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## **Corruption and the Opposite to Corruption A Map of the Conceptual Landscape**

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**Corruption and the Opposite to Corruption**  
**A Map of the Conceptual Landscape**

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## **Abstract**

Corruption has been viewed through many lenses within the different academic disciplines, taking on different meanings along the way. As a result corruption as a concept has effectively acquired a multidimensional character. In order to support our main contention of corruption as a multidimensional concept, this paper first traces the evolution of corruption as a concept; establishing it to have been present within both politico-religious thought since Aristotle as well as pointing out the absence of a republican understanding of corruption within the literature. Effectively, a subject matter dominated by one political outlook where there lies a divide between collective/individual. Second, we map the different conceptualisations of corruption over time, identifying gaps within the research – showing linkages that need further exploration (the linkages of corruption-human rights, and corruption –justice – impartiality), as well as detect the overarching “red thread” of corruption, that serves as a centralising force – corruption as a universal concept. Finally, we utilise it as an umbrella concept that helps bring related concepts such as clientelism, patronage, patrimonialism, particularism and state capture onto one spatial field. This is done by separately defining each concept, followed by a comparison to corruption, in order to fully flesh out the nuances where the overlap between corruption and each concept occurs. This provides a bird’s eye view over the literature, enabling the reader to see the connections between the related concepts and the far stretching reach of corruption within academic research.

## **Introduction**

Since the mid-1990s, many international aid and development organizations have become interested in issues related to the problem of corruption. Since corruption tends to be a sensitive issue, the “coded language” for this policy re-orientation has been to stress the importance of “good governance”. In academic circles, concepts such as “institutional quality”, “quality of government” and “state capacity” have also been used (Smith 2007). However, as recently pointed out by Fukuyama (2013), a central problem in this discussion is a serious lack of conceptual precision. The purpose of this report is to contribute to the need for conceptual clarification in this area. However, we would like to underline that apart from the academic interests in such a conceptual project, there is another important rationale for why a discussion about how to theorize and define corruption and what may constitute the opposite to corruption, is important. This argument is basically empirical and has to do with two unexpected and for many, including the authors to this report, also normatively unwelcome results.

This pertains to the effects of democratization. The waves of democracy that have swept across the globe since the mid-1970s have brought representative democracy to places where it seemed inconceivable fifty, thirty or even ten years ago. More countries than ever are now, by the most sophisticated measures used, classified as being democratic and more people than ever live in what counts as democracies (Teorell 2010). This is certainly something to celebrate but there are also reasons to be disappointed. One example is South Africa that miraculously managed to end apartheid in 1994 without falling into a full scale civil war. As Nelson Mandela said in one of his speeches, the introduction of democracy would not only liberate people but also greatly improve their social and economic situation (Mandela 1994, 414). Available statistics give a surprisingly bleak picture for this promise. Since 1994, the country has not managed to improve the time that children on average go to school with one single month. Economic inequality remains at a world record level, life-expectancy is down by almost six years and the number of women that die when they give birth has more than doubled.<sup>1</sup> Simply put, for many central measures of human well-being, the South African democracy has not delivered. Another example has been provided by Amartya Sen in an article comparing “quality of life” in China and India. His disappointing conclusion is that on most standard measures of human well-being, communist-autocratic

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<sup>1</sup> Data from the Quality of Government Data Bank, [www.qog.pol.g.u.se](http://www.qog.pol.g.u.se)

Peoples' Republic of China now clearly outperforms liberal and democratically governed India (Sen 2011). Using detailed data about child deprivation, including a set of thirty standard measures of national levels of human well-being and also some variables known to be related to human well-being such as capacity for taxation, including from between 75 and 169 countries, Holmberg and Rothstein (2011) find only weak, or no, or sometimes even negative, correlations between these standard measures of human well-being and the level of democracy as defined above. Maybe the most compelling evidence about the lack of positive effects of democracy on human well-being comes from a recent study about child deprivation by Halleröd et. al. (2013); using data measuring seven aspects of child poverty from 68 low and middle income countries for no less than 2,120,734 cases (children). The result of this large study shows that there is no positive effect of democracy on the level of child deprivation for any of the seven indicators (access to safe water, food, sanitation, shelter, education, health care and information).

This bleak picture of the effect of democratization on measures of prosperity, population health and other central aspects of human well-being is confirmed by many other studies (Doucouliagos and Ulubasoglu 2008; Norris 2012). The picture that emerges from the available measures is this; representative democracy is not a safe cure against severe poverty, child deprivation, economic inequality, illiteracy, being unhappy or not satisfied with one's life, infant mortality, short life-expectancy, maternal mortality, access to safe water or sanitation, gender inequality, low school attendance for girls, low interpersonal trust or low trust in parliament. Why is this so? One explanation was given by Larry Diamond in a paper presented at the *National Endowment for Democracy* in the United States, as it celebrated its first twenty-five years of operations:

There is a specter haunting democracy in the world today. It is bad governance—governance that serves only the interests of a narrow ruling elite. Governance that is drenched in corruption, patronage, favoritism, and abuse of power. Governance that is not responding to the massive and long-deferred social agenda of reducing inequality and unemployment and fighting against dehumanizing poverty. Governance that is not delivering broad improvement in people's lives because it is stealing, squandering, or skewing the available resources (Diamond 2007, 19).

If we follow Diamond shift focus from representative democracy, and turn to measures of corruption, the picture of what politics can do for human well-being changes dramatically. For example, the above mentioned study on child deprivation finds strong effects from measures of quality of government on four out of seven indicators on child deprivation (lack of safe water, malnutrition, lack of access to health care and lack of access to information) controlling for GDP per capita and a number of basic individual level variables (Halleröd et al 2013). Other studies largely confirm that various measures of control of corruption and quality of government have strong effects on almost all standard measures of human well-being, including subjective measures of life satisfaction (aka “happiness) and social trust (Norris 2012; Holmberg and Rothstein 2012; Ott 2010; Rothstein and Stolle 2008). Recent studies also find that absence of violence, in the form of interstate and civil wars, are strongly affected by measures of quality of government and more so than by the level of democracy (Lapuente and Rothstein 2013; Norris 2012; Råby and Teorell 2010)

Some may argue that the normative reasons for representative democracy should not be performance measures like the ones mentioned above, but political legitimacy. If people have the right to change their government through “free and fair elections”, they will find their system of rule legitimate (Rothstein 2009). Here comes maybe an even bigger surprise from empirical research, namely that democratic rights do not seem to be the most important cause behind people’s perception of political legitimacy (Gilley 2009, 2006). Based on comparative survey data, several recent studies show that “performance” or “output” measures such as control of corruption, government effectiveness and the rule of law trumps democratic rights in explaining political legitimacy (Gilley 2009; Gjeffsen 2012; Dahlberg and Holmberg 2013). As stated by Bruce Gilley, “this clashes with standard liberal treatments of legitimacy that give overall priority to democratic rights” (2006:58).

Thus, if the relevance of research in the social sciences is understood in how it may improve human well-being and/or improve political legitimacy, research has to a large extent been focusing on the least important part of the political system, namely how “access to power” is organized (that is, electoral and representative democracy and democratization). This ignores the more important part of the state machinery – how power

is exercised, or in other words, the quality of how the state manages to govern society. As argued by Fukuyama (2013), this seems to have been driven by an underlying ideological view inspired by neo-classical economics and particularly strong in the United States, which emphasizes the need to limit, check and control (and also minimize) the state which is basically seen as a “predatory” organization. The result is that the quality of the administrative part of the state, that we now know is of the utmost importance for increasing human well-being, has been severely under-studied, under-theorized and under-measured in political science.

Type the search word “corruption” on the British Broadcasting Company’s (BBC) News website and a staggering 8972 hits are reached. The same search on the well-known journal The Economist’s website gets you over 48000 hits. The overwhelming presence of the topic of corruption is not limited to the realm of the internet – suffice to mention that the “Arab Spring” started with an incident about corruption; additionally the large protests and social unrest in Brazil in 2013 to a large extent were concerned with issues of “clean” government. From a modest position, until the second half of the 1990s, corruption has become a very central topic for many leading international organizations as well as in academia. Corruption has been recognised as a valid and challenging subject, putting it high on the priority agenda of both political/social scientists as well as policy makers (Jain 2001). This is evidenced by corruption’s treatment hand in hand with the good governance agenda, promoted by various international bodies such as the World Bank, International Monetary Fund (IMF) etc. Further evidence is in the form of the establishment of anti-corruption units (as well as campaigns) within organisations of all sizes; International organisations such as the United Nations, government departments, as well as the establishment of legal instruments both at the international level<sup>2</sup> along with national anti-corruption legislation (Andvig et al. 2001). However, this presence has taken its time to reach the state it is at today.

In contrast to the current hype surrounding corruption, the concept of itself has until recently received surprisingly little attention (Miller 2005). Lately, the discussion of what should be considered the opposite to corruption, such as “good governance”, “state capacity” and “quality of government” has become intense (Andrews 2013, Fukuyama

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<sup>2</sup> The United Nations Convention Against Corruption 2003, European Council Convention Against Corruption (both criminal and civil)

2013, Agnafors 2013, Rothstein 2011, Rothstein & Teorell 2008). Our intention is to map the landscape of different conceptualisations of corruption and related concepts such as clientelism, patronage, particularism, state capture and patrimonialism. In this, a central ambition is to specify how this family of concepts is connected. Secondly, to map what is to be considered as the opposite to corruption. Thirdly, to fill the gaps that can be identified in the absence of a single unified definition of corruption. We will also analyse the underdeveloped link that we have found between corruption and the human rights agenda.

### **Corruption as Taboo**

The emergence of corruption as a subject matter within academia has been a long journey. At the outset, corruption as a topic was taboo – both in research and policy circles, substantiated by the fact that the use of the word itself was referred to as the “c-word” (Shah 2007, 249)

In the late 1960s, the Swedish Nobel laureate Gunnar Myrdal pointed out that the term corruption was “...almost taboo as a research topic and is rarely mentioned in scholarly discussions of the problems of government and planning.” (Myrdal 1968, 937-951) Although Myrdal’s focus in the quoted article was on South Asia, this reasoning can be extrapolated to understand the hesitance, until at least the late 1990s, of doing research on corruption. There are different reasons forwarded for the lack of academic foci, especially research concerning developing countries – one being a general bias of “diplomacy in research”. This diplomacy stems from the historical setting of when Myrdal’s article was published, that is, in the midst of the Third Wave of Democratisation (Huntington 1991). This was a sensitive time, during which both academic and policy circles engaged in the avoidance of corruption as a topic for fear of being labelled “imperialist”, “western” or simply self-righteous. Another reason for the absence of corruption research was what can be labelled as “geographic morality.” Whereby, the prevalent attitude was of “us” and “them,” effectively – the Western world (liberal democracies) vs. the (then) Third world (non-democracies and countries in transition, such as the former colonial states). This resulted in externalising the issue of corruption as a problem that does not exist in the Western World but is limited to the Third World. This attitude is neatly summarised by Sajo and Kotkin.



Corruption seemed prevalent, even inevitable, not everywhere but in certain societies, especially in the West's colonies and other less developed parts of the world... The temptation to identify corruption with alien societies, with the other, has always been irresistible (Kotkin and Sajó 2002, 25).

The fact that Myrdal's essay formed part of a lengthy book titled "An Enquiry into the Poverty of Nations" which focused on the Asian continent, is evidence of the prevalent prejudice of the time, which helps explain the need felt by many academics to remain "neutral" or "diplomatic." Matters were of a similar nature on the policy front where this type of reasoning was also utilised by international organisations, such as the World Bank, effectively avoiding research and discussion on the topic. The official stance of these organisations was that problems related to corruption constituted "a national issue" which was beyond the purview of the organisation's mandate meaning that interference into national political issues was not allowed. As Pearson points out, the reluctance of these institutions to address corruption can also be attributed to their "perception of themselves as politically neutral, the limitations of their charters and because of the sensitivities of many of their member States." (Pearson 2001,13).

### **Breaking the taboo**

This taboo was soon broken, at least within research, with the publication of Arnold Heidenheimer's *Political Corruption: Readings in Comparative Analysis*. In this work the author analysed the concept through three separate categories, all focusing on the public realm; public office, public interest and public opinion. He defined the three as follows:

1. Public-office-centred definitions: *definitions of corruption that relate most essentially to the concept of public office and to deviations from norms binding upon its incumbents...Corruption, while being tied particularly to the act of bribery, is a general term covering misuse of authority as a result of considerations of personal gain, which need not be monetary.*

2. Market-centred definitions: *"a corrupt civil servant regards his public office as a business, the income of which he will...seek to maximise. The office then becomes a – maximising unit" (Van Klaveren, 1957) or as Leff (1964) points out "Corruption is an extra-legal institution used by individuals or groups to gain influence over the actions of the bureaucracy. As such the existence of corruption per*

*se indicates only that these groups participate in the decision-making process to a greater extent than would otherwise be the case.”*

3. Public-interest-centred definitions: *“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” (Carl Friedrich 1966, 1972) in (Heidenheimer and Johnston 2002, 7-9)*

The first step towards breaking the taboo, apart from the publication of the work itself, was the relabeling of ‘corruption’ to ‘political corruption, bringing the term within the ambit of the political realm. This effectively lifted the concept to a philosophical level, reinforcing the term as above all a politically polysemic term, broadening the meaning of the word to be “linked with system decay” (Heidenheimer, Johnston, and Le Vine 1989, 12). The subject now fell within the realm of not only the social sciences but more specifically within the political science field, providing impetus to scholars to engage in corruption research. The political nature was now applicable to all political entities (states), reinforcing the political range of the term (Génaux 2004). In other words, corruption as a subject for research was applicable to all nations; whether a developing nation or not. The final straw that helped break the taboo was Heidenheimer’s application of this newly established framework in his analysis of the United States of America during the Watergate period. This effectively shook loose the concept from the political bias that until then had surrounded corruption and led to an opening of the floodgates of conceptualisations.

Before elaborating on any of the conceptualisations that exist of corruption, it is imperative to note that majority corruption studies and policies focus on the public sphere, not the private. The reasons for this are manifold. First of all, the public sphere is that within which the citizenry has a direct linkage to the state; through payment of taxes and the provision of public goods. In lieu of this, when public sector corruption takes place, the chief argument in favour of the public sector focus as fundamental, is that corruption weakens the accountability mechanism available to a state’s citizens, effectively weakening the collective action tool available to the populace. Furthermore, Andvig et. al (2001) argue that public sector corruption remains the centre of attention mainly because it acts as a prerequisite for controlling private sector corruption (Andvig et al. 2001; Booth

and Cammack 2013). Arguments from another angle pertain to the subversion of the public good as the central feature for focus on the public sector corruption versus private, wherein corruption occurs when those who are in charge of societies' "public goods" transform these goods into private goods (Booth and Cammack 2013; Rothstein and Torsello 2013). Although the aforementioned arguments focus on corruption in the public sphere, it is of interest to note, as Johnston points out, (2013) that the level at which corruption is investigated is the private, i.e. corruption as it occurs at the individual level (that is the private) whereas classical republican understanding focuses on corruption as a collective action problem. An imperative point is that all the above arguments focus on corruption at the output side of the equation.

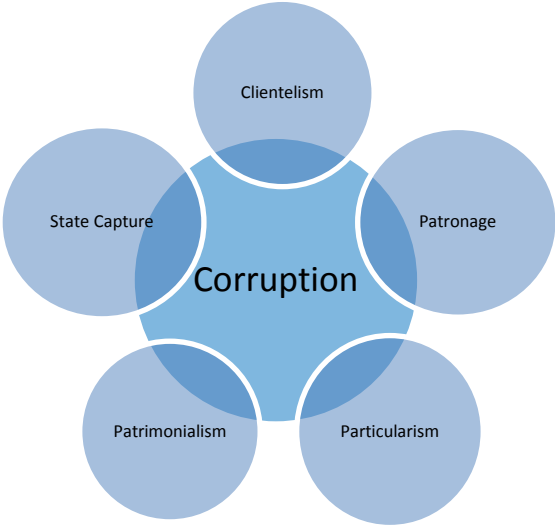
A more complex issue that arises in these studies is when corruption occurs at the intersection of public and private spheres, e.g. where "individuals engaging in corrupt behaviour within private companies for their own interest" affect the tax payers' money. One such example is the latest financial crisis, where the actions of the private banking sector effectively affected tax payer money when banks needed to be bailed out by respective states. This is concisely summarised in a comment by the World Bank:

the problem of corruption lies at the intersection of the public and private sectors. It is a two-way street. Private interests, domestic and external, wield their influence through illegal means to take advantage of opportunities for corruption and rent seeking, and public institutions succumb to these and other sources of corruption in the absence of credible restraints (World Bank 1997: 102).

This intersection of public and private sectors is a "grey zone" that is under explored in the literature as well as the policy circles. A stark example of this "grey zone" where public and private lines are blurred is the concept of state capture. State capture focuses on how the private sector exerts influence over the public sphere, mainly by shaping the formation of the basic rules of the game (i.e. laws, rules, decrees and regulations), whether this be through illicit and non-transparent private payments to public officials/politicians, or politicians exercising power (see state capture section). The corruption in this case takes place on the input side of the equation, unlike other types of corruption that occur at the output end – such as a public servant exercising his/her power partially.

Although the focus generally remains on public corruption it should be noted that the legal frameworks that have been developed/drawn, at least on the international and regional level (such as the European legislation and the Foreign Corrupt Practices Act of 1979) cater for both public and private corruption. However, corruption as a concept has not been viewed as a collective action problem so far.

Corruption has been explored within majority of the academic disciplines; however there is a gap within the current research, where the utilisation of corruption as an umbrella concept is for the most part absent. This paper intends to fill this gap by developing a core understanding that acts as a connector to side-lying concepts with which it is regularly utilised, such as clientelism, patronage and patrimonialism. The idea is to use corruption as an umbrella concept for this family of related concepts. The starting point will be to investigate the different conceptualisations that exist within the different disciplines.



**Mapping the disciplines**  
**Corruption as an Economic Issue**

In the 1980s the increased research on corruption in academia was not reflected within the policy circles nor in the policies that were being fleshed out. This was especially evident within major international policy institutions such as the World Bank and the International Monetary Fund (IMF). However, in the 1990s the concept was re-formulated as an economic problem. One such market-centred formulation is that offered by Van Klaveren:

“A corrupt civil servant regards his public office as a business the income of which he will...seek to maximise. The office then becomes a ‘maximising 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.” (cited in Johnston 1996,323)

The conceptualisation of corruption from the economic perspective gained momentum once corruption was identified as a deterrent to economic growth and development of nations, applicable especially to developing and transition nations (Jain 2001). Studying corruption as an economic phenomenon relates not only to the “economic advantage” in the form of bribes and kickbacks but also to subfields such as public finance, industrial organisation as well as the economics of crime and the role of the “invisible foot” in these subfields (Rose-Ackerman and Søreide 2011, Lambsdorff 2007). As Andvig et al. (2001, .6) make clear, by looking at the kinds of resources transferred, a distinction has been made between corruption in economic terms and corruption in social terms. Economic corruption takes place in a market-like situation and entails an exchange of cash or material goods, effectively making market-centred definitions a morally neutral, or “rational” (Hodgkinson 1997, 22) way of applying economic methods and models for the analysis of politics (Philp 1997, 48). As Underkuffler clarifies:

...corrupt acts, qua corrupt acts, are neither good nor bad; they are simply the manifestation of interests, which are equal – in any normative sense – to any other interests in the competitive sea” (Underkuffler 2005).

