least in so far as such a political culture was manifested in these measurements.

The third major inquiry in this chapter was an attempt to understand tolerance for rule-breaking by public officials. This analysis was approached by combining factor analysis and multiple regression analysis. Factor analysis reduced some 35 individual survey items to 10 variables. One factor was tolerance for rule-breaking by public officials and it became the dependent variable in the multiple regression analysis. The other nine factors constituted the independent variables and fell into three major categories: tolerance for rule-breaking by private individuals, attitudes toward trust in government, and knowledge of or interest in county government. It was generally found that tolerance for rule-breaking by public officials was a distinct and measurable political attitude and that it was related to tolerance for rule-breaking by private individuals and to attitudes toward trust in government. Knowledge of, or interest in, county government contributed little in this regard despite good theoretical support, and it was suggested that the problem lay with measurement in that these items were not wide-ranging enough.

Overall, however, the evidence in this chapter did not

support the expectation of a public that was distinctively tolerant of political corruption. Thus public opinion did not appear to play a causitive role in explaining Okscam as was hypothesized. An explanation for Okscam had, in the main, to be found elsewhere.

Since Okscam involved pervasive corruption among Oklahoma's county commissioners, evidently without much support from the public, it was necessary to examine them closely. This was the task in Chapter VII. If the commissioners did not evidence a distinctive set of attitudes then what remained of the fundamental hypothesis for a culture tolerant of corruption pervading public and institutions would be further weakened. It should also be noted that this chapter constituted a shift in focus to the third component in Michael Johnston's systems approach, the county commissioners themselves. A finding that the county commissioners held a set of attitudes tolerant of rule-breaking would indicate that Okscam resulted in part from weaknesses within these public officials, the "bad apples" in the system. This study has already noted that county government was subject to institutional weaknesses that gave the commissioners much autonomy and resources (road funds) to dispense. A finding that the attitudinal and demographic characteristics of the commissioners themselves appeared to make them vulnerable to corruption would also help explain Okscam. Okscam would then not be

explained due a popular culture laced with corruption. It would, instead, be due to weak institutions and weak people. But a finding that the commissioners did not hold such attitudes would indicate that Okscam was primarily the result of problems in only one of Johnston's categories, a permissive institutional environment.

The discussion began with description of the methodology used in the interviews and questionnaire. Acute difficulties were experienced in gaining interviews with guilty commissioners and only a small number were successfully contacted. This problem is one likely to be encountered in studying corruption, and there is not an easy answer for it. This was followed by a presentation of demographic data and data on the attitudes of commissioners. The discussion of attitudes compared the commissioners and the general public in Oklahoma. Public rule-breaking was again taken as a dependent variable and examined in relation to private rule-breaking and trust via multiple regression. The intent was to parallel the analysis in Chapter VI as much as possible. The last major section of the chapter concentrated on the guilty commissioners.

With respect to demographics, the incumbent commissioners were found to be generally similar to the Oklahoma public and to the guilty commissioners. Incumbents were similar to the public in the their education, ethnicity, religious affiliation, and age. Differences

were, however, found in the areas of party identification and residential patterns. Incumbent commissioners were more Democratic and had more stable patterns than the public. Incumbents were found to be similar to the guilty commissioners in terms of gender, ethnicity, party identification, and religious affiliation. Significant differences were found in education, age, and residential patterns. Incumbents were better educated, younger, and had lived in both county and state for shorter periods than the guilty commissioners.

With respect to trust in government, incumbent commissioners were more trusting of local government than the public, but they were less trusting of state and federal government. On the other hand, the views of incumbents turned out to be about the same as those of the small number of guilty commissioners interviewed.

