

# 一個治安公共政策上的新議題----政府犯罪

孟維德\*

## 摘要

在有關犯罪抗制公共政策的研究領域裡，傳統的街頭犯罪（如暴力犯罪及毒品犯罪等）一直是國內學者及決策者關注的焦點。然而，在現實社會的環境中，政府機關或官員自身所涉及的犯罪行為，其對社會大眾所造成的負面影響可能並不低於、甚至超過街頭犯罪所造成者。而且政府犯罪所造成的損害，經常需由全民共同來承擔。犯罪為一複雜現象，國內學者過去對街頭犯罪已累積許多研究資料，但有關政府犯罪的系統研究仍相當缺乏，由於對犯罪現象的瞭解尚未周延，良好的治安公共政策自然不易擬定。本文所討論的政府犯罪，係指國家機關、官員以及政治人士於政府體系脈絡中所從事的損害活動。目的在於探討政府犯罪存在的事實，並對其類型進行分析，進而洞察防制對策。本研究認為，針對國家犯罪行為，需有強有力的國際獨立媒體及國際組織對國家犯罪及腐化行為進行監督，並透過揭露及明恥的方式向違法的國家施壓，而民主及分權制度亦可降低政府犯罪的可能。此外，持續且有效的肅貪，以及減少「旋轉門症候群」的發生，均有助於抑制政府犯罪的發生。

關鍵詞：政府犯罪，公共政策，白領犯罪，組織犯罪，犯罪抗制。

## Abstract

*Street crime, such as violent crime and drug trafficking, is a primary concern by most policy makers and criminologists. The damage and cost, however, generated from the crimes committed by states or governmental officials may be more serious than those from street crime. Furthermore, taxpayers will have to bear much of the cost made by governmental crime. Crime is a complicated phenomenon. Since governmental crime has been relatively neglected - certainly in comparison with street crime - in public policy and criminological scholarship, comprehensive and effective crime control policy is not easy to be established. The purpose of this article is to explore the existence and patterns of governmental crime, finally, intends to insight the control policy against governmental crime. This paper argues that powerful international free press and various international organizations will help to reduce crimes committed by states. Besides, democratic*

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\* 作者為中央警察大學行政管理學系副教授，作者感謝匿名審稿人所提供的寶貴意見。

*institutions and decentralization of power also can diminish the criminal opportunities for government. Minimizing the “revolving door” syndrome and corruption is necessary and helpful to reduce governmental crime or deviance.*

Keyword: Governmental Crime, Public Policy, White Collar Crime, Organized Crime,

Crime Control

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