Social corruption, on the other hand, is conventionally understood as an integrated element of clientelism, where social aspects are involved, that is, the way people relate to each other, one form of which is interpersonal domination. As Médard elaborates, “*corruption takes many forms clientelism, nepotism, ethnic and other favouritism are all variants of corruption, in social terms* (Médard 1998:308). Another example of social corruption is as a social condition pointing to its effect upon the law. This is succinctly demonstrated by Ritner in his analysis of corruption in the writings of Nicolò Machiavelli:

Corruption is the loss of military virtue and therefore the inability to maintain the social cohesion and enforce the laws of the state. The laws of the state become corrupt when sects of persons in positions of authority misuse their magistracies for the purpose of personal or sectional gain, or in a way that circularly harms the maintenance and development of the virtue of the people. (Ritner 2011, 18)

On the policy side, the reformulation of corruption as an economic issue brought it within the purview of the mandates governing the institutions of the World Bank and IMF as well as other international organisations. The market-centred definition of corruption neatly severed itself from the behavioural definitions that surround the public office and public interest definitions. As a result, the concept of corruption was seen as no longer constituting a national political problem, but as an *economic* problem that crossed borders and affected us all (Rose-Ackerman 1999). The “Bretton Wood twins” soon treated corruption as an obvious aspect of the normative good governance agenda that was promoted as part and parcel of the policy world, once again aimed at the developing world.<sup>3</sup>

This focus of good governance is still prevalent at the time of writing; however at present the perception of corruption as a phenomenon limited to transition/developing countries (as an issue considered to be tied in with modernisation or economic development theories) is no longer as dominant. In fact, corruption is admitted as a problem to be found within the developed world, not least within the countries in the European Union (Charron, Lapuente and Rothstein 2013). It should be added that two prominent economists – the former chief economist at the World Bank, Daniel Kaufmann and the former chief Economist at the International Monetary Foundation, both have analysed the economic crash that started with the fall of the Wall Street investment bank Lehman Brothers, in terms of corruption (Johnson 2009; about Kaufmann, see Rothstein 2011, 388). Kaufmann’s statement about this is worth citing: “If anybody thought that the governance and corruption challenge was a monopoly of the developing world . . . that notion has been disposed completely.”

### **Corruption in legal thought**

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<sup>3</sup> This can be seen from the policies surrounding “good governance” agenda and the various conditional loans dependent upon fulfilment of good governance criteria.

A parallel development is detected in the 1990s, which saw an upsurge of conceptualisations of corruption within the legal field where Joseph La Palombara's definition of corruption stated that it was to be defined as "*any act performed by officials when departing from their legal obligations in exchange for personal advantages.*" (1994, 330). This definition helps limit the concept of corruption to stay within the framework of the law, providing guidelines as to what criteria covers and which does not cover corrupt acts – explaining why the legal conception of corruption to be the one utilised in many empirical studies. The conception has been criticised as too broad and also as too narrow. As Underkuffler points out, "*the idea of corruption-as-illegality*" [...] *suffer[s] from being simultaneously too narrow and too broad in scope; all illegal acts are not necessarily corrupt and all corrupt acts are not necessarily illegal*" (Underkuffler 2005, 21). The legal focus is usually centered on bribes and embezzlement, an aspect that is highlighted in the corruption legislation developed over the years. The problem with this legal type of definition is that this excludes many forms of what others may define as corruption such as various types of favours in which money is not involved. This can take the form of jobs in the public sector, various permits for business or construction or access to public services that are in high demand but "rationed".

Some of the earliest legislation specifically aimed at corruption is to be found in three English statutes – *Public Bodies Corrupt Practices Act 1889*, *Prevention of Corruption Act 1906* and *The Prevention of Corruption Act 1916*. These define corruption to include three main ingredients where the central focus is upon the narrow "gift or consideration" in relation to "public bodies and Government departments" (Hodgkinson 1997, 18). Here, corruption's main three ingredients are (i) that a gift of consideration was given or offered by one party to another; (ii) that the gift or consideration was given, or received, as an inducement or reward for services to be rendered or already rendered in relation to official duties; (iii) that the transaction took place corruptly (Salmon 1976:18). The statutes, however, are broader than early 20<sup>th</sup> century legislation surrounding corruption, a result stemming from the legislation placing the onus upon both corrupter and corruptee – allowing a broad scope of application.

Early legislation from the 20<sup>th</sup> century (and perhaps the narrowest) is the American Foreign Corrupt Practices Act (FCPA) of 1979 which stipulates that "payment of money or anything of value" as part of the acts covered by the law. Similar formulations make up the

Organisation for Economic Cooperation and Development (OECD) Anti-bribery Convention; however the scope is broadened in this Convention by including “other advantages” leaving room for interpretation of whether the advantage is pecuniary or not.<sup>4</sup> These two acts target the supply side of the corruption exchange, however the development of the corruption legislation of the 90s (such as the *European Council Criminal and Civil Law Conventions on Corruption*) kept broadening the coverage not only in terms of the definition of ‘corruption’ but also broadening the coverage to both supply and demand sides.

An aspect that has received a lot of criticism is the fact that the *United Nations Convention Against Corruption* (UNCAC) established in 2003 does not define “corruption” whereas “public official” is defined and delimited. It can be argued that the reason for this is to allow leeway for the legislation to cover situations of nepotism, patronage and patrimonialism. On the other end, extremely broad definitions of both corruption and corrupt conduct in legislation can be found as well; an apt example in this case is the *Australian Independent Commission Against Corruption Act 1988*, which sets out what is meant by corruption in section 8 of the act, describing not only corrupt conduct (that can vary from “*any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority*”). The scope of this act is so broad that an entire list of offences is offered that would be considered corruption. One aspect of this Act is that it includes within its ambit also the spheres outside of public officials; effectively including citizens as equally culpable of a corrupt act when interacting with public authorities. This is in contrast to many other anti-corruption acts which merely focus on the public official’s conduct. The onus is upon both parties to behave in a non-corrupt manner.

A further reason for the legal understanding of corruption as narrow is that the legal/illegal divide can easily exclude corrupt acts that are not covered by the law but may still be ethically wrong in the eyes of the public; such as instances of nepotism. As Sajo points out “...governmental sleaze is often completely legal but still unethical, for instance, the taking

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<sup>4</sup> OECD Anti-Bribery Convention 1997, Art. 1.1 Each Party shall take such measures as may be necessary to establish that it is a criminal offence under its law for any person intentionally to offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a foreign public official, for that official or for a third party, in order that the official act or refrain from acting in relation to the performance of official duties, in order to obtain or retain business or other improper advantage in the conduct of international business.



of a vacation in Madagascar and claiming the trip was intended to study how that country's public administration operates." (Kotkin and Sajó 2002, 3) This is an appropriate example of a case where officials act within the legal framework; their actions would not be classed as illegal per se, but would be seen as corruption by many citizens. This is the main limitation of the legal conceptualisation of corruption.

Another limitation of legalistic definitions of corruption is in the case of systems where the legal set up is as such that extortion is embedded within the system and where this would be considered legal – an example of which, according to Kotkin and Sajo (2002), can be found in some post-communist countries. Although the legal definition of corruption is often viewed as the safe route to take, what is overlooked is that laws may be enacted that allows the use of public office in ways that by many citizens would be seen and understood as corruption.

### **Corruption from the sociological perspective**

The sociological perspective of corruption is a latecomer to the corruption debate (Hodgkinson 1997, 17) however one that makes an important contribution. Unlike the prevalent liberal approach (where the focus has remained upon the individual (i.e. the public official), the sociological aspect investigates the state-people linkage; veering focus away from the individual, raising it to the organisational level and effectively bringing into focus the society at large. At the centre of the sociological approach is the evolving character of the state-society relation which is looked at to understand how corruption is operating; wherein the individual finds himself/herself. This approach redirects attention to the organisational behaviour and organisational rationality which is an advantage because it takes into account the evolving character of corruption in association with the evolving character of the state (as organisation). Syed Alatas' (1968) model of corruption helps gain an overview of this nuanced approach:

- (a) a betrayal of trust;*
- (b) deception of a public body, private institution, or society at large;*
- (c) deliberate subordination of common interests to specific interests;*
- (d) secrecy of execution ...;*
- (e) the involvement of more than one person or party;*
- (f) the presence of mutual obligations and benefits, in pecuniary or other form;*
- (g) the focusing of attention on those who want definite decisions and those who can influence them;*

*(h) the attempt to camouflage the corrupt act by some form of lawful justification;  
and  
(i) the expression of contradictory dual functions by those committing the acts  
(Underkuffler 2005, 25)*

This involves important nuances that can be detected by characteristics (b) and (c) where the collective is weighed in heavily versus the individual. This aspect, where the changing character of the organisation is taken into account, is one that remains overlooked within current corruption research; resulting in the non-detection of the presence of corruption within developed countries, where a “primary” understanding of corruption is still utilised. In contrast to the “primary” understanding, the nature of corruption has altered due to the alteration of the state and its functions wherein it exists. An important analysis of this is presented by Hodgkinson (1997) who investigates corruption at the state level in relation to the so called “New Public Management” reforms that has been instilled in the United Kingdom and some other Western countries.<sup>5</sup>

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<sup>5</sup> As for political science, the prominent corruption scholar Michael Johnston has stated that “American political science as an institutionalized discipline has remained steadfastly uninterested in corruption for generations” (Johnston 2006, p 809). As shown by Rothstein (2014), corruption as a topic is absent in the ten large “Handbooks” in the various sub-disciplines of political science that have been published by Oxford University Press since 2006. He also shows that corruption is a very rare issue in the leading journals of the discipline.

## The Evolution of Corruption as a Concept

The concept of corruption is an age-old concept, perhaps as old as human civilisation (Von Alemann 2004). The underlying meaning of the concept that is understood universally, no matter what culture or society, is the one forwarded by religion – where morality and corruption are two sides of the same coin (two binary products). The soul represents purity, while sin represents the immoral act, which effectively corrupts the soul.

A prominent example from the Abrahamic religions is that of Adam eating the apple in the Garden of Eden, giving in to the temptation that was forbidden to him. Or to utilise one of the nine definitions found in the Oxford English Dictionary “*Moral (corruption) – a making or becoming of morally corrupt; the fact or condition of being corrupt; moral deterioration or decay; depravity.*” (Heidenheimer, Johnston, and Le Vine 1989, 7)

The concept’s Biblical origins were briefly alluded to by Carl Friedrich when analysing the moral and political paradox forwarded by Lord Acton in his famous dictum of “power tends to corrupt and absolute power corrupts absolutely.”

*Such deep suspicion of power has, it would seem, a religious root, and is typically Western and Christian. It harks back to the notion of the kingdoms and to the contrast between the earthly and the heavenly city . . . Such corruption, being in fact a decomposition of the body politic through moral decay, is a general category to include all kinds of practices which are believed to be dysfunctional and hence morally corrupt.* (Freidrich, 1972, 16)

The role played by the Augustinian tradition in the moral and political conception of corruption is further reflected in Genaux’s conclusion. In tracing the evolution of the term “corruption” within the social sciences she argues that “*corruption did not belong to the legal vocabulary of the Ancient Regime but to a politico-moral lexical field mainly drawn from the Bible... ‘Corruptio’ and ‘corruption’ are in effect biblical words whose function is central to the Holy Book*”(Génaux 2004). It is this moral lens through which corruption has been analysed in the political thought ranging from Enlightenment thinkers to scholars of present day.

Other scholars have traced the roots of the concept of corruption within social settings as far back as to antiquity. Scholars such as Noonan trace the roots of the concept to the Middle East; where in Mesopotamia and Egypt ‘*from the fifteenth century B.C. on, there has been a concept that could be rendered in English as “bribe”, of a gift that perverts*

*judgment.*' (Noonan 1984, 13) He demonstrates how corruption as a notion has been present since antiquity and been under debate in state (whether in Rome or Greece).

The politico-moral character of corruption has remained a constant throughout its conceptual evolution. This is evidenced by the way the Romans used it "in reference to a specific human activity (bribery) or in the more general sense of destroy, lay waste, adulterate or spoil..." (Euben, 1989, 220). According to Livy, both moral and political terms are the basis for understanding corruption. An example of this is the Roman usage to cover "political decline." Furthermore, the presence of corruption as a concept within Roman law is highlighted by Génaux:

...in law the term had... an official status associated to the criminality of certain agents of public power: "corruption" was used in Roman law as in *ius commune* to incriminate the practices inherent to the exercise of justice. (Génaux 2004)

This quote highlights the fact that the term corruption was very much within the public realm; where the term was applicable to holders of public power. Génaux further highlights the link between the understanding of corruption and justice, where a holder of public power who is responsible for exercising justice, is considered corrupt if he fails to deliver justice. According to this line of thought, an unjust power holder is corrupt, therefore corruption is injustice.

The evidence above points to the concept not being specifically Western nor new but also reinforces the concept as very much universal and not limited to the modern liberal West (Kurer 2005, Rothstein & Torsello 2013). The classic conception of corruption as a general disease of the body politic was central to the thinking of Enlightenment thinkers such as Machiavelli, Montesquieu and Rousseau, aptly described by Friedrich in mapping the historical evolution of the concept. The evidence points to the presence of corruption during the times of these philosophers, explaining how the concept entered the political thought through the religious venue and was seen as a moral problem and/or a problem of virtue (Freidrich, 1972, 19).

The utilisation of this politico-moral analysis is elaborated by Ritner who shows how Machiavelli, extrapolating from the religious realm to the political realm, conceptualised corruption as the greatest ill in governance capable of bringing down an entire state. Although Machiavelli builds upon the republican interpretation of corruption, Ritner

argues that Machiavelli does not view government as black or white (“good” or “bad”) but as different shades of grey; where a state can be both ‘good’ and ‘bad’ at the same time, with the main focus on maintaining an enduring state (Ritner 2011). In a similar manner, Heidenheimer, following Friedrich, traces the understanding of corruption back to the fathers of Western classical political thought – Aristotle and Plato.

### **Republicanism vs. Liberalism**

This tracing process brings to our attention the republican school of political philosophy through which Aristotle and Plato understood corruption. Before embarking on the contrast between liberalism and republicanism, it is imperative to distinguish the republicanism that we refer to. In the literature there are two stark strands of republican political theory. On the one hand the contemporary understanding of virtue, liberty in relation to the *individual* and on the other hand the classic republicanism that focuses on virtue, liberty in relation to the *collective*. Nelson traces the different understandings to different periods; the former is traced to Cicero and the Roman understanding of republicanism, which came about due to private property laws. It is of this tradition that Machiavelli is said to stem from (Dryzek, Honig, and Phillips 2006). On the other hand is the Greek – Aristotelian – republicanism that also focuses on virtue and liberty but with the collective as its fulcrum. For a brief understanding of what this classic republicanism is, we turn to the fundamental difference between liberalism and republicanism so that one may effectively differentiate the concepts and allow them to stand in their own right (Gerring 2012).

In liberal theory, society is viewed in two parts: The public/collective (that which is seen as outside, cold and distant from oneself) and the private (inside, close to oneself and familiar) (Pitkin 1981); where the private trumps the public. As is evident from Hobbes’ writing, there is a separation of the two, where only one survives, without the other, effectively dissipating the need to focus upon the tension that is created between the two realms. The main concern, at all times, is the individual since the “I” is trumping the “we”.

In contrast, the classic republican school does not adhere to this separation but views society as a whole; taking into account both the public (collective) and the private (individual), where the collective (public) is viewed as superior in relation to the individual (private). It is this holistic approach that accepts the tension that exists between all aspects of pairs in values, one of which is the collective value vs. the individual,

echoing the need for a balancing act in order to reach the public values constituting the “good society.”

The classic republican outlook gives weight to both “we” and “I” and thrives off of the tension that is created in the duality. This focus on the collective (in classic Republicanism) versus the liberal-individualistic is succinctly summarised by Aristotle’s analogy to the human body;

...the state is by nature clearly prior to the family and to the individual since the whole is of necessity prior to the part; for example if the whole body be destroyed, there will be no foot or hand except in an equivocal sense, as we might speak of a stone hand for when destroyed the hand will be no better [...]The proof that the state is a creation of nature and prior to the individual is that the individual, when isolated, is not self-sufficing; and therefore he is like a part in relation to the whole. (Aristotle 2000, 29)

It is this fundamental difference in point of departure that translates into the different conceptions that the respective schools’ have of what constitutes the “good society” and man’s role in society, liberty, politics, and of course, “corruption.” In liberal thought the role of politics in the “good society” is to dominate others. As Shumer points out, according to leading contemporary political scientist such as Robert Dahl, men are by nature “privatised and that they relate to each other in the political sphere in terms of private interests and through the medium of power as domination” (Shumer 1979). To begin with, in this liberal individualistic approach, man is not viewed as a “political animal” where the primary relation is to the collective “body politics”. Instead, man is viewed as privatised; this outlook (through the lens of private vs. public) creates a trade-off where “privately oriented men perceive the political arena only as a place to project their own interests in competition with others” (Shumer 1979). There is a choice to be made and in this choice, the “self” is always primary to the collective instead of allowing both “public” and “private” to co-exist. In this liberal-individualistic ideology, the “good society” is seen as a playing field of constant trade-offs where “the raw capacity to dominate mediates political relationships” resulting in “decisions inevitably go[ing] to the most powerful whose private interests win the competition.” This individual focus has been criticised as to how it can get out of control;

...when private gain is the sole motivating force there are no checks to restrain either violence of disputes or search for complete domination. It undermines a people's political potential. For privatised politics enacts the deliberate refusal to seek for the universal or general and it is to reject even the attempt to distinguish between subjective private desire and a collectively determined public good (Shumer 1979).

In the alternative republican thought, the "good society" is a collective action problem. All agents may very well know that if they just strive for their own self-interest, the famous "free-rider" problem will risk destroying the possibilities for creating the "public goods" they all need in order to prosper (Olson 1965, Ostrom 1990). Moreover, if for some reason such public goods have been created, such as the rule of law or an impartial and honest public administration, self-interest may reach levels of individual opportunism that the goods in question will be destroyed. Distrust that "most others" are playing fool may create a "social trap" situation in which the agents are, by their very distrust, locked into a sub-optimal situation. This is because the necessary amount of interpersonal trust cannot simply be "manufactured" if genuine distrust has infested the group/society, although "everyone" knows that they would all benefit from such trust (Rothstein 2005). The genuine dilemma in all such collective action/social trap type of situation is how to balance the tension created between private self-interest and the "public good". This is solved through the medium of politics; helping explain Aristotle's proclamation of man as a political animal, upon which a "healthy society" requires its citizens to be political so that each is able to contribute to what is the overall wellbeing of society and thereby effectively increasing their own wellbeing. In her work about political representation, Hanna Pitkin reinforces the importance of citizens leading a political life because it is

...the activity through which relatively large and permanent groups of people determine what they will collectively do, settle how they will live together and decide their future, to whatever extent that is within human power. Public life in this sense is of the utmost seriousness and importance (Pitkin 1981, 343).