With respect to tolerance for rule-breaking by public officials, incumbents were quite similar to the general public. Both groups generally condemned it. Major differences existed only in the areas of finding jobs and not obeying the strict letter of the law if the results help people. On these two issues incumbents were more tolerant. When incumbents were compared to guilty commissioners it was found that both groups disapproved of rule-breaking by public officials, but the guilty commissioners tended to be more lenient. Significant differences were found on the

issues of accepting presents from companies, accepting campaign contributions from companies, and strict punishment for public officials who accept kickbacks. It was hypothesized that the guilty commissioners would be more tolerant and this expectation was found in every case, however the group of guilty commissioners was small and caution is necessary in drawing conclusions.

With respect to tolerance for rule-breaking by private individuals, incumbents were again much like the general public. Again, both groups condemned it. When incumbents were compared to guilty commissioners a similar pattern emerged. Significant differences were found in only two of the eight private rule-breaking items. One difference was that the convicted commissioners were more tolerant of private citizens accepting favors from public officials, and the other difference was that the guilty commissioners were more tolerant of only warning a drunk driver. It was hypothesized that the guilty commissioners would be more lenient and this was the case in all items save one. Again, however, caution must be exercised when generalizing due to the small number of guilty commissioners interviewed.

Another portion of this chapter concerned a comparative regression analysis. The purpose was to see how well the model developed in Chapter VI would perform in comparing the public and the incumbent commissioners with respect to attitudes toward rule-breaking by public officials. The

same model was applied to both data sets and the results were similar. Tolerance for rule-breaking by public officials was most strongly related to tolerance for rule-breaking by private individuals.

The most outstanding finding was the high level of similarity in so many areas. Differences did exist, but they were overwhelmed by the similarities. Neither the public, the incumbent commissioners, nor the guilty commissioners were notably tolerant of rule-breaking. This finding further weakened the hypothesis that Okscam resulted from a political culture that was tolerant of political corruption, and that it pervaded public institutions and personnel. The major conclusion in explaining Okscam is that the scandal resulted primarily from a permissive institutional environment.

Substance, Theory, and Method in the Study of Corruption

At the outset a number of reasons substantive, theoretic, and methodological, were cited for the study of Okscam. It is time now to review how well these purposes were achieved.

As to the first, the scandal was far too important to be overlooked. And it cast a cloud over the state as seemingly permeated by a willingness to tolerate corruption. This cultural hypothesis did well under a historical and descriptive approach, but it faltered under empirical examination.

From a historical and descriptive perspective a solid theoretical foundation existed for the expectation of political corruption in Oklahoma. Elazar's theory correctly expected corruption in Oklahoma and his theory had done well in other empirical tests. Furthermore, the historical record is replete with instances of corruption in all branches of government (even the state's supreme court), in government at all levels in Oklahoma, and across time. Furthermore, it cannot be argued that state officials in a position to change the system (i.e., the legislature) were ignorant of the situation in county government because the Sandlin Report laid it all out in 1958, yet the 1958 legislature chose to leave the system intact. Then there is the evidence of an auditor from the state's Office of Auditor and Inspector, Mr. Muse, before the Stephens County Grand Jury. Muse told of state officials actually assisting commissioners under investigation by passing on the results of these investigations. And there is the evidence of Commissioner Wagoner, who told of being encouraged by a legislator to get in on the gravy. A legislature intolerant of corruption would have not permitted such circumstances. Surely such a record cannot be ignored.

On the other hand the empirical evidence was overwhelmingly against the hypothesis that Oklahoma was dominated by a corrupt political culture. The Oklahoma public, incumbent commissioners, and convicted

commissioners, all expressed resounding disapproval of rule-breaking, both private and public. Furthermore, Oklahomans were generally like the nation in many demographic characteristics and in many attitudinal characteristics, including political trust and efficacy. Nor were Oklahomans unusually apathetic, cynical, or ignorant. In addition, the commissioners were found to be similar to the general public in most attitudes and demographic characteristics. One cannot, therefore, argue that the commissioners formed an atypically corrupt subculture. They may have become one after they started participating in Okscam (a la Sutherland), but that does not mean they were like that before. In fact, the evidence was that they typified their culture instead of being atypical. Surely these findings cannot be ignored either. If these contradictory findings cannot be ignored how can they be resolved?

