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Fighting Corruption in Premodernity, East and West:
A Literature Review

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The premise of ANTICORRP's History Work Package (2) is that a comparative-historical perspective on fighting corruption remains a desideratum. This is especially true regarding the pre-modern world, by which we broadly mean the era prior to the rise of the centralized nation state, with its relatively homogeneous legal system, extensive bureaucracy, advanced technology and communications systems, and a broad consensus over the significance of the rule of law and the value of representative democracy. Other than identifying a scientific lacuna, a focus on premodernity has two major advantages for anti-corruption activists and scholars. First, it helps trace continuities and changes with modernity, at times challenging at other reaffirming the supposed originality of modern methods of establishing legitimacy. Second and no less important, especially in the context of ANTICORRP, gaining insights into premodern practices helps those seeking solutions to current problems imagine what tools may be relevant and applicable in a broader variety of political and administrative contexts, a diversity that continues to characterize our globalizing world. We say this while *explicitly rejecting* any facile analogy between premodernity and the developing or non-Western world today, an approach that often betrays a combination of ignorance about the past and self-righteousness in the present.

1. Fighting corruption in medieval Europe: The Italian city-state

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State of the field

Systematic studies on corruption in premodern European polities, be they secular or ecclesiastical, urban or royal, are scarce. The handful of articles (Blockamns 1985; Jordan 2009,) and several insights by administrative and political historians (e.g., Chambers and Dean 1997) have yet to generate a sustained debate on the profile or indeed the diversity of premodern definitions of corruption (or problematize the term vis-à-vis modern approaches), and attempts to fight it. What they have been able to do so far, however, is to indicate that in some cases there definitely was a link, in both the popular and learned imagination, between particular abuses of power and illegitimacy, be it political, moral or a combination of both. The behaviour of court officials and leaders of institutions such as monasteries (abbots) and prisons (wardens) were monitored in a variety of formal and informal ways, for instance by periodic visitations and external supervisory committees on the one hand (Geltner 2008), and their general reputation or *fama* on the other (Fenster and Smail 2003). It is often the case, moreover, that concerns about the potential abuse of power and possibilities for embezzlement were what partly drove some institutions' record-keeping practices (or neglect thereof) and precipitated the establishment of internal criminal courts for professional sectors such as clerics and merchants. Monastic orders cutting across political and linguistic boundaries likewise found it crucial to develop systems of checks and balances (e.g., visitations, annual meetings, etc.), among others in order to maintain pressure on administrators as well as the rank and file to conduct themselves according to the organization's codes, which covered internal and external interactions. In all this, they were clearly influenced by the ideals set out (but hardly original to) the so-called Gregorian Reforms of the 11th century. In other words, some key aspects of political centralization, such as professionalization and bureaucratization, can be traced well before the modern era and—more relevant in our context—be linked also to concerns about what would fall under the modern definition of corruption, namely leveraging public (or common) resources for private (or individual) gain.

Lacunae

Beyond these basically positive indications in terms of the validity of this line of research, there is still a general lack of systematic and comparative studies on pre-modern anticorruption in virtually any sphere. Historians of the church or of religious institutions, for instance, are nowhere near mapping the activities of pertinent courts and supervisory bodies, and have yet to trace the influence of visitation procedures developed in environments such as monasteries and later hospitals and leprosaria, on urban and princely polities in the later Middle Ages and beyond. Intellectual and legal historians too have yet to provide a trajectory of relevant concepts and influences on jurists', theologians', philosophers', and chroniclers' views and prescriptions on the matter, and cultural historians have not focused on the semantic field of corruption or

its manifestations in, for instance, prose fiction or poetry, or any aspect of medieval material culture. Financial historians have likewise yet to sift through the myriad pertinent records for indications of fraud or mechanisms to counter it. No doubt their job is complicated by major uncertainties or rather incompatibilities between the modern and the premodern concepts of public and private domains. On the other hand, and unlike much research about premodern society, there is a relative abundance of promising records: narrative sources, court records, financial accounts, secular and ecclesiastical legal codes, monastic rules and urban statutes, visitation manuals and reports, private documents, appointment letter and charters, city council meetings, systematic theology and political philosophy—many of them accessible in printed edition or else accessible in local archives and manuscript libraries.