Furthermore, republican thought treats the "good society" as a living organism; where the "good society" along with its citizens is constantly changing (Machiavelli, in Walker, and Clough 1975). The values within this society are also constantly evolving and not seen as a static feature. This results in the ultimate understanding of the "good society" as that of a balancing act between the self and the collective. As John Schaar points out, the good society is:

...a community in which men can be both conscious and individual and share the moral bonds and limits of the group” emphasising that the tension is important in its own right “We must seek ways to live with the tension, rather than ways of abolishing either community or individual privacy. (cited in Shumer 1979, 13)

This balancing act is achieved through the active participation in the political arena of a polity’s citizens in which both private and public interests are allowed to exist side by side deciding the polity’s common life.

A strong criticism that the republican school is met with is that it is self-sacrificing of individual needs and identity. However, republicanism is not altruism as Shumer is careful to point out

public values are not a form of selfless altruism, but rather the way in which a given society responds to this challenge [of handling the tension between private and public]...Thus a political people value political action and their own participation as a way of relating to others and of coping with and shaping their common life. (Shumer, 1979, 13)

The role of the individual within the polity is seen as imperative where they are “an active audience with their power gathered together and focused to resist when necessary”. The individuals must be persuaded, not commanded (Shumer 1979, 17). However, in the liberal “good society” citizens tend not to be political, because they realise that “they can advance their private interests more effectively through non-political means” such as being successful in markets or in social/private relations (Shumer 1979, 10). In contrast, the republican focus on the whole collective allows one to take into account the “living” character of the polity, both the evolution of the polity balanced with the evolution of the individuals that make up the polity. A good example of this is provided by Aristotle himself

Just as a living body is composed of parts which must grow proportionally if balance is to be saved, since otherwise it would be destroyed (if for example the foot of an animal were 4 cubits [1.78m] and the rest of its body two spans [.44m]; the species may even change to another one if this disproportionate growth is not only quantitative but also qualitative), so a city also is composed of parts one of which often grows without being noticed, for example the mass of the poor in democracies or polities... (cited in Pellegrin in (Shields 2012)



In contrast to this, the liberal focus on the agents' self-interests creates an imbalance as it ignores the evolution that occurs at the polity's level that concerns about how the individual should come to understand their "true" interests, or to use the famous words of Alexis de Tocqueville, "self-interest rightly understood". The republican school views all aspects of society and life with a view to the "whole" whether this is "health"/"good society" or the opposite – corruption. The liberal view is the flip side of the same coin, where the individual reigns supreme, where all issues are viewed at the individual level, e.g. health, 'good society' or corruption. In sum, the republican approach views politics as a way of life and not as something separate from the private realm.

As mentioned earlier, the focus of "I" versus "we" is one that trickles into the various understandings of politics, whether this is liberty or corruption that exists in both schools of thought. In liberalism where the focal point is the individual, liberty is also assessed at the individual level, where the tension that exists is between the individual versus the political state. There is a constant suspicion that the authorities (the collective) want to usurp upon the individual liberty. Some scholars have gone as far as to criticise liberalism as not actually having a concept of what the good life constitutes. As pointed out by the prominent communitarian philosopher Michael Sandel, "...my objection to liberalism is not that it emphasises individual rights but that it seeks to define and defend rights without affirming any particular conception of the good life" (Sandel 1999, 210).

On the other hand, republicanism understands liberty as a balancing act as well, where "common liberty" is weighed against "individual liberty." Shumer is one of the main scholars that focus on pointing out Machiavelli's effort of maintaining the importance of "public liberty" in tension with "individual" liberty,

...common liberty rests on the respect and acceptance of the liberty of all. The phrase 'common liberty contains the senses: first, that men live and act together in a political community; second that each expresses his individuality in his political action; and third that these two conflicting factors must constantly be held in tension (Shumer 1979, 14).

Once again, in Republicanism, it is the acceptance of the existence of both public and individual liberties that is seen as creating the best outcome. The tension, it is argued, brings forward the best balance that serves as the basic ideal for the "good society".

An interesting development in the scholarship surrounding republicanism is how liberalism has penetrated its understanding. A good example is the definition of republicanism provided by the Stanford Encyclopaedia of philosophy. In this Lovett (2011) provides the reader with the contemporary definition of republicanism, pertaining to be understood as political liberty. The article divides the republican scholars into groups: Scholars such as Machiavelli are termed classic republicanism, and the contemporary scholars exploring republicanism are labelled as civic republicanism. What is of interest, is that this contemporary civic republicanism draws on political liberty mainly in reference to the individual, the “I”, reiterating the liberal stance where the individual/private is of central importance.

In contrast, the scholars that explore republicanism as political liberty in reference to the collective have been neatly labelled as civic humanists (such as the well-known republican Hanna Arendt). This separation effectively divorces the original understanding of republicanism – where the collective is above the individual - blurring the distinction between the two political philosophies; a danger where modern republicanism is now in lieu with liberalism.

Dagger not only encourages this overlap but clearly aims to create a category of its own, a hybrid that focuses on the similarities of the two political theories “...we should pause to consider whether republicanism and liberalism share enough features to make a hybrid possible, perhaps in the form of a ‘more civic-minded liberalism’ that might be called republican liberalism” (Dagger 1999, 210).

This search for similarities between republicanism and liberalism negates the opportunity to critically assess the flaws that exist in today’s political science realms. Instead of labelling the critics as civic humanists, the scholarly realm should take heed to Shumer’s (1979) advice and utilise this political theory to re-assess the current state of affairs from the view of “outside” eyes, in order for us to improve the current political theories that we utilise (Shumer 1979, cf. Sandel 1999).

### **Corruption through republicanism vs. liberalism**

Unlike today’s liberal understanding of corruption, the republican school of thought, developed by Aristotle, explores this “dysfunctional” character of corruption which is rooted in the relationship between politics and philosophy, “*sophia and phronesis*, ”

effectively politico-moral understanding of corruption. Aristotle viewed government as a duality, good vs. bad, corruption versus virtue - a balancing act where governance was not examined in isolation on any single matter but viewed in context of duality, allowing this to serve as the balance. According to Euben, Aristotle adopts a moral definition of corruption, as he defines the concept in his *“Politics”* (Euben, in Ball, Farr, and Hanson 1989, 227):

This definition - “When a constitution systematically falls short of the paradigms of action, character, and justice which give it unity and definition, it is corrupt.” – is propounded in connection to what Aristotle understood as the “good society” or ideal regime, which will lead to the society’s ultimate goals of virtue and happiness, because states exist for virtue and happiness. It is in reference to this idea that corruption is conceptualised where corruption and virtue form the basis for good/bad government thereby creating a duality. Therefore, in order to understand Aristotle’s conception of corruption, it is imperative to have a “correct” understanding of what constitutes the “good society.” According to Aristotle there are six main characteristics (from Heidenheimer, Johnston, and Le Vine 1989, 227-229);

1. Citizens share in the administration of justice
2. All commercial transactions subject to moral purposes of household management, towards the moral ends of polis.
3. Plurality of contributions and points of view.
4. Equality – “...what matters is that equals be treated equally and unequals be treated unequally.”
5. Private interests or associations subordinate to higher more inclusive public interests and associations
6. Citizens are soldiers and soldiers are citizens

As Euben points out, Aristotle was concerned about the moral quality of public life. The very first pillar reinstates the importance of the philosophical stance of morality, singling together morality and politics, where effectively a polis is a partnership in virtue shared between citizens. The strand of morality in understanding the concept of corruption is followed through in each and every pillar where the collective good is viewed as superior to that of the individual and political action is always weighed against the virtue of the

society. This is evidenced in the second condition, where, faithful to duality, the condition is followed by an explanation of what corruption would be: "...a corrupt city is one where gain is valued over friendship, private interest valued over common good, and materialist ideologies and motives are the animating forces of individual and collective life." The collective or common good ("moral ends of the polis") is weighed above that of the private/individual – the importance of which is highlighted by the third condition, an issue further elaborated by Euben:

Each citizen must be committed to the common good but this needs to be viewed through different eyes. It is the shared view that becomes the basis for 'mere difference to become recognised as diversity.'(in Ball, Farr, and Hanson 1989, 228)

Once again, two opposites provide the basis for a healthy society in order to create the desired balance. On the other end, a corrupt society would be one where there is politics without community or a community without politics. Understood through the lens of Aristotle's "good society", corruption constitutes that which goes against the moral well-being of society, that is, a situation which ultimately contradicts the "common good" (as decided by the collective). The end result of this is injustice. Through this duality approach, Aristotle attempts to combine the exoteric (that is the material) with the esoteric (whether this be argued as philosophy or religion) in the form of morality – that is the philosophical wellbeing of the society, when assessing how best to achieve the idea of "good government." Ultimately, a corruption free society is a public good, in Aristotle's own words:

In all sciences and arts the end is a good, and especially and above all in the highest of all – this is the political science of which the good is justice, in other words, the common interest." (p. 125 in Politics)

In essence, the common interest not only elucidates the absence of corruption but also brings to fore the common interest to be justice. It is this inclusion of philosophy and politics on one plane that is missing in today's political science discussion surrounding the concept of corruption, rejected on the basis of the approach being "moralistic and subjective" (You 2007). The present discussions utilise a liberal approach, in an attempt to "develop a politically neutral, methodologically respectable, operationally viable definition of corruption" defending itself as objective, where "empirical examination is certain to contribute more to an understanding of political corruption than the roundest condemnation." (Euben 1989, 243) It is the understanding of this paper that a return to the

republican understanding of the concept of corruption is necessary, on the very grounds that the liberalists reject it – it is subjective and moralistic. However, it is only when the philosophical and the political science are married that a deeper and more solid understanding will be reached of what corruption truly is. By rejecting the republican understanding as “moralistic and subjective” the liberalist approach not only reverts the focus solely upon the individual, it also distances itself from the moral foundations of the republican idea of corruption. A problematic consequence of this is that the liberalist approach ultimately distances itself from the idea of justice being a collective value – one that is decided by the society. This would be as if we would remove the issue of human rights from the idea of intrinsic rights and instead locate them in conceptions of self-interest. As stated by Euben:

The more principles, contributions and points of view a polis includes without losing its coherence or vitiating its moral end, the more it becomes a whole, the same way that the more experience and previous thought a theory takes into account the more impartial it becomes. (in Ball, Farr, and Hanson 1989, 229)

As the above quote clarifies, the reason why the republican understanding of the concept of corruption needs to be brought back into the academic debate is not only to bring in “previous thought”. Instead, the reason is to gain an understanding of what, in an increasingly globalized world, could be commonly seen as the “good society”. As argued by Amartya Sen (2009), it is upon such shared norms of human well-being that the concept of justice must be founded and this must ultimately be based on a set of moral arguments that are different from atomistic individuals pursuing their self-interests. The foremost example of which are the human rights laws which are rights intrinsic to being human, whether or not one’s state has signed up to the UN’s Human Rights Declaration. The main contribution of the republican school of thought to the corruption debate is the insight of the complexity that surrounds the concept of corruption. That it is a concept that has constantly been rooted in politics, the understanding of which has evolved according to the values that we associate to our ideas of present morality and justice.

### **A Universal Concept?**

As is shown above, the past two decades’ upsurge of research surrounding the concept of corruption has resulted in the problem of “over-definition” that is now recognised as an

acute problem (Deysine 1980). One can say that the most prominent gap in the corruption literature is the lack of a unified concept (Deysine 1980, Andvig et al. 2001). Effectively, as pointed out by the Council of Europe “no precise definition can be found which applies to all forms, types and degrees of corruption, or which would be acceptable universally as covering all acts which are considered in every jurisdiction as contributing to corruption.” (Pearson 2001, 6). As Pitkin points out, in political science we shouldn’t expect there to be a “single, unifying, consistent rule that fits all cases” (1981, 93).

This poses many problems one of which is bringing together the different forms of corruptions; such as for example clientelism, patronage, nepotism and patrimonialism onto one comprehensive analytical landscape. Philosophically, concepts such as these all share a “core” with corruption which appears to be the reason justifying why these are constantly examined hand in hand (Kotkin and Sajó 2002, Kawata 2006, Kitschelt and Wilkinson 2007). It is perhaps in lieu of this that scholars have attempted to identify a “core” that can be pinned down, which binds these different forms of corruption together, thereby going beyond the cultural or relativist understandings that tend to dominate within much of the empirical research. The purpose of the following section is to analyse to what extent a “core” or universal concept of corruption exists on a philosophical level that would connect the various forms of corruption; such as clientelism, patronage, patrimonialism, particularism and state capture.

### **Is there a “core” to the concept of corruption that is universal?**

“Any attempt to analyse the concept of corruption must contend with the fact that in English and other languages the word corruption has a history of vastly different meanings and connotations.” (Heidenheimer and Johnston 2002, 3)

The quote above highlights that corruption is a relativistic concept where culture, history as well as language plays a role in how the term is understood. It ignores the fact that corruption seems to be something that all societies shun and that it is not confined to the more complex/modern/western ones. In Latin the word is “corrumpere” meaning (decay) whereas for example in Urdu, the word for corruption is “be-imaan”, literally translating to ‘without conscience.’ All languages may not share the same or similar term for corruption, however the underlying concept and the general understanding is what has remained the ‘red thread’ within societies. This is well illustrated by Kotkin and Sajo:

Even if the code of certain societies emphasises the importance of gift-giving, including public transactions, it is clear that such gift rules do not rule out the concept of impermissible levels of gifts or a disregard of public duties. A gift culture does not exclude either the concept of public trust or the breach of rules in exchange for impermissible advantages. Furthermore, because of increased intra- and inter-societal communication and exchange, the chances of a universal understanding and condemnation of actual practices have increased (p. 30)

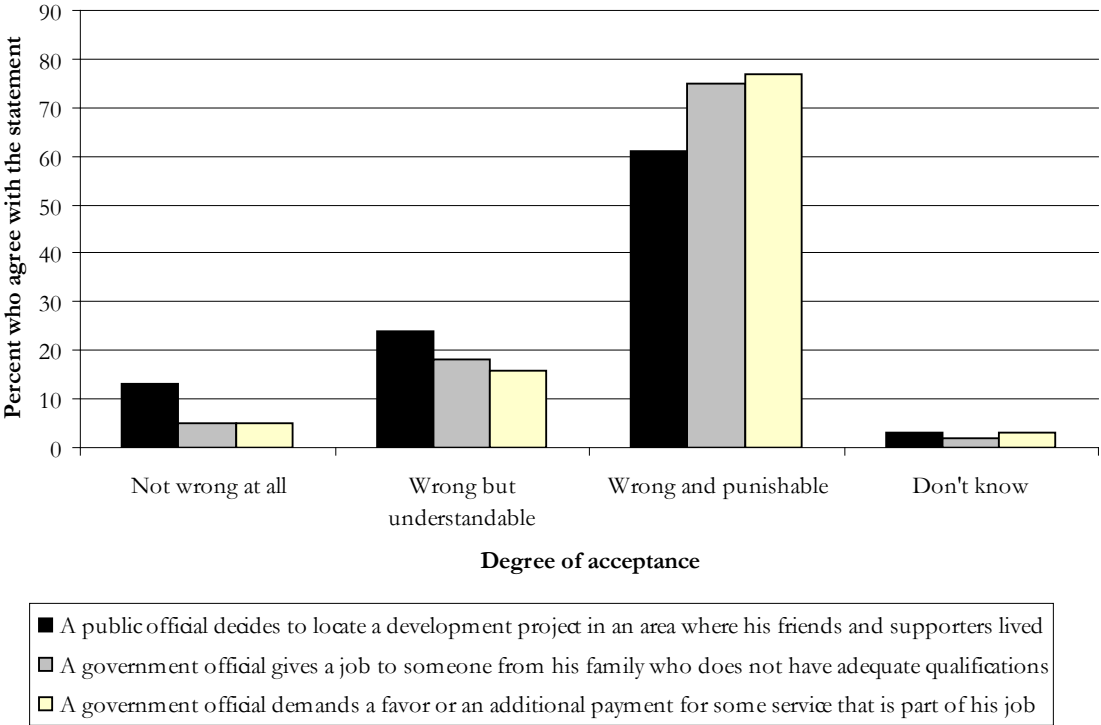
This highlights a truth that appears implicit within the research as well as policy circles – that there is a universal understanding of what corruption constitutes even if all languages do not share the identical term. Like Karklins points out, there may be a difference in the way corrupt acts express themselves but that does not change the core meaning of the concept (2005, 6). This point is particularly relevant to the discussion that has erupted concerning the issue if the increased anti-corruption effort from many international organizations is to be seen as hiding a neoliberal, western-liberal or post-colonial political and ideological agenda (Hindess 2005, Glinavos 2008).

The development of the international anti-corruption regime since the late 1990s has not been without its critiques. One point that has been stressed in this critique is that the international anti-corruption agenda represents a specific western liberal ideal that is not easily applicable to countries outside that part of the world (Heidenheimer 2002, Bukovansky 2006, Bratsis 2003). There are at least two arguments against this type of relativistic conceptual framework. The first is normative and based on the similar discussion in the areas of human rights and democracy. First, the right not to be discriminated by public authorities, the right not to have to pay bribes for what should be free public services and the right to get treated with “equal concern and respect” from the courts are in fact not very distant for what counts as universal human rights. For example, for people that do not get the health care they are entitled to because they cannot afford the bribes the doctors demand, corruption can result in a life-threatening situation. The same can occur for citizens that do not get protection by the police because they do not belong to the “right” group. The second reason against a relativistic definition of corruption is empirical. Although the empirical research in this area is not entirely unambiguous, most of it points to the quite surprising result, that people in very different cultures, seem to have a very similar notion of what should count as corruption. Survey results from regions in India and in Sub-Saharan Africa show that people in these societies take a very clear stand against corruption and understand the problem in the same manner as it is understood by

for example organizations such as the World Bank and Transparency International (Afrobarometer 2006, Widmalm 2005, 2008, see also Miller, Grødeland, and Koshechkina 2001 as well as Nichols, Siedel, and Kasdin 2004;).

For example, when asked by the Afrobarometer (2006) survey whether they consider it “not wrong at all,” “wrong but understandable,” or “wrong and punishable” if a public official: 1) decides to locate a development project in an area where his friends and supporters live; 2) gives a job to someone from his family who does not have adequate qualifications, and; 3) demands a favor or an additional payment for some service that is part of his job, a clear majority of respondents in countries severely hit by corruption, such as Kenya and Uganda, deemed all three acts both wrong and punishable (see figure 1 below).

FIGURE 1. MORAL APPROVAL OF CORRUPTION IN TWO AFRICAN COUNTRIES



Source: Mattes et. al 2008. ,(n = 1278 for Kenya and 2400 for Uganda).

As can be seen, it is only a small minority of the respondents who find that such acts as “not wrong at all” and the group that finds them “wrong but understandable” is also small. Widmalm (2005, 2008) finds similar results in a survey study of villages in India.



Although, in reality an absent figure in these villages, Widmalm finds that the Weberian civil servant model (impartial treatment of citizens disregarding income, status, class, caste, gender, and religion), has a surprisingly large support among the village population. In other words, the idea put forward, by among others Heidenheimer (2002), that the public acceptance of what is commonly understood as corruption varies significantly across cultures does not necessarily find support here.