One possibility is that the culture in Oklahoma has changed over the years, becoming less tolerant over time. The culture might have been permissive at the time when Okscam was first forming and developing. But the cumulative impact of such events as Vietnam and Watergate may have served to make Oklahomans less tolerant of corruption. Thus by the early 1980's, when the Oklahoma survey was conducted, the people may have become intolerant. Furthermore, the Oklahoma survey was taken while Okscam was still big news,

and this could also have influenced attitudes.

Another possibility is that the public has always been intolerant of corruption but has felt powerless to do anything about it. This lack of efficacy was reflected in the story of the minister who remembered traveling with his father. When the son asked the father why people did not do something about the suspected corruption among their commissioners, the father replied "You can't fight city hall." Furthermore, the data on efficacy supports the notion that Oklahomans were not highly efficacious. Although they were like the nation they were still not highly efficacious.

A third possibility is that the importance of the corruption discovered during the historical examination was exaggerated and that Oklahoma is not atypical in that respect. Oklahoma certainly had no corner on the corruption market, as evidenced by the writings of Steffens and other journalists who wrote during the late 1800's and early 1900's. And perhaps similar examples could be found elsewhere in America today if a thorough investigation were conducted. Texas is, for example, immediately suspect because of the convictions obtained there in the Okscam investigation. Furthermore, Okscam was exposed only after the confluence of a number of factors, some of which were pure luck. Thus similar scandals may well continue to exist elsewhere simply because the necessary set of conditions for

discovery and prosecution have not yet come together.

A fourth possibility is that measurement error may have contaminated the findings. The items on rule-breaking may have reliability and validity problems. This was the first time these items had been used and these issues of reliability and validity remain unresolved. In addition, people were asked to state an opinion about the propriety of various types of behavior, or what should be done as punishment for certain behavior. This is not the same as asking whether or not one has actually engaged in such behavior, as was done in the Gallup survey funded by the Wall Street Journal. Furthermore, the rule-breaking item responses may have been tainted by a socially desirable response set bias. It is difficult to determine how much variance is due to such "halo effects," but some error variance from this source is likely to have occurred

It is, therefore, difficult to draw definitive conclusions one way or the other concerning the merit of the cultural hypothesis. There is solid evidence to continue to suspect its existence even though the empirical inquiry did not support it, but it is still difficult to maintain that a cultural tolerance of corruption was a major reason for Okscam in view of these contradictory findings.

As for reform, an obvious lesson is that the institutional weaknesses that long prevailed should not be allowed to recur. To some extent these weaknesses have been

corrected. The further task of reform should be to reinforce these institutional modifications and to prevent them from being weakened in the future. The prevalence of the reform spirit in the 1985 legislature, a spirit strengthened by the need for financial austerity, was a sign that reform seems to have gained wide acceptance among the public and political elites. This spirit of reform extending to matters far beyond county government seemed likely to reduce opportunities for corruption, at least for some time.

In terms of theory, this study led to one modification of the definitional scheme of black, gray, and white corruption rather widely used in the literature. For it was found that among the black, or clearly illegal forms of corruption, there was one form that was clearly blacker than the rest. The 10 percent kickbacks were bad enough. But the "blue-sky" deals, or "50-50's," were decidedly worse in the eyes of those who knew about them. For instance, Prosecutor Price insisted that some guilty commissioners tried to rationalize their 10 percent kickbacks, but none of them tried to justify the 50-50's. The latter was clearly, in the eyes of the participants, criminal in a much more serious sense than the ordinary kickbacks. This distinction is not entirely novel, but it merits an emphasis not normally given to it. Among crimes some are much more serious than others, and presumably would be so perceived by

both elites and the public, were suitable questions put to them. Certainly in future research this distinction should be acknowledged and investigated. Forms of black corruption, some decidedly more serious than others, need to be distinguished.