Possibilities

While the absence of a comparative perspective can certainly be addressed, it is unlikely, that pre-modern historians will be able to engage in an evaluation of the relative efficacy of particular regimes, measures, or combination of factors in fighting corruption. Yet, as pointed out above, there is an abundance of information on theory, policy, and practice of anti-corruption in medieval Europe. One study cannot cover all of these sufficiently. Accordingly, I decided to focus on analysing a prevalent, well-documented but still neglected practice, namely the so-called *sindacato* or auditing of municipal officials in late medieval Italy (Crescenzi 1981). Specifically I will look at the exceptionally rich records of the Umbrian capital of Perugia in the late thirteenth and fourteenth centuries (and, time permitting, on those of Bologna), which allow us to trace how deviancy in this sense was defined, what mechanisms were put in place to detect it, and how offenders were prosecuted. I would also be interested in situating these procedures in several contexts. The first is a comparative examination of parallel procedures among several Italian city-states. A second a related context is the political trajectory of numerous cities "from commune to signoria" and what role if any did anti-corruption play in it, as least in terms of political propaganda. A third and final aspect worth considering is the transmission of visitation practices from urban/ecclesiastical to urban/secular institutions, and process that, to my knowledge, has not been raised, let alone traced. In short, a single case study offers a point from which to spiral out, in time, space, and documentary evidence, rather far afield.

Synergy

While extraordinarily rich, neither Perugia's archive nor any of the Italian peninsula's city-states will exhaust our investigation. But they will offer a comparative perspective on the one hand with royal and ecclesiastical regimes, and with the Middle Easter cases on the other, especially since the latter regimes were by and large urban based. Another fruitful link can be traced between the relatively precocious practices documented for the Italian city states and much later administrative practices, thus offering a more complex and reliable picture of the historical trajectory of auditing practices.

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2. Fighting corruption between theory and practice in the medieval Middle East

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State of the field

There is as yet no analytical framework for the study of corruption in the medieval Middle East. With two exceptions (Rosenthal 1964; van Berkel 2011), the term corruption is absent from the title of any studies on the medieval Middle East, and is not the focus of any specialized study in this field. More importantly, the concept of corruption, whether in the public or private sphere, has not been problematized or defined in great detail in the context of medieval Middle Eastern history.

A few studies conducted so far deal either with specific cases of corruption or anti-corruption measurements or analyse specific institutions that are relevant for anti-corruption policies. Examples of the first generally deal with specific documents (Bell 1911; Rustow 2010; Richards 1973 and 1977; Stern 1962, 1964 and 1966). Examples of the latter generally deal with the institution of *mazālim* (court of petitions) or cases against dismissed officials (Amedroz 1911; van Berkel 2010; Khan 1990; Nielsen 1985; Rabbat 1995).

More attention has been given to the theory of good governance as described in normative texts (for example, mirrors for princes). However, most of the studies dealing with these mirror and normative texts have a different focus. Corruption or anti-corruption policies are only indirectly discussed (Cook 2003; Crone 2004; Heck 2002; Lambton 1962 and 1981; Marlow 1994 and 2012).

Finally, some works on the broader political culture of the area deserve our attention since they contain relevant discussions on various forms of corruption. Roy Mottahedeh in his study on the Buyid (10th-11th century Iraq and Iran) society, for example, defines the concept of gift giving in the context of the benefits related to power positions and the gratitude related to loyalty networks. Other examples are Van Steenbergen's (2006) and Martel-Thoumian's (1991) studies on the Mamlūk political culture and van Berkel et al (forthcoming 2013) on the ʿAbbāsids.

Lacunae

As is clear from the section on the state of the field lacunae are ubiquitous. A analytical/theoretical framework for the study of corruption in the medieval Middle East should be developed by, firstly, interpreting the concept of corruption and the ideals on good governance on the basis of primary sources and in the context of the constantly changing Middle Eastern societies in the Middle Ages, and secondly, by relating these findings to the definitions and interpretations of the concept by other (historical and anthropological) projects comprising ANTICORRP.