The reason why people, although condemning corruption, participate in corrupt practices seem to be that they understand the situation as a “collective action” problem where it makes little sense to be “the only one” that refrains from using or accepting bribes and other kick-backs (Karklins 2005, Persson, Rothstein and Teorell 2012). As Gunnar Myrdal stated in his analysis of the “soft state” problem, in relation to developing countries already in the 1960s, “Well, if everybody seems corrupt, why shouldn't I be corrupt” (Myrdal 1968:409). In his anthropological study of corruption in Nigeria, Jordan Smith (2007:65) concludes that “although Nigerians recognize and condemn, in the abstract, the system of patronage that dominates the allocation of government resources, in practice people feel locked in”. It makes little sense to be the only honest policeman in a severely corrupt police force, or the only one in the village who does not pay the doctor under the table to get ones children immunized if everyone else pays (Persson, Rothstein & Teorell 2012). This may also be caused by a distinction pointed out by Bauhr between “need” corruption, which she defines as paying a bribe to get a service (like health care) that you are legally entitled to, and “greed” corruption which is demanding a bribe for a service that you otherwise would not give although it is your legal obligation to do so (Bauhr 2012).

In his classic study of clientelism and particularism in southern Italy, Banfield (1958) found that it made perfect sense to all the family in the village of Montegranezi to be amoral familists since everyone was expected to be or eventually to perform according to this social template (Banfield 1958). The spatial universalism of corruption increases theoretical depth when considering that even temporal approaches to this phenomenon have provided similar conclusions. Analyses of what counted as corruption in very distant pasts, such as the Roman Empire or XIII century France; give the impression of not being different from contemporary notions of the concept (MacMullen 1988, Jordan 2009).

The attempt to identify a core concept of corruption that can be applied universally has been present in the literature. Friedrich was one of the earliest scholars to venture onto this path, identifying that a core meaning emerges from an overall analysis of the different meanings, offering a definition of corruption as “a kind of behaviour which deviates from the norm actually prevalent or believed to prevail in a given context, such as the political” pointing out that what matters is private gain at public expense (Friedrich 1972). The definition has been criticised as too broad, reflected also by Heidenheimer’s contemplation of “corruption” having lost meaning, so much so that the replacement of the word was suggested – that was to replace it with the word “graft” (Heidenheimer, Johnston, and Le Vine 1989, 12). However, the changing of the term did not solve the problem. Instead, it was the lack of unity within the field itself as to what the concept means, resulting in the continued search for a concept that can carry that core meaning without being lost in translation. This should also highlight the importance of formulating a universal concept that refers to the core characteristics of corruption.

Another example of this is Karklins (2005) work, where corruption is identified as a structural problem of post-communist transition states in the form of clientelism. Karklins identifies the “core” as “misuse of public power for private gain” defending it to be a definition that is culturally neutral where the underlying injustice is seen as the same everywhere (see also Sajo 2003). In another attempt, Philp sets out five core criteria in order to recognise political corruption:

- 1. A public official (A)*
- 2. in violation of the trust placed in him by the public (B)*
- 3. and in a manner which harms the public interest*
- 4. knowingly engages in conduct which exploits the office for clear personal and private gain in a way which runs contrary to the accepted rules and standards for the conduct of public office within the political culture*
- 5. so as to benefit a third party (C) by providing C with access to a good or service C would not otherwise obtain.*

The shortcomings of the above core values are that they are only applicable in a setting where the political culture is clearly shared and rules governing the conduct both of public officials and members of the public in their dealings with these officials (Philp, 2002, 43). Diego Gambetta is yet another scholar that has proposed a core definition of corruption. He argues that corruption need not be unethical, inefficient or illegal (Gambetta 2002, 26). On the other end of the spectrum scholars such as von Alemann regard the search for a

universal concept as the academic Holy Grail, that is, something which is ultimately unattainable. In lieu of this, Alemann presents a multi-dimensional approach that takes into account five different approaches; its historical development (corruption as social decline), the sociological understanding (corruption as deviant behaviour), the legal and economic perspective (corruption as logic of exchange), corruption as a system of measureable perceptions and corruption as shadow politics (von Alemann 2004, 26). This approach argues that corruption is an ever changing concept, helping to view it within its social settings. However, this ignores the “core” understanding that is shared universally, i.e. the underlying current for corruption being condemned in almost all known societies.

Returning to Karklins’ earlier defence of a core meaning centred around injustice, a strand of research centred on justice has developed where the angle of injustice/justice has been taken up as the core meaning with the attempt to conceptualise corruption with a maximal definition (Gerring 2012). One of the scholars that examines this maximal definition is Génaux, who forwards the proposition of the relationship between rulers and ruled (government and citizen), in every age to be centred around justice. In this relationship of ruler and ruled, the idea of justice is the main duty expected from the political leaders where “*corruptio started to designate the set of unjust deeds committed by the holders of supreme public offices*” (Génaux 2004, 21). Putting forward the politico-moral angle of corruption as injustice, the term corruption refers to unjust deeds committed by holders of power. Concluding that a basic core meaning of corruption does exist which in its figurative sense has long meant, and still means, injustice, Génaux states that:.

In my view there does exist “a basic core meaning” of the word and it encompasses Friedrich’s definition: ‘corruption’, in its figurative sense, has long meant, and still means, injustice (Génaux 2004, 22)

This not only reinforces why the technical sense of corruption cannot be understood without the rich polysemy of the term, but also highlights the republican understanding of corruption as a collective action problem wherein a corruption-free society is a public good.

### **The public goods approach**

One way to understand why there seems to exist a universal understanding of what should count as corruption despite its enormous variation both in types, frequency and location, is

what we would call a *public goods approach* to this problem. In all societies/cultures, in order to survive, all groups of people have had to produce at least a minimal set of public goods such as security measures, a basic infrastructure or organized/collective forms for the provision of food. As Fukuyama (2011:29ff) has argued, the very idea proposed by rational choice oriented contract theorists that we as humans started out as atoms in a state of nature and then decided to rationally accept a “social contract” is highly misleading. On the other hand, Malkin and Wildavsky (1991) developed the proposition that public goods are public only because it is the society that makes them so to some particular aim (see also Mansfield 1980; Douglas 1989).

The very nature of a good being “public” is that it is to be managed and distributed according to a principle that is very different from that of private goods. The public good principle implies that the good in question should not be distributed according to the private wishes of those who are given the responsibility for managing them. When this principle for the management and distribution of public goods is broken by those entrusted with the responsibility for handling the public goods, the ones that are victimized see this as malpractice and/or as corruption. This is why corruption is a concept that is related to the political and not the private sphere and why it is different from (or a special case of) theft and breaches of trust in the private sector

Much of the confusion about cultural relativism in the discussion, about what should count as corruption, stems from the issue that what should count as “public goods” differs between different societies and cultures. For example, in an absolutist feudal country where the understanding may be that the central administration is the private property of the lord/king, this state is not seen as a public good. In many indigenous societies with non-state political systems, local communities have usually produced some forms of public goods, for example for taking care of what Ostrom (1990) defined as “common pool resources” which are natural resources that are used by members of the group, but which risk depletion if overused. Such resources are constantly faced with a “tragedy of the commons” problem and is thus in need of public goods; in the form of effective regulations to prevent overuse leading to depletion.

Our argument departs from the idea that it is difficult to envision a society without some public goods. The point is: when these public goods are handled or converted into private

goods, this is generally understood as corruption; independent of the culture. A conclusion that follows is that we should not expect people in developing countries, whether indigenous or not, to have a moral or ethical understanding of corrupt practice that differs from for example what is the dominant view in western organizations like Transparency International and the World Bank, or as it is stated in the UN convention against corruption. Instead, what may differ is what is understood to fall within the public goods category. An example could be the case in which there is not a system for taxation, still there are certain individuals that have been selected to perform functions as arbitrators or judges. These functions are to be understood as public goods because it makes it possible to solve disputes between village members/families in a non-violent way. These arbitrators may, in several cases, receive gifts from the parties involved for their services. Such gifts may, for a westerner, look like bribes, but they are usually not seen as bribes by the agents, who make a functional distinction between bribes and gifts (Sneath 2006; Werner 2000). The reasons for why they are not seen as bribes by the local villagers are: a) the gifts are publicly given, and b) there is a culturally defined level for how big such gift can be. This implies that the gift is to be seen as a fee for a service, not a bribe. It would only be a bribe, and seen as such by the local populace, if it was given in a way to influence adjudication by favoring one party over another. In this case the public good is converted into a private one and it is this which is perceived as corruption. Understanding corruption in this public goods approach can thus serve as a solution to the relativism – universalism puzzle that has plagued discussions about this problem for a long time, especially in the lights of anthropological reservations on applying the dichotomies public-private, moral-immoral.

### **The Core Unveiled?**

Carrying forward justice as the “core” within the framework provided by Heidenheimer’s three understandings of corruption (i.e. public office, public interest and public opinion) Kurer (2005) as well as Rothstein and Teorell (2008) utilise the subjective standard of public opinion to forward the “impartiality principle” whereby a state ought to treat equally those who deserve equally. In order to further elaborate on the proposition of corruption as partiality (effectively injustice) it is important to first set out what the impartiality principle entails.

As stated by Brian Barry: “A theory of justice cannot simply be a theory about what justice demands in this particular society but must be a theory of what justice is in any society” (Barry 1995, 6) In a similar lieu, the core idea of corruption in one society relates to the core idea of corruption in any society. As has been indicated above there is a strand of literature that links corruption to injustice, Kurer (2005) links corruption to injustice via the impartiality principle.

A more direct linkage of corruption to injustice has been done by You (2007) in relation to corruption as a normative theory. Accordingly, if impartiality is justice, then corruption (i.e. partiality or favoritism) must be injustice. As stated by Goodin (2004, p 100), “the opposite to justice is favouritism”. This would translate into the universal understanding of corruption as injustice or favouritism and equating impartiality as justice. This is in principle a conceptualization of corruption that is applicable to any society thereby removing it from the cultural/relativistic arguments and reinforcing its universality (Rothstein & Torsello 2013).

Thus, corruption can be defined as “a holder of public office violating non-discrimination norms in order to gain a private advantage” (Kurer 2005). Kurer links the idea of corruption to discrimination via the impartiality principle where the impartiality principle is operating within an environment where specific rules based on non-discrimination norms prohibit certain types of discrimination, effectively linking non-discrimination rights to distribution rights and obligations. One may ask what set of non-discrimination norms currently exist. The most well established non-discrimination norms that currently exist are found in the United Nations Universal Declaration of Human Rights.

### **Corruption and Human Rights**

One of the “black holes” in the intellectual discourse about corruption is the lack of analysis about the relationship between corruption and human rights. Scholarship that does explore the nexus of corruption and human rights has been limited to legal scholars and the policy-world which has translated into various policy documents by various anti-corruption organizations (Rotberg et al. 2009; Carmona 2009; Rajagopal 2006; Gathii 2009; Pearson 2001). The result of the scholarship produced by these legal scholars has been a more “people focused” approach where corruption is linked to specific rights that are

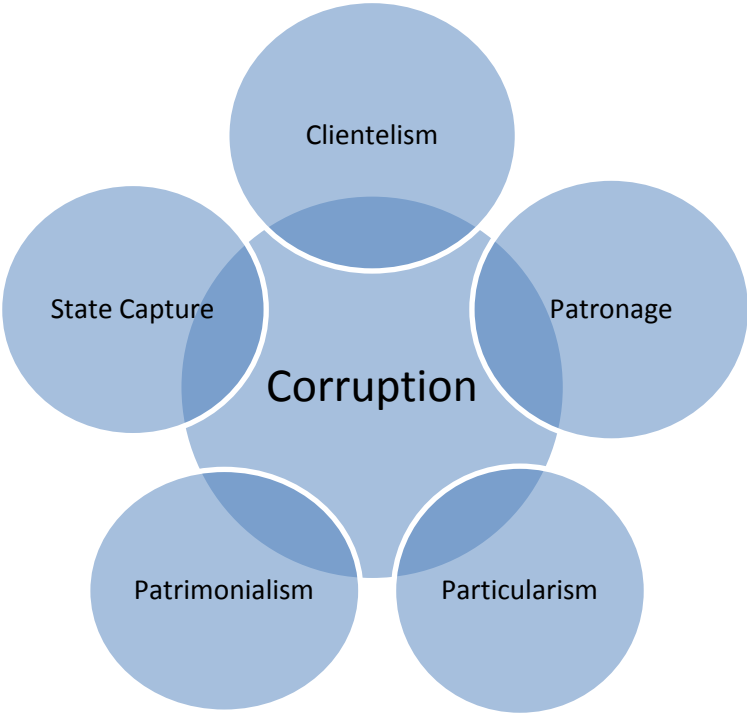
violated by various instances of corruption (Rotberg et al. 2009; Gathii 2009). This differs from the traditional focus upon the State and how corruption disables a State from meeting its obligations to “respect, fulfil, and protect the human rights of its citizens” (Gathii 2009, 197).

As Carmona (2009) point out, the frameworks of corruption and human rights are mutually reinforcing – where the human rights framework’s rights-based approach is useful because its language and tools focus on codified rights as well as on discriminatory structures (cf. Rotberg et al. 2009). The argument is that this rights-based approach can help raise awareness for citizens to realise the danger of corruption by making it much more personal if translated as a human rights-issue. This may also help in establishing a zero-tolerance policy towards corruption.

On a legislative/policy level, the human rights framework is one that is well established, unlike, the comparatively new, anti-corruption legislation and policies. This means that the human rights approach could help reinforce the importance of a zero tolerance of corruption. Another advantage is that a human rights approach could provide an additional accountability mechanism for citizens to seek redress when their human rights are infringed by acts of corruption; simultaneously establishing heightened awareness within states’ citizens of the real dangers of corruption. However, criticism has also been raised in regard to the human rights and corruption nexus.

As Ghaitti (2009) points out in a case study of Kenya, human rights issues are sometimes invoked as a method to circumvent corruption charges raised against individuals (in this case prominent politicians). Paradoxically, this leads to a situation in which the human rights issue is aiding corruption to flourish. On a theoretical level, one common strand within the scholarship surrounding the corruption/human rights nexus is the need for a republican approach to the subject matter, evidenced by the common strand of requiring citizen activism, where politics is a way of life, translating into the people being the state. According to Ghaitti (2009, 129), this “...require citizens to be actively involved in monitoring these institutions to ensure that they are acting consistently with a vision of the social good rather than the interests of a select few.”

**Corruption as the Connecting Core**



**Figure 2**

As mentioned earlier, a problem for the “over-definition” of corruption is how to bring together the different forms of corruptions, such as clientelism, patronage and patrimonialism onto one analytical landscape. These concepts all share a “core” with corruption, which is why they constantly are examined hand in hand (Kotkin and Sajó 2002, Kawata 2006, Kitschelt and Wilkinson 2007).

Corruption can be viewed as an umbrella concept that links together concepts of clientelism, patronage, state capture, particularism and patrimonialism. When surveying the literature surrounding these concepts, rough patterns as to the application of these concepts geographically appear. Clientelism seems to be the main form of corruption found in transition countries of Southeast Asia and Latin America as well as in post-communist states. Patrimonialism appears to be the form of corruption that dominates in the African continent and patronage is the form of corruption that is found in both developing and developed countries. However, in relation to developed countries, patronage is a form of legal corruption that appears to go hand in hand with “machine politics” and the mass party. All these concepts stand for different types of corruption that are not explicitly labelled as such. However, they are within the literature treated in the



same theoretical space, creating confusion as to what distinguishes them. As Hilgers points out,

A concept should be catchy, intuitively clear and hold to the established characteristics with which it is associated. It should be expressed according to a core characteristic, on which secondary characteristics depend (interdependence) and be easily identifiable with its empirical manifestations (Hilgers 2011, 569)

All of these secondary concepts can be argued to be the causes of “real” or “true” corruption. They are, however, established concepts in their own right that have a certain degree of overlap with corruption which is not fully explored or explicitly stated within the literature. Therefore, the attempt of this section is to fill this gap by first delineating the different conceptualisations of these forms of corruption (clientelism, patronage, patrimonialism, state capture and particularism) as concepts in their own right (describing the “core” elements of each), followed by an analysis of the evolution of each respective concept parallel to corruption. Finally, we will analyse the overlap that exists between each of them and corruption.

### **Clientelism**

Clientelism, like corruption, has a very negative image. Similar to corruption, clientelism was first viewed as a phenomenon mainly present in developing countries such as in Latin America and Southeast Asia as well as countries in transition (Landé 1983). Clientelism was developed as a conceptual tool for understanding traditional societies (as is evidenced by the initial anthropological and sociological case studies) where patron-client relationships were observed as social structures. Seen from the lens of modernisation theory it was assumed that it was a phenomena that would eventually dissipate once a society began to modernise (Hilgers 2011, 570, Kaufman 1972). This, however, has not been the case. Instead, as research on the subject has increased, it has become apparent that clientelism is not confined to a certain evolutionary continuum of states’ development but is a phenomenon found in both developing and developed countries and at different levels within societies and in various forms. The forms vary from the basic understanding of how political systems work with secondary concepts such as pork-barrelling and special interest politics in a Western country such as the United States (Hopkin 2006, 3). As van de Walle aptly summarises “*clientelism exists in all polities. The form it takes, its extent and its political functions vary enormously, however, across time and place*” (van de Walle 2000, 50).

In order to understand how and why clientelism is so closely associated with corruption it is important to first define what clientelism actually is. According to Hopkin “*political clientelism describes the distribution of selective benefits to individuals or clearly defined groups in exchange for political support*” (Hopkin 2006, 2). Munoz defines clientelism as a type of informal institution “*clientelism is a social relationship based on informal rules*”(Munoz 2010, 3). The term has served varied uses – serving as shorthand for systems, institutions, or individuals that are somehow less than ideal (such as clientelistic party system, clientelistic political party or a clientelistic politician, Hicken 2011, 290). The wide and diverse application of the term has resulted not only in confusion and controversy (Hopkins, 2006) but also in blurring the concept to an extent that, in Tina Halters (1999) words “clientelism is no longer clearly differentiated from neighbouring terms, making it a poor concept difficult to operationalize and to use for theory building”.

Effectively, there is no single agreed upon definition for what exactly constitutes clientelism (much like corruption). However, there is a set of “core” elements/characteristics that forms the core concept of clientelism on which these definitions build upon; dyadic relationships, contingency, hierarchy and iteration.

### **The Dyadic relationships**

With its roots in sociological and anthropological studies of traditional societies, the initial focus of clientelism was on the dyadic social relationship between the patron and client at the micro level (Landé 1983). A patron is someone who uses resources (both material and immaterial) he owns or controls and which are available to the client under certain circumstances. These can include assistance, protection, opportunities for career advancement and of course money. The client typically gains access to these resources by showing political support – many a times in exchange for ones’ vote or otherwise such as helping improve the patron’s reputation. The emphasis, as Hicken elaborates (2011), was on the face-to-face interactions between the patron and client, reinforcing a “personal” and yet “instrumental friendship” (Scott 1972) between both parties. This dyadic relationship was expanded by many scholars to include brokers, which makes clientelism into a triadic relationship.

Weingrod (1968) conceptualised the difference between traditional dyadic relations and modern party-directed clientelism being one of the first to allude to explicit variables and forms of clientelism. This new model changed the patron-client relationship to be viewed as patron-broker-client relationship (Weingrod 1968, Munoz 2010, Kitschelt and Wilkinson 2007). In this relationship the broker acts as the go-between to patron and client; a middleman that arranges exchange of resources between the two parties that may be separated by geographical distance or perhaps in situations where one patron has multiple clients. As Kettering (2006) explains, brokers use resources that he does not directly control himself. More importantly, brokers play a multifaceted role when playing client to the patron (patron-broker) and patron to the client. The core of this triadic relationship, it is argued, is still the dyadic relationship, where, instead of the direct patron-client, the dyadic relationship between patron-broker and client-broker is paramount (Kettering 1988, 426).