Another contribution of this study, partly theoretic and partly methodological, was the confirmation of the usefulness of Michael Johnston's systems framework. This framework combined breadth and flexibility. It enabled the inquiry to proceed in a number of directions that nonetheless remained tied to a coherent framework. Political culture and public opinion could be explored in depth, as could institutional setting and personnel. The result was a quite thorough probing of major aspects of the system. And in the end it was this wide-ranging form of inquiry that was able to locate the institutional weaknesses that contributed so much to Okscam. To study corruption in this manner does require a large body of data from history, from public opinion, and from elite interviews. But the use of the systems framework does assure that a large number of variables will be examined with some care. When time and resources permit, it appears to be a highly desirable scheme to apply to the study of corruption.

Quite apart from the framework, this study confirmed the usefulness of a combined methodological approach in the study of corruption. The conflict stemming from the

different forms of evidence also serves as a warning against the well-known tendency to find what one looks for. If one examines Oklahoma history looking for corruption it can be found easily enough. What is needed, therefore, to supplement the rather impressionistic history is a body of contemporary empirical data. Had the latter not been available, different findings and conclusions would almost certainly have been reached. A multi-methodological approach therefore appears much the strongest method. It is probably of special value in the study of the sensitive and secretive subject of political corruption.

Another methodological contribution was the use of the questions to test tolerance for rule-breaking, both public and private. These were new and of necessity somewhat experimental. In tests, including regression and factor analysis, they did explain some variance that was statistically significant. Certainly they helped probe the corrupt political culture thesis and, in so doing, cast doubt upon it. But the questions need improvement. Some could be dropped, such as the question on bingo. On the other hand, questions could be added to test attitudes toward really "black" crimes. And various forms of conflict of interest dilemmas designed to probe areas of gray corruption could be added. Ideally, a scale could be devised and tested and retested, both on the public at large and on political elites such as state legislators. Given

time and resources a valuable set of questions, tested for validity and reliability, could be devised to probe attitudes for corruption throughout the United States. The study of Okscam has at least made some contribution to this proposed line of further research.

So far, this review of the rationale for Okscam has covered substantive, theoretic, and methodological matters. But another subject of interest was a normative one - reform. A state plagued with a major political corruption scandal has special reason to seek means of avoiding a repetition of corruption. Some of the institutional weaknesses responsible for Okscam have been corrected as of the mid 1980s, for example by curbing the commissioner's discretion in the purchase of supplies and equipment. And, although there was some resistance and protest, there appeared to be little desire to return to the practices of the past. Finally, the traditional rural subculture that probably contributed to corruption in years past appeared to be of diminishing importance as the state changed. The spirit of reform in the mid-1980s, powerfully reinforced by the need to modernize and to adopt more efficient ways of doing things, offered some assurance that corruption was less tolerable than ever. Corruption would no doubt continue to occur in one form or another. But the state did seem to be headed in a direction such that the recurrence of an Okscam was quite unlikely. A qualified optimism was by

no means misplaced.

The study of Okscam did not accomplish all that it set out to do, but it did accomplish much. The origins of Okscam remain shrouded in mystery, even to those who took part in it, since it evidently began long ago. But much was found out and some significant contributions to the study of political corruption may surely be claimed. To this extent, at least, the state may benefit from this unfortunate occurrence.

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APPENDIX 1

COUNTY COMMISSIONER QUESTIONNAIRE

1. What is your age? [] years.
2. How long have you lived in Oklahoma? [] years.
3. How long have you lived in this county? [] years.
4. Do you live in town or in the country? (Please give the name of the town you live in, or the closest town.)
 1. Town
 2. Country
5. What is your race or ethnic background?
 1. White
 2. Black
 3. Hispanic
 4. Asian
 5. Indian
 6. Other
6. What is your sex?
 1. Male
 2. Female
7. What was your occupation before you become a county commissioner?
8. What is your educational level? (Circle highest level completed.)
1 2 3 4 5 6 7 8 9 10 11 High School Graduate
Some College College Graduate Graduate Work

Many communities in Oklahoma are facing issues that are hard to deal with. Some people see the issue one way, and of

course, other people see it in a different way. We are interested in what you think. For each of these issues, please indicate whether you strongly agree, agree, disagree, or strongly disagree.