Corruption practices and anti-corruption institutions and measures need to be studied in a more consistent and integrated way. The few institutions that did receive some

attention so far – for example the petition and response procedures – were hardly ever studied from the perspective of anti-corruption policy, nor were they related to other anti-corruption measurements. Finally, also a lot of basic primary research should be done to discover patterns, if they exist, in corruption practices and anti-corruption policy.

Possibilities

Obviously within the timespan of this project I cannot cover all lacunae formulated above. What I will try to do is map and analyse continuities and changes in both the theory on good governance and the practice of anti-corruption measures of two central and important Middle Eastern empires, the ʿAbbāsid (8th-10th centuries) and Mamlūk (13-15th centuries) empires.

Contemporary (changing) ideas/theory on good and bad governance will be studied, departing from the premise that medieval Middle Eastern moral codes on administration do not always correspond with present-day European Union ideals. For example, society's judgment on bribes seems to have been rather mild in the medieval Middle East. And nepotism does not seem to have rang bells at all. So first I will try to analyse what was exactly considered corrupt and was what considered good governance in certain medieval Middle Eastern societies and milieus?

At the same time studying the theory, the ideal, is not satisfactory. The anti-corruption policy of the state was not always in accordance with visions on bad and good governance as described in the normative manuals and mirrors. Practices can be studied from a wide variety of sources, among which petitions and chronicles will be prominent. A first foray into the actual dealings with corruption shows a variety of anti-corruption measures and institutions among state administrations. So far I detected the following institutions:

1. The *maẓālim* (a court of petitions), which dealt, among other things, with grievances brought to the ruler (caliph or *sultān*) regarding abuses by government officials.
2. Administrative procedures against dismissed officials. Already since the 8th century discharged state officials were called to account for their spoils of office and generally had to sign for reimbursement sums after thorough investigations.
3. Irregular installation of audit offices (*dīwān* or *majlis al-zimām*) attached to the main financial departments (*dīwāns*) of both the ʿAbbāsid and the Mamlūk administrations in which officials checked all accounts of the main division to make sure they balanced.
4. The installation of ad hoc investigation teams that were sent to certain districts to check the dealings of local tax administrators or other officials.

I intend to study these (and perhaps other) anti-corruption measures in a comparative manner, first, by analysing continuities and changes between the two major medieval

Middle Eastern Empires of the Abbasids (8th-10th c) and Mamlūks (13th-15th), and secondly, by relating the outcomes of this project to the historical and contemporary views on good governance and anti-corruption practices.

Interestingly, so far, I discovered only very minor developments/changes in theory on good governance between the two Middle Eastern empires under consideration. Although, the administrative ideal was not a static and monolith code – debate existed, for example, on the borderline between allowable gifts (*hadīya*) and illegal bribes (*rashwa*) – there seem to have been no major shifts in how the just ruler should act and protect. I expect more variations in anti-corruption measurements and institutions. For example, some of the institutions mentioned above were specific for either the ʿAbbāsid or Mamlūk era or were present in both but functioned in a different way. I don't think, from the preliminary material I collected so far, a linear development in the direction of less corruption and better functioning anti-corruption measures is visible in time, nor, for that matter, a development the other way around. Within both empires an increasing centralization and bureaucratization is visible, but whether this led to a more effective control of state officials is hard to say, since the material won't allow me to do statistic research. In general, the effectiveness of some specific anti-corruptive measurements are difficult to measure. What I might be able to detect are internal discussions on the effectiveness of certain measurements and shifts in corrupt practices after certain anti-corruptive measurements have been taken.

Synergy
As the outcomes of this Middle Eastern historical project will be compared with the European projects to analyse similarities and differences with European (pre-modern and modern) views on good governance and anti-corruption practices, this project hopes to contribute to the broader history of anti-corruption and detect whether there are specific Middle Eastern, or Islamic, patterns and traditions in both the theory and the practice of good and bad governance.

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Primary sources consist of histories, collections of historical anecdotes (in Arbic referred to as works of *adab*), administrative manuals, mirrors for princes and, especially for the later period, petitions and their answers dealing with corrupt officials. For the latter type of source material, the archival material, we must keep in mind that for the medieval Middle East only very limited archival source material has survived. On the other hand the narrative (histories) and normative sources (mirrors and administrative manuals) are often very rich in detail. Here only a selection of the material that will be used is mentioned.

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