The brokerage model evolved in response to the “levels of analysis problem” which had earlier been one of the main shortcomings identified in the literature (Kaufman 1974). This resulted in a model that could extrapolate the dyadic relationship from the micro to the macro levels of analysis; where the brokerage model is utilised in analyses of macro scale (with the political party as the patron and the voters as clients), while the dyadic is best suited for the micro-sociological levels. A parallel pattern that can be observed within the literature is the utilisation of the dyadic model for analyses of developing countries whereas the triadic model is utilised to analyse the presence of clientelism in the more established democracies such as Italy (Caciagli 2002).

### **Contingency**

The second core aspect shared by most definitions of clientelism is that of reciprocity – i.e. the quid pro quo nature (tit for tat) of the relationship (Roniger 2006, Hicken 2011, Kettering 2006). The delivery of a good/service by either patron or client is contingent upon the delivery of such from the other, whether in the present or in the future. One of the many descriptions of this reciprocal feature of the relationship is that offered by Kaufman,

It is based on the principle of reciprocity; that is, it is a self-regulating form of interpersonal exchange, the maintenance of which depends on the return that each actor expects to obtain by rendering goods and services to the other... (Kaufman 1972, 285)

The patron supplies goods/services/jobs in exchange for political support (most often in the form of the client's vote). The politician delivers benefits to the clients that support the politician and the client supports the politician that delivers on his/her promises. In the clientelistic relationship there are always strings attached.

The type of good or service exchanged can vary from material (ranging from cash to something as random as cutlery) to nonmaterial benefits such as protection, education, healthcare, or admission to a school (Muno 2010). The exchange however does not have to occur simultaneously, there can be a time lag where the exchange may be completed in the near future. A client may have voted in favour of his patron upon the promise of receiving certain benefits once the patron is voted into office. This results in two imperative aspects of the clientistic relationship. Firstly, the need for each party to monitor and sanction the other, as well as an implicit trust between the two, which is strengthened by the on-going nature of the relationship (iteration).

### **Iteration**

Iteration is the one aspect that sets clientelism apart from other exchange relationships that relates to corruption. The relationship between the client and patron is an on-going one. This is shown by the fact that the exchange does not have to take place simultaneously. This "future" aspect has important implications. It creates a situation where the "future" is considered in the relationship which is different from a one-time payment of a bribe. Effectively each party has the opportunity to establish its reliability. This repeated interaction not only reinforces social norms of reciprocity but also results in an element of trust between both parties. Furthermore, the iteration aspect provides opportunities for predictability and monitoring for both parties (Eisenstadt and Roniger 1984: 48-9, also Piattoni 2004). After an election a client can monitor if the patron fulfilled their election promises (upon which the client had voted for the politician/patron). If the politician has delivered on the promise then the client will vote for the politician again. The same goes for patrons, however due to the nature of voting, if the ballot is secret, the politicians will only be able to tell whether specific local groups of voters kept their promise to vote for them or not. In the same way, "*repeated interactions over time allow politicians to observe which voters keep their promises and which voters can be swayed, and calibrate the size of offer needed to sway the voters*" (Hicken page 293).

## **Hierarchy**

Hierarchy has been a central feature in defining clientelism. Roniger (2006:353), for example, defines clientelism as “involve[ing] asymmetric but mutually beneficial relationships of power and exchange, a non-universalistic quid pro quo between individuals or groups of unequal standing.” Caciagli (2002) further elaborates the asymmetry of the relationship between patron and client defining clientelism as “informal power relations between individuals or groups in unequal positions, based on exchange of benefits (cf. Kawata 2006, 157). Somebody with higher status (the patron) takes advantage of his authority and resources to protect and benefit somebody with an inferior status (the client) who reciprocates with support and services. The relationship can be both voluntary and coercive and based upon particular interests such as a common ethnicity (Habyarimana et. al. 2007). This asymmetry is reinforced by the patron-client relationship being described as “exploitative” and one of “domination” as well as diction that emphasises “obligation” and “loyalty” when describing the role of the client (Stokes 2007; Kitschelt 2000). Other scholars, such as Kettering, are more direct, describing the asymmetry “a patron is the superior and a client the inferior in an unequal, vertical, and reciprocal relationship” (Kettering (1988: 425).

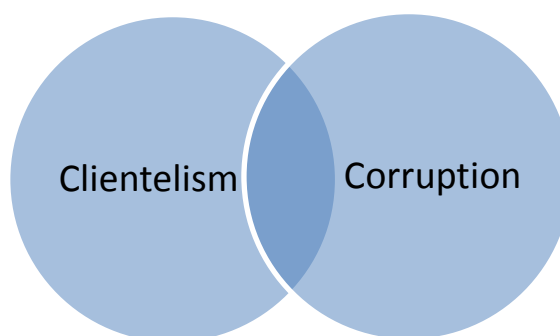
Recently, the focus of research has shifted from hierarchy itself, to that of the shifting nature of hierarchy, or what some scholars label “old clientelism” versus “new clientelism” (Hopkin 2006, Kawata 2006). This refers to the shift in power from a vertical dyadic relationship to one which is horizontal; with the client in a much stronger position than before. A fitting case is that of Italy – where clients with higher incomes and living standards, effectively no longer tied by the burden of “loyalty,” are able to shop for patrons; weighing what politician offers better stakes. As a result, Piatonni (2004) argues, patrons are now in a weaker position where clients choose to enter the clientelistic deal in order to get privileged access to public resources. This is what Hopkin (2006) refers to as “vote for exchange.”

Scholars such as Kitschelt and Wilkinson (2007) change the power dynamic when analysing clientelism through the lens of principal-agent, where the client effectively is the principal and the patron the agent, the client holding power over the politicians through their vote. This model could be useful in situations such as the case of Italy, where voters use their vote to shop for what patron can offer them a better deal. However in situations where the relationship is not voluntary and the relationship is entered upon as a coping

mechanism by the client who needs access to public resources as basic as water and electricity, (e.g., a villager in a developing country dependent upon the local landlord), then this principal-agent model may be troublesome. In the latter situation the client is in the weaker position and asymmetry is blatantly apparent.

On the other hand, Muno (2010. 5) finds the principal-agent model to be a suitable tool for the patron –client relationship when applied to the brokerage system, “with the patron as the principal instructing the broker as the agent with the management of his affairs”. In these clientelistic pyramids (brokerage system), the hierarchal relationship is retained with the patrons situated at the top and the broker/agent in the middle with clients at the bottom.

### **The Overlap between Clientelism and Corruption**



**Figure 3**

Corruption and clientelism are different notions. Clientelism is a form of social organisation, while corruption is an individual social behaviour (where you are your own client, trying to play patron to yourself) that may or may not grow into a mass phenomenon. One can imagine clientelism without corruption, although the two often go hand in hand. In post-communist context, the two phenomena seem fused at the hip (Sajo 2003, 2)

As can be deduced from the above parsimonious Venn diagram, clientelism and corruption are two separate concepts that have an overlap, evidenced by the constant comparison/connection of them as shown by the abundance of research focused on comparing the two concepts (Kawata 2006, Della Porta and Vannucci 1999, Singer 2009, Kotkin and Sajó 2002). It is within the space of this overlap that they are confused. The overlap has different degrees; some scholars define clientelism as a structural form of corruption (Sajo and Karkalins 2004) where the overlap makes separation of the two

concepts difficult (Sajo 2003). A lighter degree of overlap focuses on the general comparison between the two, where the focus is on the similarities of the concepts in their own right as well as the overlap they share. Finally, others have tried to verify the link through exploring empirical similarities (Singer 2009).

The most difficult overlap between corruption and clientelism to explore is where clientelism is a type of corruption. This conceptual space is the prevalent one applied in the research to the studies of post-communist states, where clientelism is described as a structural form of corruption (Mungiu-Pippidi 2006). Here the concepts are dependent upon each other; with clientelism as a form of social organisation and corruption seen as a form of individual social behaviour. As a structural feature of a society it focuses on the social aspect of corruption. This dependency is further highlighted by the catch-22 model presented by Della Porta and Vannucci (1999), i.e. clientelism → increase of exchange votes → increases in the cost of politics → (supply of corruption) → availability of money for politicians' → incentives to buy votes → clientelism (cf. Kawata 2006, 13). The model points out clientelism as conducive to corruption.

As pointed out by Hicken, clientelism can drive corruption through three different paths. First, certain clientelistic exchanges can be outright illegal such as vote-buying (Hicken 2011, 303). Secondly, by “undermining the ability of citizens to hold public officials accountable”, Hicken argues that clientelism may in fact be creating “a culture of impunity” within which it is harder to punish individuals for corrupt behaviour. Thirdly, as is demonstrated in the above model, the demand for resources (needed in order to facilitate an exchange between client and patron) could work as a driver for politicians to utilise corrupt ways to acquire more resources. A suitable example that demonstrates the overlap between clientelism and corruption is the Chinese practice of *guanxi*.

This ancient term refers to the informal institution of personal networks where a system of exchange exists around mutual services and the acceptance of a debt obligation. These networks are normally based on personal relations stemming from factors such as common village or region, having gone to the same school, being in the same association, having served in the same military unit (somewhat reminiscent of the fraternity culture prevalent in many developed countries such as the United States). It is said to be deeply rooted in the Chinese culture, strongly tied in with the concept of honour/ “losing face” where the debt

obligation is ensured through one's social reputation, superimposed by the will to maintaining "face" in the group and with peers. If one were to obtain a favour through their *guanxi* network, and choose to not repay this debt, one would not only lose face in *guanxi* network but also risk losing access to this network as a whole; which tends to be part of one's social networking as well. It is this informal institution that has been the focus of much of corruption studies centred on China, where *guanxi* is understood to be conducive to corruption. As the characteristics of *guanxi* networks share many of clientelist characteristics it is tempting to label *guanxi* as the Chinese form of clientelism (brokerage model). However, an aspect that is debated within the literature is the essential characteristic of hierarchy in a clientelistic relationship which is absent in the case of *guanxi*, the favour/service can be obtained from anyone. Pye (1981) argues that *guanxi* does not have a clear cut vertical relationship between the members of the network, explaining the hierarchy to be very subtle. On the other hand Landé (1983:441) does not consider the vertical/horizontal to be such a decisive factor for the relationship to be clientelistic:

In my opinion there is no clear break between vertical and horizontal dyads, and their structural and behavioural similarities are more important than their differences. I use the term "horizontal dyadic alliances" simply because the conventional term "patron-client relationship" connotes a vertical tie. Others may take a different view. (Lande 1983:441)

This strong overlap that presents itself where clientelism is considered conducive to corruption is empirically tested by Singer, whose findings point to this link being very weak (or even non-existent) "*...we find no evidence that clientelism may potentially create an atmosphere conducive to corruption via its effect on the rule of law or political accountability*" (Singer 2009, 14). Thus, there can be a high degree of clientelism without corruption but probably not high degrees of corruption without clientelism-

Turning to the lower degrees of corruption, scholars have focused their attention on the similarities between the two concepts in order to explain the overlap between them. First of all, both clientelism and corruption concern the crossover between the private and public realm. Corruption is the abuse/misuse of public office for private gain, similarly clientelism stems from the same root "*its intention to generate 'private' revenue for patrons and clients and, as a result, obstruct 'public' revenue for members of the general*



*community, who are not a part of the patron-client arrangement*”(Kawata 2006, 4). The space of the overlap has been explained by various scholars, one of which focuses on the similarities between the two concepts. One of the main similarities is that the theories followed the same development path. At the outset both carried negative connotations—anthropologists focusing on clientelism, while political scientists were focusing on corruption. Both concepts were viewed as part and parcel of the development stages that states went through, effectively as phenomenon that would dissipate once a certain development stage was reached. Contrary to theory, both phenomena persisted in spite of economic development stages reached, resulting with them once again carrying the negative connotations as before (Kawata 2006).

Kobayashi (2006) forwards a list of similarities between the two; both exist universally (can be found at the international level as well as local levels), can be divided into the same typologies, both merge when measuring the scale of political corruption (clientelism is found at the realms of grand corruption), quantity and form of both changes according to time and region, these changes are due to both cultural reasons as well as socio-political systems, the cultural effect is one that needs to be focused upon. Another similarity is found in the fact that measures of corruption are often used as proxies for the extent of clientelism (Keefer 2007).

Other scholars have focused on differentiating the two concepts, one example forwarded is by Munro, who compares corruption and clientelism with the example of a bribe being exchanged (Munro 2010, 7-8). The lack of personal element and the lack of continuity is an element of corruption which distinguishes it from clientelism. In cases of corruption, you do not have to know the “partner” since this can be an unknown policeman who receives bribe from a conductor in order to forge a ticket. Conductor and policeman may never meet again, whereas patron and client are tight-knit, the process is an iterative one.

Apart from the clientelistic/corruption overlap there is a further overlap that clientelism shares with patronage, where patronage and clientelism as terms are used interchangeably in the literature (Hilgers 2011). The strongest degree found where patronage is identified as a type of clientelistic exchange. The following section will first venture to define patronage followed by an exploration of the similarities of clientelism to patronage.

## **Patronage**

A second concept that corruption is often entangled with is that of patronage. Patronage means different things in different disciplines. For the anthropologist it is a social relationship (Weingrod 1968) while for the political scientist, it is a way of governing; an “electoral tool” or an “instrument for managing political relations”. Other descriptions are “organisational or governmental resource” or simply “the ways in which party politicians distribute public jobs or special favours in exchange for electoral support” (Arriola 2009, Kopecky and Scherlis 2008, Weingrod 1968, 379). For the purposes of this report, the political science understanding of patronage is the one that will be utilised as it appears to be the one more suitable to contemporary usage; patronage is a particularistic exchange that takes place between patron and client, where the object of exchange is that of public office, i.e. patron offers public office to the client in exchange for electoral support/political allegiance/etc. More simply understood as, appointments to positions in the state (Kopecky and Scherlis 2008, 356). That which varies is the end for which patronage is exercised. The diversity of ends most often sought are neatly summarised by Souraf:

...The chief functions of patronage are: maintaining an active party organization... Promoting intra- party cohesion... Attracting voters and supporters... Financing the party and its candidates... Procuring favourable government action... Creating party discipline in policy making (Souraf 1961, 309-310)

In the literature patronage is associated as a phenomenon closely interlinked with the development stages of a state. Initially patronage, as a subject-matter, was characterised as a phenomenon pertaining to developing states. However, a closer look at patronage reveals the phenomenon to be present in almost all polities (van der Walle 2000) whether developing or not. The scale and form is what varies, the difference stemming from the purpose for which patronage is utilised, as well as, by who plays the role of patron. Therefore, the following section will elaborate on the different goals for which patronage is utilised; maximisation of votes, as a means to achieve a stable political landscape and finally – as a means to strengthen a state/organisation.

### **Patronage as an electoral tool/resource**

It can be argued that the practice of patronage as an electoral tool (public office in exchange for votes), has remained the overarching goal of the patronage exercise. In the

literature patronage as an electoral tool is ostensibly a matter of the development stages of the state, where the below relationship is applicable: (Golden 2000)

party/politician → electoral support → material benefit/office/position in state through state institution.

This is the most basic form of patronage, most often attributed to developing states. The setting tends to be rural where the relationship is centred on the individual patron (landlord/politician) and villagers (citizens), most aptly exemplified by the ‘vote banks’ that form in developing countries. In these vote banks the patrons gain a strong following as individuals, so strong, that if the politician were to change political party, the vote bank would ‘travel’ with the patron. Excellent examples of this type of linkage politics is provided by the vote banks that are formed in the Sub-Continent (Weingrod 1968, 380 ).

However, as Weingrod makes clear, the changing characteristic of the patron goes hand in hand with the development stages of the state, resulting in different applications of patronage. In this case from “traditional” to “mass” society; the new patron at this point is the political party and its clientele the “constituents” (voters). The exercise of patronage as an electoral tool in modern settings, by the political party, can be exemplified by the patronage exercised by political parties in the United States, more popularly known as party machines – where the relationship is shared between a party (or politician) and its party members or group of potential voters, i.e. linkage politics between the party and society (Scott 1972, Johnston 1979). A further example of patronage in modern settings, i.e. developed states, is the case study of Italy, where “...political patronage [...] is typically offered exclusively to known or potential party loyalists, and it explicitly functions as one side of an exchange of public resources for votes” (Golden 2000, 11, cf. Golden 2003).

### **Patronage as a stabilising tool**

A different use that patronage is applied for is the use of patronage as a stabilising tool. According to Arriola (2009, 1340) “the use of patronage as an instrument for managing political relations need to be explained” reasoning that “relatively little is known about the

extent to which the distribution of patronage systematically affects political stability”. Arriola’s research centres upon the African continent in which context the use of patronage as stabilisation tool is found very much within the developing countries; where the hierarchy of citizen – political elite – top leader (aka “big man”), is very much intact. The literature has remained divided on the use of patronage as a stabilising tool, one school perceiving patronage as a source of instability due to its “distortion of economic policies and political institutions” (Arriola 2009, 1344) whereas the other end of the spectrum views it as a stabilising tool, arguing “the distribution of patronage could be used to pull together a heterogeneous elite and in this way build up institutions over the long term” (2009, 1344). By using state resources to “facilitate intra- elite accommodation” stability can be achieved Arriola, however, focus is on the political instability that occurs from “elite disagreement over the distribution of power and resources” (2009, 1341). The importance of the political elites’ satisfaction is centred upon the ‘gap’ they fill within the political structure –typically as intermediary between the rulers and the public – as part of a patronage pyramid.

*Power is...arrayed through “a system of relations linking rulers not with the ‘public’ or even with the ruled (at least not directly), but with patrons, associates, clients, supporters, and rivals, who constitute the ‘system’ (Jackson & Rosberg, 1982, p. 19)*

The purpose of intra-elite accommodation is twofold; firstly, to decrease the risk of being ousted from office through extra constitutional means, but also ensuring less dependency on the loyalty of specific members of the political elite effectively spreading out the risk/eggs into many different baskets. Although Arriola (2009) focuses on the African continent, he points out this model to be useful in the context of non-African states as well – whether this be Asia, Latin America or the Middle East.

### **Patronage as organisational resource/governance tool**

The form of patronage most related and researched within the context of developed states is that of patronage as a resource tool for governance, wherein the role of patron is played by the political party which uses patronage towards different ends.

One of the earlier studies focusing on this was carried out by Weingrod (1968), where he compares and contrasts how patronage as a governance tool is used in the so called traditional sense (between patron-client), versus the more the modern setting of party patronage. The focus is on how patronage’s character has evolved in relation to the transition from traditional to modern settings; in this case the change in patron, where the

party now exercises patronage instead of a single patron per se. Within more primitive settings patronage can be utilised as a political tool for centralising a state, applicable to state structures – so called “cellular structures” such as federalist or decentralised ones, where the multiple layers effectively have “gaps” acting as the ‘space’ for patronage to emerge. The mediating function serves a practical function in settings where the physical infrastructure of the state may not be well established – e.g. a primitive transportation system. Weingrod provides a succinct description of the type of state fosters/accommodates different kinds of patronage:

...traditional patron-client ties can be seen to arise within a state structure in which authority is dispersed and state activity limited in scope, and in which considerable separation exists between the levels of village, city and state. Party-directed patronage, on the other hand, is associated with the expanding scope and general proliferation of state activities, and also with the growing integration of village, city and state. (Weingrod 1968, 381)

The more segmented a state structure is the more ‘gaps’ exist, creating a space for patronage to arise, where patronage helps to integrate the state. The patron not only plays the role of mediator between the village level and the state apparatus, but effectively is contributing to the integration of the different levels of the state, whether between village and town or town and cities – ‘cohesive-fying’ the state.