9. Churches and other charitable organizations should be allowed to hold bingo games.

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

10. If nobody has been hurt, a policeman should give a speeder a warning instead of a ticket.

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

11. People who report false information on their income taxes should be punished to the full extent of the law.

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

12. Young men who fail to register for the draft should be punished to the full extent of the law.

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

13. If nobody has been hurt, a policeman should give a driver who has had too much to drink a warning instead of a ticket.

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

14. People who report false information to state officials in order to receive food stamps should be punished to the full extent of the law.
 1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

15. It is all right to take home and keep some things that belong to the organization you work for, as long as the things don't cost very much.
 1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

16. So long as it doesn't hurt anybody, it's all right to accept favors from public officials, whether the favors are legal or not.
 1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

17. County government generally has too little money to do what it should.
 1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

18. The county commissioners have been singled out unfairly by city newspapers and television stations for criticism.
 1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

19. Do you think of yourself as a Republican, a Democrat, an Independent or what? If Republican or Democrat, do you consider yourself to be a strong or not so strong Republican or Democrat? If Independent, do you lean toward the Democratic party, the Republican party, or neither party?

1. Strong Democrat
 2. Not so strong Democrat
 3. Independent - lean Democrat
 4. Independent
 5. Independent - lean Republican
 6. Not so strong Republican
 7. Strong Republican
20. Have you held any other public office before becoming a county commissioner? If yes, please indicate the office and how long you held it.
21. Do you have a desire to run for some other public office someday?
1. Yes
 2. No
22. Do you think other office holders (local, state, or federal) called upon county commissioners for help in campaigns? If yes, would you say they called for help often, sometimes, or hardly ever?
1. Yes - often
 2. Yes - sometimes
 3. Yes - only a few times
 4. No - not at all
23. Do you think county commissioners have tended to see the office as that of a professional administrator who just goes by the rules, or as a political office in which a person responds to the needs and requests of constituents and others?
1. Just goes by the rules
 2. Helps those who make requests
 3. Both but mainly just goes by the rules
 4. Both but mainly helps those who make requests
 5. Other (please specify)
24. We are interested in how you evaluate the different levels of government in the United States. First, the national government in Washington. How much of the time do you think you can trust the national government to do what is right? Just about always, most of the time, only some of the time, or none of the time?
1. Always
 2. Most of the time
 3. Some of the time
 4. None of the time

25. How much of the time do you think you can trust the Oklahoma State government to do what is right? Just about always, most of the time, only some of the time, or none at all?
1. Always
 2. Most of the time
 3. Some of the time
 4. None of the time
26. How much of the time do you think you can trust the county government to do what is right? Just about always, most of the time, only some of the time, or none at all?
1. Always
 2. Most of the time
 3. Some of the time
 4. None of the time
27. How much of the time do you think you can trust the city government to do what is right? Just about always, most of the time, only some of the time, or none at all?
1. Always
 2. Most of the time
 3. Some of the time
 4. None of the time
28. In your opinion, will the investigation of county government in Oklahoma make corruption a more or less serious problem, or have no effect?
1. More serious
 2. Less serious
 3. No effect

An issue that has been discussed for a long time concerns what constitutes permissible behavior on the part of public officials, and there is still a wide difference of opinion on this matter. We are interested in what you think. For each statement below, please indicate whether you strongly agree, agree, disagree, or strongly disagree.

29. It's all right for a public official to accept presents from companies as long as the taxpayers don't suffer.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

30. It's all right for a public official to make a profit when the government buys some land so long as only a fair price is charged.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
31. It's all right for a public official to accept campaign contributions from people or organizations who do business with government.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
32. It's all right for public officials to find jobs for their friends or relatives in government.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
33. Public officials who accept kickbacks should be prosecuted to the full extent of the law.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
34. So long as it doesn't hurt anybody, it's all right for public officials to do favors for people or organizations, whether the favors are legal or not.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

35. It's all right for public officials not to follow the strict letter of the law sometimes if the results help people.

1. Strongly agree
2. Agree
3. Disagree
4. Strongly disagree

36. Do you think that corruption among public officials comes about mainly because of some dishonest people in government or because of the way the political system works?

1. Dishonest people
2. Way system works
3. Both; depends (please explain)
4. Other (please explain)

37. What is your religious preference?

1. Protestant
2. Catholic
3. Jewish
4. Other (please state)
5. No preference
6. None

38. Would you say your religion provides some guidance in you day-to-day living, quite a bit of guidance, or a great deal of guidance?

1. Some
2. Quite a bit
3. A great deal

39. Do you think that reports of corruption among county commissioners ever influenced any people to run for that office? Did these reports influence many people who ran, some people, or none of the people who ran?

1. Many people
2. Some people
3. None

40. Do you think corruption among county commissioners occurred because the system allowed them a lot of leeway without effective checks or restraints, or were the checks and restraints effective and the system about right?

1. Yes - too much leeway in the system
2. No - system did not have too much leeway in it
3. Other - (please specify)

41. Do you think corruption among county commissioners occurred because people in the private sector, especially suppliers, pressured the commissioners?

1. Yes - major factor
2. Yes - minor factor
3. No - not a consideration at all

42. Do you think that business people, such as suppliers, helped county commissioners with their campaigns? If yes, would you say they helped often, sometimes, or only a few times?

1. Yes - often
2. Yes - sometimes
3. Yes - only a few times
4. No - not at all

APPENDIX II

PUBLIC OPINION QUESTIONNAIRE

NOTE: The items presented in this appendix are those used in this dissertation. The original questionnaire contained 133 items and is available upon request.

11. Do you think we are spending too much or too little on improving and protecting the environment?
 1. Too little
 2. About right
 3. Too much

12. Are we spending too much or too little on programs to help the poor and elderly?
 1. Too little
 2. About right
 3. Too much

13. Are we spending too much or too little on improving and protecting the nation's health?
 1. Too little
 2. About right
 3. Too much

14. Are we spending too much or too little on halting the rising crime rate?
 1. Too little
 2. About right
 3. Too much

15. Are we spending too much or too little on the military, armaments, and defense?
 1. Too much
 2. About right
 3. Too much

27. Have you ever talked to anyone, such as a friend or neighbor, about county government?
1. Yes
 2. No
28. Have you ever contacted an official of county government?
1. Yes
 2. No
29. In the elections for county offices - such as the sheriff - since you have been old enough to vote, would you say that you have voted in ALL, MOST, SOME, or NONE of the elections for county offices?
1. All
 2. Most
 3. Some
 4. None
30. Have you heard or read about an investigation of corruption in county government in Oklahoma?
1. Yes
 2. No -- SKIP TO 33
31. To the best of your knowledge, has the investigation of county commissioners involved about one-third or fewer, one-third to two-thirds, or more than two-thirds of the county commissioners?
1. One-third or fewer
 2. One-third to two-thirds
 3. Two-thirds or more
32. In your opinion, will the investigation of county government in Oklahoma make corruption a more or less serious problem, or have no effect?
1. More serious
 2. Less serious
 3. No effect
33. How many commissioners serve in your county?
 ----- County Commissioners
34. Do you know how county commissioners are selected?
1. Elected
 2. Appointed

Not many people in Oklahoma know what county government does. I am going to name some jobs, and for each job, please tell me whether the job is a large part, a small part, or no part of the work of county government.