The use of patronage as a governance tool is not merely limited to governing and organising a state since it can be utilised at various levels, for example in political parties or trade unions. In this capacity it acts as an organisational tool to strengthen the patronage organisation itself. This is exemplified by the early European example of Sardinia

... the Party’s monopoly of thousands of jobs, and the special privileges given to loyal Fascists in securing posts and winning promotions’ meant that the party had become the major dispenser of political patronage” through which the “party also became an increasingly coordinated structure. (Weingrod 1968, 393).

The access to thousands of state jobs and public resources not only strengthens the political party but effectively also leverages the political party into a position where they can utilise these resources to “serve their own electoral ends” (Weingrod 1968, 384) Another fitting example is that of political machines in the USA, which utilised patronage as a means to strengthen the political machine by using public jobs as both organisation maintenance as

well as an electoral tool (Johnston 1979). A similar trend had developed war Spain where the conflict about the control of such patronage jobs seem to have been a major factor behind the outbreak of the Spanish Civil War in 1936 (Lapuente and Rothstein 2013).

The most recent research investigating the usage of patronage as an organisational resource is chiefly carried out by Kopecky, Mair and Scherlis (2012). This angle focuses on patronage in the modern context, as a mode of governing; where the political party serves as patron, but contrary to linkage politics between party-society, the focus is on party – state linkages. In this case patronage “*represents a form of institutional control or of institutional exploitation that operates to the benefit of the party organisation*” (Kopecký, Mair, and Spirova 2012, 7). Patronage thus is “a strategy to build parties’ organisational networks in the public and semi-public sphere” in order to ultimately control the policies that the state churns out.

...patronage is for contemporary parties a mode of governing, a process by which the party acquires a voice in, and gains feedback from, the various policy-making forums that characterise the modern multilevel governance systems (Kopecký, Mair, and Spirova 2012, 11)

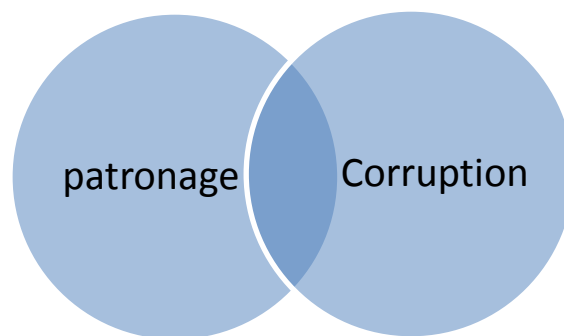
This is the predominant form of patronage found in European and other modern political settings where social and political conditions are not dire enough to utilise patronage as an electoral tool, i.e., as an electoral resource to collect/maximise votes. Instead the ultimate interest is to have control over the policy-making process. The ‘permeation’ of the aforementioned patronage (in this case the reach of political parties into the state through the allocation of jobs in both the public and semi-public sectors) varies greatly within Europe (Kopecky and Scherlis 2008). In the Scandinavian countries the reach of patronage is limited to small number of positions in the top echelons, whereas the former communist states such Hungary and Latvia present cases where there is deep permeation of party patronage within the state. By ensuring political control of the policy implementation process, patronage is utilised as a mode of governing. In the former example only the top echelons of the state positions are patronage based whereas the latter cases entail an almost complete change of much of the public positions within the bureaucracy, resulting in a thoroughly politicised civil service.

The above described application of patronage is by no means comprehensive but points in the direction of the multifaceted ends patronage is applied to. As our interest is to

investigate how patronage overlaps with the concept of corruption the above manifold usages of patronage should alleviate how and in what way certain forms of patronage can be considered corrupt and for what reasons, helping narrow down in a precise manner where the overlap between corruption and patronage occurs.

A good starting point of exploring the overlap between patronage and corruption – patronage and clientelism, is the following quote from Medard, which incorporates the different forms of corruption: “Corruption takes many forms clientelism, nepotism, ethnic and other favouritism are all variants of corruption, in social terms” (Médard 1998:308).

### **Patronage and Corruption**



**Figure 4**

...patronage and corruption may in practice closely follow one another, as for example when patronage appointments are made for the purpose of providing private kickbacks or in return for bribes. In a similar vein, patronage is an important supporting condition for the survival of systemic corruption, in that it is through the appointment of bureaucrats and other state personnel loyal to party politicians that operations designed to pace checks on the activities of politicians are often effectively covered up (Kopecký, Mair, and Spirova 2012, 9)

Patronage and corruption overlap, however this overlap is of different types. Patronage can at times “lead” to corruption while at other times it in itself is corruption. As a starting point, the concept of party patronage is not as penetrating as corruption; it is done in the open and not under the table as most corruption deals are. However the overlap into corruption is obvious when these appointments are done “for the purpose of providing private kickbacks” or more so “in return for bribes.” Furthermore, as Kopecky and Scherlis

point out, “patronage is the necessary condition for the emergence of the three particularistic exchanges [clientelism, pork barrel and corruption] since it is mainly due to their ability to control state positions that parties are able to manipulate state resources in clientelistic or corrupt ways” (Kopecky and Scherlis 2008, 357). As stated by Golden (2000:17)

Italy's post-war patronage system probably functioned more on the margin of legality than completely beyond it. The outcome was nonetheless that by the 1980s, the bulk of appointments to the public sector was taking place in clear violation of the spirit of civil service regulations even if in nominal conformity to legal requirements (Golden 2000, 17)

This effectively becomes the root to the survival of systemic corruption in these systems. The below table neatly summarises the differences in the concepts highlighting how patronage differs from corruption and where it overlaps, providing an easy overview of the concepts and how these are inter-related.

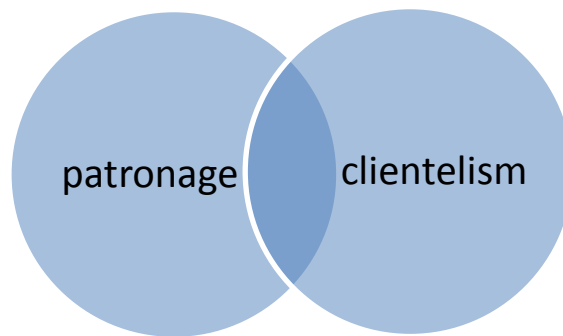
**Table 1 Overview of different concepts related to patronage**

	<b>Patronage</b>	<b>Clientelism</b>	<b>Corruption</b>
<b>State Resource</b>	Jobs in state institutions	Subsidies, loans, medicines, food, public sector jobs	Public decisions
<b>Party Goal</b>	Control of institutions, reward of (organisational) loyalty	Electoral support	Financial resources
<b>Recipients</b>	Anybody	Party voters	Companies, entrepreneurs
<b>Legal status</b>	Legal or illegal	Legal or illegal	Illegal
<b>Crucial question</b>	Will you work for me?	Will you vote for me?	Will you give me a bribe?

Source adapted from Petr Kopecký and Peter Mair (2012)



## Patronage and Clientelism



**Figure 5**

This difference in understanding is pointed out as an imperative aspect that must be taken into account when analysing patronage, as “...*the perspectives of the two disciplines are...exceedingly different ones. It is therefore important to be clear about these distinctions and explore their implications*”(Weingrod 1968, 378). Such a treatment will not be carried out here but it should be pointed out that this comparative approach helps alleviate why the term patronage is so closely associated to the concept of clientelism. The terms (clientelism and patronage) are not only used interchangeably but at times some scholars specify patronage as a type of clientelistic exchange; a client’s vote in exchange for public office. This close relationship or indeed overlap of concepts can be traced to the anthropological understanding of patronage as elaborated by Weingrod:

...the study of patronage as phrased by anthropologists is the analysis of how persons of unequal authority, yet linked through ties of interest and friendship, manipulate their relationships in order to attain their ends. (Weingrod 1968:378)

In the literature patronage is most often interchangeably used with clientelism. The statement that the two are coterminous – relates to the fact that the distribution of state jobs had in some cases in the past been used on a mass scale for electoral purposes (e.g. post-war Italy or the era of American city machines (Kopecký, Mair, and Spirova 2012, 9).

## **Patrimonialism**

The term patrimonialism was brought back into political science and sociology by Roth in his attempt to “examine an older term for [its] contemporary usefulness.” It is a term for one of Max Weber’s typologies for traditional authority/governance modes, or as Roth puts it “the actual operating modes and administrative arrangements by which rulers ‘govern...” (Roth 1968, 156). Max Weber defined patrimonialism as

...a special case of patriarchal domination – domestic authority decentralised through assignment of land and sometimes of equipment to sons of the house or other dependents. (Weber 1978, 1011)

Weber’s original definition extrapolated patriarchal domination on to a larger canvas, effectively from the scale of the household to investigate social structures and governance systems (state level), where the model was applied to the heterogeneous empires, such as the Roman and Ottoman, in order to analyse the governance systems.

Patrimonialism is a concept that constantly is used as a synonym, as well as interchangeably, with corruption, especially in the context of explaining the embeddedness of corruption in the African continent. In fact, some scholars refer to patrimonialism as a “theory of corruption” that can “explain corruption in relation to the supposed specificity of African political systems” (Bracking 2007). However, utilising such a narrow approach not only does injustice to the concept but also negates the fact that like clientelism and patronage, patrimonialism too, is a concept in its own right.

Over the years the concept has undergone various applications as well as different ways of nuancing; some scholars have applied it as a universal concept; applicable to all countries whether developing or developed states (Roth 1968, Pitcher 2009, Erdman and Engel 2007). In an early seminal study of Nigeria, Joseph (1987) uses the term “prebendalism” to describe the same phenomenon. Others have used patrimonialism as a particularistic concept limited to developing countries (Theobald 1982, Roth 1968), and some have treated it as a region specific concept; specifically as an African phenomenon (Bratton and Van de Walle 1994, Erdman and Engel 2007).

The essence of patrimonialism that pervades the scholarship and unites the above described applications and nuances, is succinctly summarised by Theobald 1982, 552):

...the essential feature of patrimonial regimes [is]...the exchange of resources (jobs, promotions, titles, contracts, licenses, immunity

from the law, etc.) between key figures in government and strategically located individuals: trade union leaders, businessmen, community leaders, and so forth. In return for these resources, the government or heads of state receive economic and political support. The emphasis is on the personal nature of the exchange: virtually all the analyses that have resorted to the term have been informed, either explicitly or implicitly, by the model of the patron-client relationship.

As this quote clarifies, the concept of patrimonialism is based on the basic patron-client model. It can be viewed as a metamorphosis of clientelism and patronage, or perhaps as encompassing these two characteristics. The difference however lies within *who* is exercising this. As patrimonialism is a mode of governance derived from the concept of patriarchy the focus is upon the “head” of the organisation. Like Aristotle, Weber too viewed governance in opposites and in fact took it a stage higher when investigating the grey zones that perpetuate within society – in this case within the theory of patrimonialism. Scholars today have continued to utilise this comparative outlook by juxtaposing patrimonial against rational-legal structures, in majority of the research surrounding the concept. The table below neatly summarises the differences between patrimonialism and the rational legal models

<i>Patrimonial</i>	<i>Rational-legal Bureaucratic</i>
<ul style="list-style-type: none"> <li>• Administrators are recruited and promoted as reward for personal connections with political leaders</li> <li>• Administrators can be dismissed for no reason</li> <li>• There is an unspoken hierarchy, with little specialization or specification of output and uncertain reporting channels</li> <li>• Important orders may be given orally</li> <li>• The public and private realms are blurred</li> <li>• Administrators supplement their salary with bribes and kickbacks</li> <li>• System is decentralized allowing wide discretion on the job</li> <li>• Administrators' actions are arbitrary, based on subjective reasoning, and follow ad hoc procedures</li> <li>• Rules are applied with partiality and some citizens get preferential treatment</li> <li>• Verbal agreements are used in government procurement and sales</li> </ul>	<ul style="list-style-type: none"> <li>• Administrators are recruited and promoted in competitive processes that judge their merit and expertise</li> <li>• Administrators can only be dismissed with cause</li> <li>• There is an authorized hierarchy with clear division of labour, specific standards for output and well-defined reporting channels</li> <li>• Important orders are put in writing</li> <li>• The public and private realms are kept separate</li> <li>• Administrators are prohibited from supplementing their salary</li> <li>• System is centralized with little room for discretion on the job</li> <li>• Administrators' actions are predictable, based on objective methods, and follow uniform procedures</li> <li>• Rules are applied with neutrality and all citizens receive equal treatment</li> <li>• Binding legal contracts are used in government procurement and sales</li> </ul>

Table adapted from Brinkerhoff and Goldsmith (2002)

That which differs between the various scholars over and above the above applications, is the difference of degrees pertaining to the degree of focus on the more personalistic character of patrimonialism (Roth 1968, North, Wallis and Weingast 2009) whereas some encouraged an inclusion of a broader perspective by including socio-economic features of states (Theobald 1982). It should be noted that the table above is only limited to exploring the administrative aspect of states, whereas the scholarship surrounding patrimonialism tends to focus on the governance system as a whole.

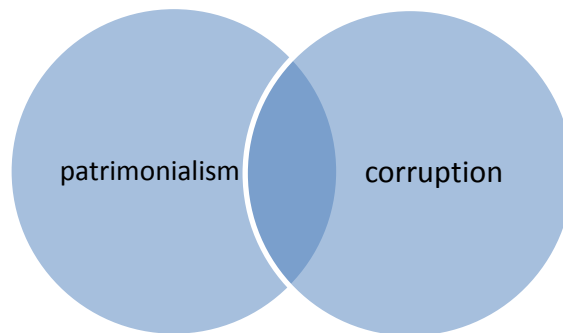
## **Degrees of separation?**

The nuances that differentiate the scholars, apart from the above mentioned applications, lie within the different degrees of patrimonial and rational-legal aspects (whether a system is 50-50, or 30-70 etc) that exist as the structural framework for each case investigated.

If one were to put these different patrimonial systems on a scale the differentiation would be a matter of degrees. On one end of the spectrum there is the traditionalist patrimonialism or “pure patrimonialism” wherein the rational-legal structure is almost entirely absent. As Roth (1968) points out, such states “in terms of traditional political theory... may be private governments of those powerful enough to rule...” (p. 196). These are differentiated from the rational-legal bureaucracies “in that [these have] neither constitutionally regulated legislation nor advancement on the basis of training and efficiency need be predominant in public administration” (p. 196). As for “the corruption scale”, this would be a state that is considered very corrupt. This is the kind that is most prevalent in developing countries (or as Roth points out ‘new states’) which are mostly associated with corruption. As per Roth himself: “Such personal governance easily evokes notions of opportunism and corruption from the perspective of charismatic or legal-rational legitimation.”

On the other end of the spectrum is Erdmann and Engel’s above mentioned model, introducing modern day patrimonialism, which they term neopatrimonialism. This new term is utilised for a multiple of reasons; first of all, to differentiate it from Weber’s original typology of patrimonialism and also to highlight that the neopatrimonialism they refer to is the contemporary form of patrimonialism, which differs from the original position of Weber. Unlike Weber’s “pure” ideal types, neopatrimonialism constitutes a hybrid – a system where there is a fully established structure of the ideal type legal rational bureaucracy, however the governance mode itself has patrimonial features. In other words, there is in place an established system, a so-called rational-legal structure but most of the decision making processes (in issues such as the selection of civil servants, decisions about public policies and their implementation) are exercised with a patrimonial flavour. This model creates uncertainty and a lack of predictability as the external appearance is one of the ideal, impartial rational-legal, whereas power within the system are exercised according to the personal preferences of the leader instead of following the prescribed laws in place.

## The overlap between patrimonialism and corruption



**Figure 6**

The most complicated overlaps within the literature is that of patrimonialism and corruption. The ostensible complication is the apparent similarities that explain the utilisation of the terms as synonyms are: both were concepts came to the fore during the 60s and 70s, in that case as issues of the “other” wherein they were applied to developing states, or “new states.”

From a conceptual approach, the problem is that scholars have assigned patrimonialism as a theory of corruption, without systematically comparing the two. Instead the treatment remains limited to a brief sentence or two where the reader is left to decide how or in what manner the patrimonial feature is corrupt. Within the literature, the undercurrent that appears to be the reason for patrimonialism to be used synonymously with corruption is because it is a mode of governance that conflicts with the ideal-type exercised by liberal democratic rule-of-law states. Instead of following Weber’s legal-rational model, states that follow the traditional mode of authority (that is, patrimonialism) are viewed from an evolutionist aspect, where all ills within these states, whether African or not, stems from the root cause of patrimonialism (Pitcher 2009). The ostensibly understanding that is deduced is that the patrimonial form of governance itself is viewed as a matter of the “other” wherein the mode of governance itself is seen as corrupt, even if the original reading as propounded by Weber confirms this to be a legitimate form of authority. Instead of acknowledging this by looking beyond the dichotomy presented by Weber, majority scholars assert this mode of authority to be corrupt in itself, with the way the term has been constantly utilised alongside corruption, without actually providing evidence to support this claim.

Furthermore, many social scientists add the modifier *neo* to *patrimonialism* to distinguish what they regard as a modern variant of Weber's ideal type—one in which a veneer of rational-legal authority has been imposed by colonialism, yet a personalistic or “patrimonial” logic characterized by patronage, clientelism, and corruption is said to prevail—just as it is assumed to have done in the past. (Pitcher, Moran, and Johnston 2009)

Under a veneer of rational-legal authority imposed by colonialism, a pervasive “patrimonial” or personalistic logic is said to prevail, encouraging patronage, clientelism, corruption, and economic stagnation. Even with the transition to democracy, forms of patrimonialism are still seen as brakes on Africa's future political and economic development (Pitcher, Moran, and Johnston 2009, 150).

### **State Capture**

Out of all the above side-lying concepts, state capture is the youngest, and is viewed as a clear type of corruption, wherein the initial definition offered was as follows “shaping the formation of the basic rules of the game (i.e. laws rules, decrees and regulations) through illicit and non-transparent private payments to public officials.” (Hellman 2000) It is the only area that fully encapsulates one of the largest “grey zones” within corruption research – that is the interaction of the private and public sectors, i.e. a predatory group of individuals (whether in the shape of firms or local elites) and the state itself. The state is captured through policy mechanisms being dictated by and in favour of the private actors (firms, local elites) at a significant social cost; effectively the private sphere dictates the public sphere. However what remains under contention is where the line is drawn between where it stops being a healthy democratic process to corruption? A much contested example is that of private sector lobbying in the USA.

The term itself was coined by the researchers at the World Bank (Hellman 2000, Hellman, Jones and Kauffmann 2000), and brought about in an attempt to investigate the effect of the private sector upon the state; specifically within the transition states of the former USSR at the recognition that “...powerful firms have been able to capture the state and

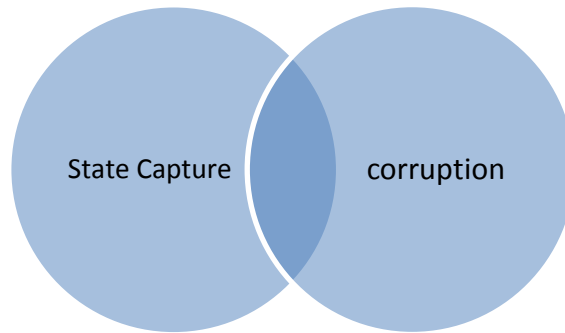
collude with public officials to extract rents through the manipulation of state power” (Hellman et al. 2000, 1). A second strand of state capture research takes Hellman et al.’s conceptualisation from focusing on economic agents to focusing on agents within a state (e.g. local elites) (Grzymala-Brusse, 2008).