- | | | Large Part | Small Part | No Part |
|-----|---------------------|------------|------------|---------|
| 35. | ___ Building Roads | 1 | 2 | 3 |
| 36. | ___ Law Enforcement | 1 | 2 | 3 |
| 37. | ___ Tax Collection | 1 | 2 | 3 |
38. County government generally has too little money to do what it should.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
39. The county commissioners have been singled out unfairly by city newspapers and television stations for criticism.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
47. Do you think that people in county government waste a lot of the money we pay in taxes, waste some of it, or don't waste very much of it?
1. A lot
 2. Some
 3. Not much
48. Would you say county government is pretty much run by a few big interests looking out for themselves or that it is run for the benefit of all the people?
1. Few big interests
 2. For benefit of all
49. Do you feel that almost all of the people running county government are smart people or do you think that quite a few of them don't seem to know what they are doing?
1. All are smart
 2. Don't know what they are doing
50. Do you think that quite a few of the people running county government are crooked, not very many are, or do you think hardly any of them are crooked?
1. Quite a few
 2. Not many
 3. Hardly any

51. Generally speaking, do you think of yourself as a Republican, a Democrat, an Independent or what?

If DEMOCRAT OR REPUBLICAN: Do you consider yourself to be a strong or not so strong DEMOCRAT/REPUBLICAN?

If INDEPENDENT OR OTHER: Do you think of yourself as being closer to the Democratic party or to the Republican party?

1. Strong Democrat
2. Not strong Democrat/Don't know
3. Independent - leans Democrat
4. Independent - leans to Neither
5. Independent - leans Republican
6. Not strong Republican
7. Strong Republican
8. Other - Leans to Neither

59. We are interested in how people evaluate the different levels of government in the United States. First, the NATIONAL GOVERNMENT IN WASHINGTON. How much of the time do you think you can trust the national government to do what is right: Just about always, most of the time, or only some of the time?

1. Always
2. Most of the time
3. Some of the time
4. None of the time

60. How much of the time do you think you can trust the OKLAHOMA STATE GOVERNMENT to do what is right: Just about always, most of the time, or only some of the time?

1. Always
2. Most of the time
3. Some of the time
4. None of the time

61. How much of the time do you think you can trust the government of the CITY or TOWN where you live to do what is right: Just about always, most of the time, or only some of the time? (IF RESPONDENT LIVES IN A RURAL AREA, ASK ABOUT THE CITY OR TOWN THEY FEEL THEY ARE CLOSEST TO.)

1. Always
2. Most of the time
3. Some of the time
4. None of the time

62. How much of the time do you think you can trust the government of your COUNTY to do what is right? Just about always, most of the time, or only some of the time?
1. Always
 2. Most of the time
 3. Some of the time
 4. None of the time

Many communities in Oklahoma are facing issues that are hard to deal with. Some people see the issue one way, and of course, other people see it in a different way; there are no right or wrong answers. For each of these issues, please tell me whether you strongly agree, agree, disagree, or strongly disagree.

63. Churches and other charitable organizations should be allowed to hold bingo games.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
64. If nobody has been hurt, a policeman should give a speeder a warning instead of a ticket.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
65. People who report false information on their income taxes should be punished to the full extent of the law.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
66. Young men who fail to register for the draft should be punished to the full extent of the law.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
67. If nobody has been hurt, a policeman should give a driver who has had too much to drink a warning instead of a ticket.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

68. People who report false information to state officials in order to receive food stamps should be punished to the full extent of the law.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
69. It is all right to take home and keep things that belong to the organization you work for, as long as the things don't cost very much.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
70. So long as it doesn't hurt anybody, it's all right to accept favors from public officials, whether the favors are legal or not.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
79. Would you favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun?
1. Favor
 2. Oppose
82. People like me don't have any say about what the government does.
1. Agree
 2. Disagree
83. Voting is the only way people like me can have any say about how the government runs things.
1. Agree
 2. Disagree
84. Sometimes politics and government seem so complicated that a person like me can't really understand what's going on.
1. Agree
 2. Disagree
85. I don't think public officials care much what people like me think.
1. Agree
 2. Disagree

86. Generally speaking, those we elect to Congress in Washington lose touch with the people pretty quickly.
1. Agree
 2. Disagree
87. Political parties are only interested in people's votes but not in their opinions.
1. Agree
 2. Disagree
88. A good many local elections aren't important enough to bother with.
1. Agree
 2. Disagree

I am going to read several statements. For each one, please tell me whether you strongly agree, agree, disagree, or strongly disagree.

89. It's all right for a public official to accept presents from companies as long as the taxpayers don't suffer.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
90. It's all right for a public official to make a profit when the government buys some land so long as only a fair price is charged.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
91. It's all right for a public official to accept campaign contributions from people or organizations who do business with government.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
92. It's all right for public officials to find jobs for their friends or relatives in government.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree

93. Public officials who accept kickbacks should be prosecuted to the full extent of the law.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
94. So long as it doesn't hurt anybody, it's all right for public officials to do favors for people or organizations, whether the favors are legal or not.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
95. It's all right for public officials not to follow the strict letter of the law sometimes if the results help people.
1. Strongly agree
 2. Agree
 3. Disagree
 4. Strongly disagree
96. Do you think that corruption among public officials comes about mainly because of some dishonest people in government or because of the way the political system works?
1. Dishonest people
 2. Way system works
 3. Both; Depends _____
 4. Other _____
106. Do you think that people in the national government waste a lot of the money we pay in taxes, waste some of it, or don't waste very much of it?
1. A lot
 2. Some
 3. Not much
107. Would you say the national government is pretty much run by a few big interests looking out for themselves or that it is run for the benefit of all the people?
1. Few big interests
 2. Benefit of all
 3. Depends; both

108. Do you feel that almost all the people running the national government are smart people or do you think that quite a few of them don't seem to know what they are doing?
1. All are smart
 2. Don't know what they are doing
 3. Depends; both
109. Do you think that quite a few of the people running the national government are crooked, not very many are, or do you think hardly any of them are crooked?
1. Quite a few
 2. Not many
 3. Hardly any
111. What is your religious preference: Protestant, Catholic, Jewish, some other religion or no religion?
1. Protestant
 2. Catholic
 3. Jewish
 4. Other _____
 5. No preference
 6. None

There are always some people whose ideas are considered bad or dangerous by other people. For instance, a person who believes that Blacks are genetically inferior.

114. If such a person wanted to make a speech in your community claiming that all Blacks are inferior, should he be allowed to speak, or not?
1. Yes, allowed to speak
 2. No, not allowed to speak

Now consider a man who admits he is a communist.

115. Suppose this admitted communist wanted to make a speech in your community. Should he be allowed to speak, or not?
1. Yes, allowed to speak
 2. No, not allowed to speak
118. How long have you lived in Oklahoma? ___ years.
119. In what city or town do you now live? _____
In what county is that? _____
120. How long have you lived in this county? _____ years

What is the highest level of education you have completed?

	Male Head	Female Head	
	1	1	Grades 0-4
	2	2	Grades 5-8
	3	3	Grades 9-11
121. ---	4	4	some high school
122. ---	5	5	High school;
	6	6	Graduate or GED
	7	7	Some college
	8	8	College graduate
	9	9	Graduate work
			Refused
			Don't know

What is your ethnic background?

	Male Head	Female Head	
	1	1	White
	2	2	Black
123. ---	3	3	Hispanic
	4	4	Asian
124. ---	5	5	Indian
	6	6	Other -----
	7	7	Don't know

125. Code respondent's sex (ask if unsure)

1. Male
2. Female