Unlike the other side-lying concepts listed above, i.e. other types of corruption that focus on the output side, such as how power is exercised, state capture directly focuses on the *input* side of the equation, where corruption is affecting “the basic rules of the game (i.e. laws rules, decrees and regulations)” policies, laws etc. at the formation stage. This difference is essential as it can shift the type of corruption from the illegal sphere to that of being legal, even though in practice it might be considered corrupt by the stakeholders involved. The literature elaborates that the above definition is not limited to only firms, but is applicable to individuals as well as groups in both private and public sectors, in order to influence laws, regulations, as well as other government policies to their own advantage as a result of the “illicit” and “non-transparent” provisions of private benefits (whether this be money, goods, political advantage etc.) to public officials (Hellman, Jones and Kaufmann, 2000).

One criticism of this fledgling definition is concerned with payments to public officials where it is a prevalent economic focus, the “exchange of private payments to public officials.” This empiric focus, as carried out by Hellman et al. (2000) in “Seize the State, Seize the Day” is based on firm-level data collected through the Business Environment and Enterprise Performance Survey in 1999, in order to understand the relationship between private and public sectors in transnational societies, similar to the majority of literature on the topic. The heavy initial empiric focus left agape a theoretical space as to the normative aspects of the concept.

Furthermore, such a narrow focus leaves out other aspects of state capture, such as that of the local/national/religious elites, or economies of religion or a focus that takes into account state capture by religious elites wherein the exchange is of the public’s vote in exchange for salvation in the afterlife, a phenomenon prevalent both in Latin America, Africa and much of Asia (Bardhan, P. YEAR and Keefer YEAR). One study that has helped expand the research onto non-economic focus is carried out by Grzymala-Brusse, where the focus is shifted from economic agents to agents within a state (2008).





**Figure 7**

This form of corruption can be more harmful than the rest listed above, as it “goes beyond excluding the citizens outside the corrupt bargain from a certain political procedure and instead excludes all citizens outside of the group from almost all parts of the political process in general” (Stine 2011). State capture is thus a phenomenon that takes place through the exercise of clientelism or patronage, where a relationship is built up between both parties.

### Conflict of Interest

Another issue that can be included within the “grey zone” of the corruption debate is that of conflict of interest. The International Encyclopaedia of Ethics defines conflict of interest as

*“...a situation in which some person (whether an individual or corporate body) stands in a certain relationship to one or more decisions. On the standard view, a person has a conflict of interest if, and only if, that person (1) is in a relationship with another requiring the exercise of judgement on the other’s behalf and (2) has a (“secondary “or “unusual”) interest tending to interfere with the proper exercise of such judgement.”*

Having a conflict of interest on its own is not wrong; these can occur easily as people act in different capacities in their private sphere and a different one in their professional sphere. The complications arise when acting in spite of one’s awareness of a conflict of interest, wherein one is involved. Public servants/officials hold positions of trust in the society, in the case of public administrative law, a position where they are expected to exercise their power in an impartial manner. However, if a conflict of interest exists in a situation and the public servant/official chooses to exercise their public duty, instead of pointing out that

there is a conflict of interest, that public official will not be ensuring to act in an impartial manner, effectively acting in a partial manner.

The root to conflict of interest is the distortion of impartiality. A telling example of this is found in the public administrative law of Sweden, where five situations are delineated as qualifying situations where conflict of interest will be present:

- 1) If the matter concerns the person exercising judgment or anyone that he has a relationship with: here the examples can range from spouse, child, parent, or other person considered of close relation, or if the execution of the case can be expected to bring benefit/harm to himself or one of the relations
- 2) If he or a relation are power of attorney for the person whom the case concerns, or for someone that may profit/lose from the outcome of the case
- 3) If the case has been raised at an authority through appeal or other means
- 4) If he has been assigned as representative or represented someone in exchange for commission.
- 5) If over and above there are any special circumstance that would diminish the trust in his impartiality in the matter.

### **Particularism**

Several authors have recently identified particularism in public policy as a central ingredient of corruption. The opposite to particularism, according to these authors is impersonal (instead of personalistic) rule (North, Wallis and Weingast 2009), or ethical universalism (Mungiu-Pippidi 2006) or impartiality in the exercise of public power (Rothstein & Teorell 2008). What does it mean to be impartial in the exercise of public power? Cupit writes: “To act impartially is to be unmoved by certain sorts of considerations — such as special relationships and personal preferences. It is, to treat people alike, irrespective of personal relationships and personal likes and dislikes” (Cupit 2000; cf. Barry 1995, p. 11). The connection to corruption is motivated by the fact that impartiality is the driving notion behind John Rawls’ liberal right-based theory of justice. As Goodin argues: “Certainly, the antithesis of justice is favouritism” (2004, p. 100). In this context, impartiality is not a demand on actors on the input side of the political system, but first and foremost an attribute of the actions taken by civil servants and professionals in public service, law enforcement personnel and the like.

Equally important, however, are the things which the norm of impartiality does *not* rule out. Since impartiality is a procedural norm confined to the exercise of public power, one important field that is not affected by this conception is the substance of the content of policies. This builds on the idea that non-corruption implies that “a state ought to treat equally those who deserve equally” (Kurer 2005, p. 223). They may be unjust, ineffective and the result of pressure from all kinds of interest groups but these are things which according to Rothstein & Teorell (2008) should be seen as something outside the sphere of corruption. Instead, they argue that it is impartiality in the exercise of power (the “ought to treat equally” principle) that is the central component of what should be seen as the opposite to corruption. To treat equal does of course not imply that everyone should get the same. Only people that are in need of a kidney transplant should get one. Instead, this follows the idea of “equal concern and respect” launched by Ronald Dworkin (1977).

In political philosophy, this distinction between which norms should guide the content versus the procedural sides of the political system is readily seen in Brian Barry’s important book *Justice as Impartiality*. Barry argues that impartiality should be a normative criterion in the exercise of political power: “like cases should be treated alike” (Barry 1995, p. 126). His idea of “second order impartiality” implies that the input side of the political system should be arranged so that it gives no special favor to any conception of “the good”. However, as Barry readily admits, his theory “accepts that a demand of neutrality cannot be imposed on the outcomes” (Barry 1998, p. 238). Accordingly, when it comes to decisions about the content of the policies that governments should pursue, it is not neutrality or impartiality but “reasonableness” that is his main criterion (Barry 1998, p. 238; cf. Hardin 1998.) By this he means that people engaged in the political process should give sound arguments based on a secular understanding of knowledge for why they prefer certain policies over others. In Barry’s words: “What is required is as far as possible a polity in which arguments are weighed and the best arguments win, rather than one in which all that can be said is that votes are counted and the side with the most votes wins” (Barry 1995, p. 103).

The implication is the one argued for here, namely that impartiality cannot be a moral basis for the content of policies that individuals, interests groups and political parties pursue on the input side of the political system since reasonableness is not the same as impartiality. For example, in a given situation there may be good reasons for lowering pensions and

increasing support to families with children. This is, however, not the same as being impartial between these two groups, because there is no such thing as an impartial way to decide in a case like this (Arneson 1998). This is particularly problematic when it comes to conflicts over which public goods a state should provide since such goods can often not be divided into minor parts (like money), something that often makes reasonable compromises easier to reach. Either the airport or dam is built or nothing is built (Miller 2004).

What is presented here is not of the grand ambition that Barry, Rawls and other political philosophers have pursued, namely to construct a universal theory of social and political justice. The ambition is more modest, namely to clarify conceptually what should count as the opposite to corruption in the form of particularism. The implication is that when a policy has been decided upon by the political system, be it deemed just or unjust according to whatever universal theory of justice one would apply, the opposite to corruption implies that it has to be implemented in accordance with the principle of impartiality.

It is important to note that, for many, increased justice implies policies that contain more partiality (for example, extra resources to underprivileged groups); they usually do not want these policies, once enacted, to be implemented in a partial way where bureaucrats are given total discretion in each and every case (Tebble 2002; Young 1990). For example, it may be perfectly legitimate to argue for the government to establish academic positions that only women (or some other disadvantaged group) could apply for given the gender inequality that exists in higher academic positions. However, once such a position is announced and a number of women apply, the impartiality norm takes overhand since those who have argued for such a quota system usually want the most qualified in the preferred group to get the position. Thus, while impartiality is a norm to be followed in one sphere, it would be dysfunctional and/or also unethical in other spheres. This conditionality in the application of impartiality as a justice principle goes in fact all the way back to John Stuart Mill:

Impartiality, in short, as an obligation of justice, may be said to mean being exclusively influenced by the considerations which it is supposed ought to influence the particular case in hand, and resisting the solicitations of any motives which prompt to conduct different

from what those considerations would dictate (Mill 1861/1992, p. 154).

It should be underlined that the argument is not that impartiality is equivalent to “objectivity”. Terminology is a tricky business (especially if you trade in a language that is not your own). Still we would say that, as a concept, objectivity has an absolute and perfectionist ring to it that implies that humans can have full knowledge of a case and weigh all things equal and come down with a decision as if the outcome was decided by some natural law process. We would argue that impartiality implies somewhat more human and realistic demands. First, it is about a “matter of fact-ness”, implying that things that according to the policy/law should not have an impact on the decision are to be left out. Secondly, it requires that the public official should not be a party to the case, neither directly nor indirectly. Moreover, the idea of impartiality as the opposite to particularism and corruption stands in sharp contrast to the public choice idea of public officials maximizing their self-interest. For example, an impartial civil servant should not be susceptible to bribery, should not decide in cases where his/her friends and relatives are involved, and should not favor any special (ethnic, economic, or any other type of organized) interest when applying laws and rules.

## **The Issue of (Good) Governence**

### **Governance as a public administration problem**

As stated in the introduction, the concept of “good governance” has been introduced, in part, as a code word for the opposite to corruption. A central problem in this discussion is that there are at least three very different ideas of what constitutes “governance” in the social sciences. The first has its background mainly in public administration and public policy analysis of western democracies. Its basis was the recognition, beginning in the early 1990s, that an increasing number of empirical studies had shown that western democracies no longer relied mainly on government authorities when trying to reach public or collective goals. It was argued that traditional public administration structures that used to have a monopoly, or at least was the main actor, in implementing public policies, had been weakened, replaced, or challenged by various forms of public-private partnerships

and more loose networks of organizations including also various civil society organizations, trade organizations and private companies (Pierre 2000). The empirical studies showed that various forms of market solutions were also used for providing what were essentially public goods, such as for example publicly financed charter school systems and pseudo-market systems in the provision of health care. This development was seen as a result of a long standing critique in western democracies of the traditional type of Weberian type of public administration as being “rigid and bureaucratic, expensive and inefficient” (Pierre and Peters 2005, 5).

The critique of the Weberian model of bureaucracy as not being able to function well for the more interventionist and “human-processing” public policies has been almost endless (Rothstein 1998; du Gay 2000). In this line of research and theory, governance is seen as a society’s pursuit of collective goals, through various forms of steering and coordination, independently of the formal status of the actors that are involved (Pierre and Peters 2000; Levi-Faur 2012b). Normatively, as well as empirically, large parts of this approach to governance, that we would prefer to label as the policy approach to governance, the main idea was built on a critique of the classical Weberian model of public administration. The critique pointed at the fact that this top-down steering of public administration lacked participatory elements and that it was incapable of handling the type of complex implementation tasks that modern western societies were in need of. Especially, what came to be known as implementation research, showed a number of pathological trends, when central policy ambitions and programs meet reality on the ground (Rothstein 1998, ch. 3). Under umbrella terms such as “new public administration”, both more market oriented governance systems as well as more network and participatory systems were supposed to provide more flexibility and increased adaption of steering measures to a more demanding and competitive oriented society (Lynn 2012). A large part of this literature also argued that the public administration should use more of competition and performance based measures imported from the private sector (Laegreid and Christensen 2007).

This post-Weberian policy approach to governance has become a fairly large enterprise, judged by number of publications and citations (Levi-Faur 2012a). For example, it almost completely dominates the recently published 800 pages *Oxford Handbook of Governance*. The index of this handbook has only five entries about *corruption*, but fifty about *participatory governance* and forty-eight on *network governance*. The same can be seen in the only international academic journal that is titled *Governance* – searching for the term

*management* in abstracts yields five times as many articles than a search on *corruption*. It should also be noted that this approach to governance rarely concerns issues about the public administration in developing countries (Pierre and Rothstein 2011)

The problem is that the conceptualization of governance in this approach is not overwhelmingly precise. On the contrary, leading governance scholars tend to make a virtue of conceptual ambiguity. An example is David Levi-Faur (2012a, 3) who, in his introductory editorial chapter to the *Handbook of Governance*, mentioned above states that this publication intends to demonstrate that “governance is increasingly becoming a broad concept that is central to the study of political, economic, spatial and social order in general”. In a critical analysis, Claus Offe (2009) has pointed to the fact that the concept is empty of agency. There is no verb form of the word like there is for government. Members of the government can govern but what it is that members of a network of governance are doing? In reality, the concept tends to capture all forms of collective social co-ordination, outside pure market relations or the family. The problem is that such a broad understanding of governance makes it difficult to distinguish it from all other forms of social co-ordination. To paraphrase what Aaron Wildavsky (1973) said about another once popular concept (yes, many years ago): “If planning is everything, maybe it’s nothing”.

In this policy approach to governance, there is now a widespread discussion of entities like “global governance”, “corporate governance”, “interactive governance” and “network governance” just to name a few. Our impression is that governance in this public administration and public policy approach should be seen as a meta-concept for all possible forms of order (or disorder) in a number of different settings – from the very local to the global and from the very political and state-centered to various private networks that exists outside and has a minimal relation to the state. It may be possible to assess the quality of governance in specific sectors with this approach (see Levi-Faur 2012b). However, it goes without saying that “assessing the quality of governance”, as it is understood in this policy approach for a whole country, region or even a city cannot be accomplished in any meaningful way. Leading scholars in this approach also argue that it is not a feasible enterprise to try to establish quantifiable measures of this type of governance for comparing analyses. Instead, they argue for qualitative “process-tracing” case studies (Torfinn et al. 2012, p. 84, ). While we think that this policy approach to governance empirically captures an important development in Western liberal democracies, the conceptual net is simply far too big for assessing what goes on in a

country as a whole. A second problem is that there are very few normative analyses of what should constitute “good” or “high quality” in this approach to governance since it is usually unrelated to the type of measures of human well-being discussed above. What can be done within this approach is assessing governance in particular sectors, such as the health care system in a country or region, or at certain levels of government, such as the city or village level.

### **Participatory (democratic) governance**

A second approach to “governance” is what has become known as “participatory governance”. This approach emphasizes the role that ordinary citizens can play in influencing politics outside (or beside) the traditional channels in representative democracy such as voting and activity in political parties. A strong focus in this approach is given to various forms of deliberative practices in which citizens can discuss and form opinions about how to solve various collective problems (Bevir 2010; Bellina et al. 2009). This is inspired by theories emphasizing the importance of broad based and open systems for collective deliberation in public decision making either as a complement or as an alternative to the system of representative democracy. Another important part of this approach is how various “grass-root” organizations can become involved and consulted in policymaking as well as taking responsibility for the provision of public services. The development of this approach can be seen as a response to what has become known as the “democratic deficit” problem in many international organizations, the paramount example being the European Union. It is, however, also applied at the very local level when citizens are given possibilities for “voice” outside the electoral-parliamentary system such as in public hearings and other organized deliberative processes (Bevir 2010; Popovski and Cheema 2010).

The discussion about the advantages of new and more participatory forms of engaging citizens in public decision-making in liberal democracies and the effects of increased possibilities for deliberation is in itself interesting. In our view, the problem of an increasing “democratic deficit” is in many cases real. There are, however, two main problems with “democratic governance” from the perspective of increasing the relevance of political science by focusing on the part of the political system that turns out to have a significant effect on people’s life situation. One is that “democratic governance” blurs the distinction between “access to power” and “exercise of power”. The second is, that so far,



the lack of conceptual precision in this approach has prevented the production of any standard measure for this concept which can be used in comparative research.

### **Good Governance**

What is interesting is that at the same time as the above mentioned approaches to governance started to mushroom, a very different idea of what this concept entails saw the light of day. The background of this approach was not located in studies of public administration and public policy in mature western democracies, but instead located in discussions in research about development and (the lack of) economic growth, in third-world (and later transition) countries. In common parlance, the approach argued that the institutionalized “rules of the game” should have a more central role in social science research and especially for explaining variation in social and economic development (North 1990; Shirley 2005; Greif 2005; Smith 2007). In this approach, that we would prefer to call the *political economy approach to governance*, the importance of informal institutions has often been stressed by leading scholars (Ostrom 1990; North 1998). However, in empirical research, these “rules of the game” have de facto become oriented towards state centered variables, such as: states’ administrative capacity; the degree to which the rule-of-law principles are respected; the level of corruption in the public sector; the effectiveness and professionalism in the public administration; the secure enforcement of property rights, and meritocratic recruitment of civil servants (Smith 2007). This idea of “good governance” for achieving social and economic development has become central for many international development organizations. For instance, in the mid-1990s, when the World Bank started to emphasize the negative impact of corruption, in the public sector, on economic development, this led to the establishment of the World Bank Governance Indicators project (Kaufmann et al. 2005; Kaufmann 2004) (Kaufmann et al. 2005). An important empirical result was produced by Evans and Rauch (1999), who already in the late 1990s showed that a Weberian type of public administration had a positive impact on economic growth for developing countries.

*Good governance* is now used, in particular, by many national development agencies and international organisations, such as the World Bank and the United Nations. One example is the International Monetary Fund that in 1996 declared that "promoting good governance in all its aspects, including by ensuring the rule of law, improving the efficiency and

accountability of the public sector, and tackling corruption, as essential elements of a framework within which economies can prosper” (Rothstein 2012, 143). In development policy circles, this “good governance” agenda has to a large extent replaced what was known as *the Washington Consensus*. This approach stated that economic growth could be created by systematic deregulations of markets, tightening of public spending, guarantees for property rights, and large scale privatizations (Serra and Stiglitz 2008). The reason why this strategy did not work was, according to many observers, that poor countries lacked the necessary type of institutions that were “taken for granted” in neo-classical economics. Among those, leading development economist Dani Rodrik listed institutions such as “a regulatory apparatus curbing the worst forms of fraud, anti-competitive behavior, and moral hazard” and “the rule of law and clean government”. According to Rodrik, these were institutions that economists usually took for granted “but which are conspicuous by their absence in poor countries” (Rodrik 2007, 97). In the former communist countries, this strategy became known as “shock-therapy capitalism”. It ran into a number of problems, not least because its proponents did not pay adequate attention to the need for institutions, which would hinder fraudulent, anti-competitive, corrupt and other similar types of destructive behaviour (Kornai et al. 2004).

As should be obvious, what is understood as “governance” in this development research perspective is very different from the approach that has come out of the post-Weberian critique of the hierarchical model of top-down steering in public administration analysis centered on problems in liberal western democracies. In the political-economy approach to development, governance is a very state-centered concept referring mainly to specific traits in the court system and the public administration (Norris 2012). A first conclusion is that much of the complaints that the governance concept is ill-defined (Lynn 2012, 49ff; Fukuyama 2011, 469) stems from the fact that these two almost completely different approaches, use the same term, each with their own specific intellectual as well as policy background. We would argue that much of the conceptual confusion in governance research is caused by the conflation of these two very different approaches to the subject. A second conclusion is that since the development approach has a more restricted idea of where “governance” is located, the possibility for creating a definition, that is specific and precise enough to be operationalized for assessing and measuring governance in a specific country should increase. This is also why for example Rothstein and Teorell (2008) argue

that the term “quality of government” (QoG) should be preferred as the opposite to corruption instead of “good governance” (cf. Rothstein 2011).

### **The opposite to corruption**

If Quality of Government (QoG) is the opposite to corruption, how should this concept be defined? Below, we will introduce a number of dimensions on which this theoretical enterprise has to make choices. In this we rely heavily of the approach about concept formation (and misformation) in political science that goes back to Giovanni Sartori and that has been deepened by for example David Collier, John Gerring and Andreas Schedler (Schedler 2010). It should be kept in mind that we are striving for a definition of QoG that can be operationalized in such a way that we can actually measure the level of QoG in different countries (or regions or cities or branches of public administration within these entities).

### **Normative or empirical strategy**

One issue is if QoG should be defined by a certain norm that pertain to how government power is exercised or if it is a more empirical “thing”, for example bureaucratic “autonomy and capacity” as tentatively suggested by Fukuyama (2013). There are three reasons why we think a normative definition is necessary. First, terms like of “*good*” or “*quality*” are inherently normative. Something is “good” or has high/low “quality” in relation to a certain norm (or norms) and it is therefore necessary to specify this norm. Trying to define *good* governance while ignoring the normative issue of what should constitute “good” defies logic. Secondly, the empirical results show that when people make up their mind of whether or not they find their governments legitimate, how a state’s power is exercised turns out to be more important for them than their rights pertaining to the “access” side of the political system. Since perceptions of political legitimacy are inherently normative, we have to theorize this norm. It should be noted that the legitimacy of how the access side of a democratic system should be organized is, according to Robert Dahl, based on a single basic norm, namely *political equality* (Dahl 2006, 1989). Thus, if what happens at the “output side” is more important for citizens when they make up their mind of whether their government is to be considered legitimate, we should be able to find the parallel basic norm for this part of the political system. Obviously, it cannot be “political equality” since

most laws and public policies entails that citizens should be treated differently (pay different taxes, get different benefits, subsidies and services dependent on their specific situation and circumstances).

Thirdly, the risk with empirical definitions is that they will become tautological. One example is the definition of good institutions provided by Acemoglu and Robinson (2012). Their now well-known argument is that it is institutions of a certain kind that promote economic prosperity. Such institutions, they argue, should be “inclusive”. With this, they mean institutions that “allow and encourage participation by the great mass of people in economic activities that make best use of their talents and skill and enable them to make the choices they wish”. Such institutions should also “secure private property, an unbiased system of law, and a provision of services that provides a level playing field in which people can exchange and contract”. Moreover, such institutions “also must permit the entry of new business and allow people to choose their careers”. The list goes on, the institutions that are needed for economic prosperity should also “distribute power broadly in society” and ensure that “political power rests with a broad coalition or plurality of groups” (Acemoglu and Robinson 2012, 73 and 80).

The problem with this definition is that it is very close to what the theory intends to explain. How surprised should we be that a society with such “inclusive” institutions will create the good and prosperous society and that a society with the opposite type of “extractive” institutions will be bad and poor? What they are saying is basically that a good society will produce a good (or prosperous) society. The central issue is this: if a society decides to organize its public administration according to a certain norm (or set of norms) which states for example who will work in this administration and according to which principle(s) civil servants and professionals will make decisions, will this result in higher organizational capacity and will this make it more likely that the politicians will entrust this administration with a certain degree of autonomy? The empirical answer to this question seems to be in the affirmative. If civil servants are recruited based on the norm of impartiality, which means that factual merits for the job in question is what decides recruitment and promotion, this will lead to higher QoG, and higher state capacity, which in turn will lead to increased levels of human well-being (Dahlström et al. 2011; Rothstein 2012; Teorell 2009). The question raised by Fukuyama (2013:349), i.e., if impartiality as the basic norm for how the state interacts with its citizens will result in increased state capacity - is thus no longer only “simply asserted” but empirically grounded.

Another reason for a normative definition of QoG instead of pointing at specific empirically existing institutions is that if we look at countries that are judged to have high levels of QoG, their political and legal institutions, as well as their systems of public administration, show remarkable variation (Andrews 2013). This implies that simply exporting such institutions (or a specific state's institutional configuration) from high QoG to low QoG countries will not work to improve QoG. When this has been tried, the results have not been encouraging (Trubek and Galanter 1974). The reason seems to be that it is not the specific institutions, but the basic norm under which they operate, that is the crucial factor.

### **Should the definition be based on political procedures or policy substance?**

Is QoG something that should be defined by reference to a set of political procedures or should it be defined by reference to certain policies or outcomes. An example of the latter the well-known definition of “good governance” provided by Daniel Kaufmann and colleagues at the World Bank researchers which among other things include “sound policies” (Kaufmann et al. 2004). Others argue wants to include the “moral content” of enacted laws and policies (Agnafors 2013). The well-known problem with any substantive definition of democracy and thereby QoG is why people, that can be expected to have very different views about policies, should accept them. Since we are opting for a definition which can be universally accepted and applied, including specific policies becomes problematic. To use Rawls terminology, political legitimacy requires an “overlapping consensus” about the basic institutions for justice in a society so that citizens will continue to support them even when they have incommensurable conceptions of “the meaning, value and purpose of human life” and even if their group would loose political power (Rawls 2005). This is of course less likely to be the case if specific (sound) policies or moral content of the laws are included in the definition of QoG.

Including as the World Bank does “sound policies” in the definition also raises the quite problematic question if international (mostly economic) experts really can be expected to be in possession of reliable answers to the question of what “sound policies” are. For example, should pensions, health care or education be privately or publicly funded (or a mix of these)? To what extent and how should financial institutions be regulated? Secondly, such a definition of QoG, which is not restricted to procedures but includes the

substance of policies, raises what is known as the “Platonian-Leninist” problem. If those with superior knowledge decide policies, the democratic process will be emptied of most substantial issues. The argument against the “Platonian-Leninist” alternative to democracy has been put forward by one of the leading democratic theorists, Robert Dahl, in the following way: “its extraordinary demands on the knowledge and virtue of the guardians are all but impossible to satisfy in practice” (Dahl 1989, 65).

All this implies that a strictly procedural definition of QoG is to be preferred. This also follows from the ambition to strive for a definition of QoG that is parallel to how the “access side” for liberal representative democracy usually is defined which speaks for a strictly procedural definition. The system known as liberal representative democracy should not in itself favor any specific set of policies or moral standards. From the perspective of legitimacy, it should be noted that there is ample evidence from experimental studies showing that when people decide if a decision by a public authority that affects them is just, they do not only take into consideration the “what did I get” issue. Instead, “how they got it” – the fairness in the actual procedure in which the decision is implemented is in most cases more important for them to accept the outcome, especially in cases when the outcome is a negative one (Tyler 1992; Levi et al. 2009).

There is a well-known drawback to all procedural definitions of political processes for decision-making, namely that they cannot offer a guarantee against morally bad decisions. As is well-known, there is no guarantee against perfectly democratically made decisions in a representative democracy will result in severe violations of the rights of minorities and individuals. As Mann has argued, there is a “dark side” to democracy (Mann 2005). This is also the case for any procedural definition of QoG, be it ethical universalism (Mungiu-Pippidi 2006), impersonal rule (North et al. 2009), bureaucratic autonomy and capacity (Fukuyama 2013) or impartiality in the exercise of public power (Rothstein and Teorell 2008). In this approach, we think the strategy suggested by John Rawls is the right one. His central idea is that if a society structures its systems for making and enforcing collective decisions in a fair way, this will increase the likelihood that the outcomes are normatively just. Thus, the *probability* that a political system that builds the access to power on the fair principle of “political equality” will produce outcomes that increase social and political justice is higher than if the access to power is organized in a different manner. The equivalent for the administrative side of the state would then be that if implementation of policies is based on a norm such as impartiality, the *probability* for normatively good

outcomes would increase. As argued above, empirical research shows that the latter case is more probable than the former, that is, high QoG has a much stronger impact on measures of human well-being than representative democracy has. Given a fair political order such as high QoG, this is what we can expect but again, not guarantee. This is what Philippe Van Parijs has labeled the “Rawls-Machiavelli programme” which he argues has two components: From Rawls he takes what one should regard as a just political order and from Machiavelli what we, from empirical knowledge, can suppose is feasible for “real people” to accomplish (Parijs 2011).

An argument against defining QoG as based on the principle of impartiality in the exercise of public power is that, in theory, a Nazi extermination camp could be administered in an impartial way (Agnafors 2013, Fukuyama 2013). The first thing to be said about comments like this is that an overwhelming part of the historical research about how the Third Reich was administrated gives a completely different picture. Instead of impartiality, the “modus operandi” of the Nazi state was systematic political and ideological motivated favoritism, personalistic rule, clientelism, disregard and manipulation of the rule of law principles, disregarding professional knowledge and ad-hoc decision-making (Evans 2009; Broszat 1981; Aly 2007). The idea of the impartially administrated Nazi state or concentration camp belongs to the “crazy cases” approach in political philosophy which according to Goodin (1982), strongly increases the discipline’s irrelevance. As he stated:

First we are invited to reflect on a few hypothetical examples - the more preposterous, the better apparently. Then, with very little further argument or analysis, general moral principles are quickly inferred from our intuitive responses to these "crazy cases." ... Whatever their role in settling deeper philosophical issues, bizarre hypotheticals are of little help in resolving real dilemmas of public policy (Goodin 1982, 8)

Secondly, the same problem exists for the procedural principles following from political equality which forms the basic norm for representative democracy – there is nothing in this norm that hinders the majority in an ever so correct procedural representative democracy to decide illiberal policies that seriously violate human rights (Zakaria 2003; King 1999). This problem of possible normatively unwanted outcomes is unavoidable if we want to stay within a procedural definition of QoG (or liberal democracy). That is why most democratization activists and organizations nowadays usually speak of “democracy and

human rights” as if these are inseparable. There is certainly nothing that hinders policy activists and policy organizations to start promoting “quality of government and human rights” (something that we certainly would support). However, from a theoretical perspective, democracy, quality of government and human rights are separate things and should not be conflated since we want to know how they are empirically related. As stated by Fukuyama (2013:351), we probably would not like to “argue that the U.S. military is a low-quality one because it does things we disapprove of, say, invading Iraq?” If we define QoG by “good outcomes” or include “the moral status of the laws” and/or the “public ethos” (Agnafors 2013), we will be creating a conceptual tautology saying that society with a high moral standard and a good “public ethos” will result in good outcomes. Simply put, we must have the intellectual courage to admit that a public organization can have a high quality or capacity in doing what it does even if we from a moral perspective disapprove of what it is doing. Otherwise, QoG is just simply when a public authority efficiently implements the policies that we happen to like.

The advantage with a procedural strategy is that it is more likely to attain a broad based acceptance (i.e., Rawls’ “overlapping consensus”) even in a society with groups that have incommensurable ideas of “the good”. If QoG would include “the moral status of the laws” (Agnafors 2013) as defined by some ideology, it is very unlikely that a Rawlsian “overlapping consensus” can be reached. However, if we decided to stay within a procedural definition of QoG, as the empirical results mentioned above show, this will increase the probability of outcomes that increases human well-being in the form of extended capabilities for citizens as suggested by Amartya Sen’s theory of justice. Empirically, as argued above, there is ample evidence that this is also the case (Teorell 2009; Holmberg and Rothstein 2012; Charron et al. 2013). In sum, the procedural strategy in defining QoG can be said to rest on an assumed probability that if the political system of a society is based on procedures which can be normatively motivated as fair, this will increase the likelihood of normatively just outcomes. The alternative substantive definitional strategy is less likely to achieve “overlapping consensus” since there is not much agreement in many countries in the world of what should constitute what the economists argue are “sound policies” or the philosophers claim to be the right “moral status of the laws”.



### **Should the definition of QoG be multi- or uni-dimensional?**

Several attempts to define QoG have argued for a multi-dimensional or “complex” strategy. QoG should entail that decisions in the public administration adhere to “efficiency”, “public ethos”, “good decision-making”, “transparency”, “accountability” and “stability” to name a few. Others have argued for a uni-dimensional strategy (Rothstein & Teorell 2008, Mungiu-Pippidi 2006, North et al 2009). There are several drawbacks with the multi-dimensional strategy. The first one is that we may treat what is basically an empirical question by definitional fiat. Simply put, we want to explain why high QoG makes some states’ public administration more efficient than others and this implies that we cannot include efficiency in the definition of QoG since we don’t want to state that efficiency explains efficiency. The same goes for “good decision-making” (as suggested by Agnafors 2013) and “capacity” (as suggested by Fukuyama 2013). We want a definition of QoG that can be helpful in explaining why the public administration in some states have a better capacity for making good decisions than the public administration in other states (or regions, cities) and if we include what we want to explain in the definition this explanatory purpose becomes impossible.

The problem with “accountability” is that it is only a tool. No organization or bureaucrat can be held accountable in general since you are always held accountable according to some specified normative standard(s). Without defining this normative standard(s), accountability as well as transparency are empty concepts. Another well-known problem with multi-dimensional definitions is how to handle a situation when a state for which we want to measure QoG shows very different values on the dimensions. The World Bank researchers include five different dimensions and Agnafors (2013) for example includes no less than six dimensions. The question then becomes how to handle a situation where the rule of law is zero but where there is maximum efficiency (or stability, or public ethos, or good decision making). Would that be a state with fifty percent QoG? As Agnafors (2013) readily admits, there can be “no universal and complete weighing procedure” for solving this problem. His solution is that “one can perform an *incomplete* weighing, at least in theory, because it will be inescapably messy in practice”.

This line of reasoning is a luxury that many political philosophers think they can afford since they seldom engage in empirical research or take responsibility for the administrative or practical side of their policy suggestions (Wolff 2011). As Agnafors (2013) states it, he

does not want to take responsibility for how his many criteria for what should be included in QoG should be weighed when they come into conflict. He readily admits that his method is “incomplete” and then he adds that he does not want to address “the extent to which such incompleteness can be overcome”. Avoiding responsibility in this way does not work for political scientists who care about the relevance of their research for peoples’ well-being. Producing a definition that cannot be operationalized in any meaningful sense will not help us answer the question of why some states are much more successful than others in implementing policies that cater to the basic needs (capabilities) of their citizens. If we were to follow this conceptual strategy, the question of what politics can do against, for example, severe child deprivation or extremely high rates of women dying when giving birth, will never be answered. Here, Agnafors (2013) as well as many other contemporary political philosophers stand in sharp contradiction to John Rawls who argued that “political philosophy must describe workable political arrangements that can gain support from real people” (Wenar 2012). Rawls’ famous theory of justice does entail two basic principles but, *nota bene*, they are lexically ordered making it is clear which of them that has priority (Wenar 2012).

As argued by Van Parijs (2011:1), “it is sound intellectual policy... not to make our concepts too fat”. He continues, and we agree, that “fat concepts hinder clear thinking and foster wishful thinking. By packing many good things under a single label, one is easily misled into believing that they never clash”. As known ever since William Ockham’s days, ontological parsimony is an analytical virtue. In sum, the conceptual obesity that is suggested by Agnafors (2013) and many others for what should constitute QoG will inevitably lead to explanatory impotence and thereby become unusable for policy recommendations. This is not only a question of internal academic civilities and intellectual hairsplitting since we now know that low QoG has severe effects on human well-being. As shown by Rothstein (1998, 2011), political philosophers often propose policies for which a large body of implementation research shows is beyond any known administration’s capacity to carry out. If a state would try to implement the policies they often suggest, this would lead to “bureaucratic nightmares” that in all likelihood would create a majority against policy efforts for increased human well-being. These elaborated, complex and fine-tuned principles (definitions) are thus counterproductive for realizing the principles the philosophers define as serving the purpose of increased justice.

## **Conclusions: Quality of Government as the Opposite to Corruption**

The conclusion so far is that we should strive for a normative, procedural, universal and parsimonious definition of QoG that, moreover, can be operationalized and measured. The definition should not include the system of access to power (e.g., representative democracy) since we want to be able to explain the relation between representative democracy and quality of government. It should also not include things like efficiency, capacity and human rights since we want to be able to explain if QoG has a positive or negative impact on these things. Following the “Rawls-Machiavelli” programme as suggested by Van Parijs, this conceptual strategy can be seen as resting on the assumption (or hope) that if we as political scientists can suggest “just institutions” for making and implementing collectively binding decisions, the people that come to operate these “just institutions” are also likely to produce morally good outcomes. The alternative, that we should suggest specific (“sound”) policies or prescribe the “moral status” of the laws runs in the face of the need to reach an “overlapping consensus” for how collectively binding decisions should be made and implemented. Again, no such procedural definition (of democracy or QoG) can work as a guarantee against morally bad outcomes – we are dealing with probabilities, not absolute certainty. Since empirical research shows that higher levels of QoG (but not representative democracy) are related to higher levels of human well-being (and political legitimacy), following Amartya Sen’s capability-oriented theory of justice, we as political scientists have a moral obligation to increase our ambitions to define, measure and study what takes place at the “output” side of the political system. This is not an internal academic affair in which you can sacrifice what actually works for what would be an ideal (but un-implementable) definition. We have no doubt stating that a major part of human misery in today’s world is caused by the fact that a majority of the world’s population are forced to live under dysfunctional (low quality) government institutions.

The question is then what would be the equivalent to Robert Dahl’s *political equality* as the basic norm for the “output” side of the political system. Based on the type of rights-based liberal political theory launched by philosophers such as Brian Barry and John Rawls, Rothstein and Teorell (2008:170) have suggested such a basic norm, namely *impartiality* in the exercise of public power. This is defined in the following way: “*When implementing laws and policies, government officials shall not take anything about the citizen or case into consideration that is not beforehand stipulated in the policy or the*

*law*". This definition is fairly precise and, as argued above, it can be applied universally. As we have shown in other studies (Charron, Lapuente and Rothstein 2013, Dahlström, Lapuente and Teorell 2011), this definition of QoG can be operationalized and measured in both expert surveys and surveys with representative samples of the population. Neither experts nor ordinary people seem to have problems understanding and answering the battery of survey-questions that follows from this definition of QoG. Moreover, these measures largely perform in the expected way when correlated with various outcome measures such as measures of human-well-being.

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## **Project profile**

ANTICORRP is a large-scale research project funded by the European Commission's Seventh Framework Programme. The full name of the project is "Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption". The project started in March 2012 and will last for five years. The research is conducted by 21 research groups in sixteen countries.

The fundamental purpose of ANTICORRP is to investigate and explain the factors that promote or hinder the development of effective anti-corruption policies and impartial government institutions. A central issue is how policy responses can be tailored to deal effectively with various forms of corruption. Through this approach ANTICORRP seeks to advance the knowledge on how corruption can be curbed in Europe and elsewhere. Special emphasis is laid on the agency of different state and non-state actors to contribute to building good governance.

Project acronym: ANTICORRP

Project full title: Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption

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