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## **Fighting Corruption in Modernity: A Literature Review**

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### **Introduction**

Presented here is an overview on the literature of anticorruption efforts in the modern period, starting (in Denmark's case) in the late seventeenth century, but with much of the focus beginning in the early nineteenth century and continuing into the early twentieth. The working assumption here, informed by considerable literature on the subject, is that the modern period, and more particularly the nineteenth century, witnessed the transition of "face-to-face" forms of government, in which – by contemporary standards – corrupt practices were common, to Weberian-style bureaucracies, where rationalization, at least in those places where it was more or less consistently practiced, reduced if it did not entirely eliminate once-common forms of malfeasance.

Taking a lion's share of the modern study are several Northern European countries which were apparently successful – no one can be sure how much unseen "corruption" has persisted – in deploying anticorruption strategies relatively early on: Sweden, Denmark and the Netherlands. Denmark and Sweden show notable parallel developments, although the timing is possibly somewhat different. The Dutch case is interesting as a foil to these two cases, having different political and social structures in crucial ways yet showing a parallel course in the development of "universal" ethics in respect to good government. Next to these three countries are studies of two other government systems. One is the Dutch colonial state, which attempted – at least to some extent – to introduce administrative values to the Dutch Indies, with compellingly diverse results. The other is the late Ottoman Empire, which in the decades prior to the First World War attempted to systematically address various corrupt practices. These last two cases have been introduced to problematize the first three cases, enabling the historians in this project to reflect more deeply on the differences – and similarities – between ostensibly "successful" and less successful cases.

As the research progresses, then, the ambition is to have each of these projects as it were speak to each other, challenging each other's claims and assumptions in the light of all the cases. Obviously, this also means intensifying a conversation with the pre-modern historians of this work package. At present, however, each case speaks more or less for itself. The hope, too, is to add to this project by including the histories of other European countries/regions/empires, so that the patterns and developments might be more worked out. Involved in this project are both historians and political scientists, and it is important to note in this respect that the history of anticorruption efforts is new for historians, where the more general study of corruption has been on the agenda among political scientists since the beginning of the 1990's. But whatever the background of the researcher, these case-studies are "historical" in that they understand corruption not as it is used today, but as historical contemporaries did.

One last remark should be directed at the sources at the basis of each of the case studies, which are strikingly different from each other at points. Some of the projects make heavy use of court records

and administrative edicts, while others rely more heavily on media and public debate, such as parliamentary discussions, to name just a few of the key sources. These differences are partly informed by the availability and usefulness of the sources. But they also reflect differences in approach. Some of the studies are more institutional in orientation, looking at the (ostensibly) successful steps taken by state agencies to counteract corrupt practices, some are more focused on the discourse of anticorruption, while others attempt both. This raises interesting and important questions about how to follow the history of anticorruption efforts, including questions about how broadly culturally, or more narrowly administratively, this history should be followed.

## 1. The Ottoman Empire's Struggle with Maladministration and Corruption during the Tanzimat Period (1839-1876)

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Beyond quenching one's general thirst for knowledge related to the past, or satisfying a specific intellectual curiosity about traces and types of corruption in one country/region during a certain period, a historical perspective on corruption and anticorruption can inform us all about the continuities and discontinuities regarding patterns and practices of corruption as well as of policies and tools developed to prevent and punish it. Historiography can help us better understand the various roots and roles of 'corrupt' social practices in a comparative and contextualized manner. The partial and tenuous nature of contemporary anticorruption attempts as well as a persistent and widespread display of corrupt behaviors in our times can be better captured and pictured through the lenses of multidisciplinary scholarly designs and debates, involving historians as well as economists, political scientists, legal scholars, administrative scientists, and so on. Even if a historical perspective may only provide a glimpse into a complex phenomenon, it may still open up a small yet significant path towards a better understanding of today's corrupt practices in connection and comparison with the legacies of the past.

### State of the field

In the preface to the first edition of his *Reform in the Ottoman Empire, 1856-1876*, Roderic H. Davison put forward the following:

"The study of the Tanzimat period—that crucial time of attempted reform and westernization in the nineteenth-century Ottoman Empire—is still in its infancy. We are many years and scores of monographs away from a definitive history, which will be possible only after full exploitation of the Turkish archives and of other widely scattered materials in over a dozen languages. Much still remains to be known simply of what happened and how and when, not to speak of why. This, therefore, is a preliminary attempt to recount and assess the major reform developments and to put them in their historical context." (Davison 1963: xi).

Exactly half a century after Davison's remarks, it is safe to say, as a general observation, that there exists now an extensive literature on the Tanzimat period.<sup>1</sup> However, if we shift the focus specially toward corruption and anticorruption, Davison's observations remain very much valid since there is a dearth of substantive and systematic scholarly research on 'anticorruption mechanisms in the public sphere' during the Tanzimat Era. That is why our contribution should and will be designed (by rephrasing Davison's words) as a preliminary attempt to recount and assess the major developments and most relevant issues regarding corruption and anticorruption during the Tanzimat Reform Era in the Ottoman Empire.

The *Tanzimat* (or the Reorderings/Regulations) period, which begins with the issuance of Gülhane Decree (or *Hatt-i Şerif*) in 1839, continues with proclaiming of the *Islahat Fermanı* (or *Hatt-i Hümayun* / Imperial Rescript on Reform) in 1856 and ends with the promulgation of the Constitution (or *Kanun-i Esasi*) in 1876, has been an interesting period in the history of Ottoman

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<sup>1</sup> See, for instance, references listed in Inalcık and Seyitdanlıoğlu (2012, pp.789-826). In this sense, comparing Kuran's 'Ottoman Historiography of the Tanzimat Period' (1962) with that of Seyitdanlıoğlu (1995) is also indicative of the growing literature.

Empire in many ways. On one hand, it was a transition period in which there has been fusion and confusion regarding political-social thoughts and norms, due in part to mingling and mixing of traditional political-administrative attitudes, values, and practices with those of modern/western ones. On the other hand, during the same period, defensive survival strategies of the state were mixed with the pressures for reforms coming from outside and inside, paving the way to major attempts for change in many domains, chiefly in military, and then in the legal-administrative status of the ruler(s) as well as how they relate to the ruled. More to the point, it was an era of reforms and regulations aiming at preventing, prosecuting, and punishing maladministration and corruption on such a scale and scope never witnessed before.

As stated before, there are an ever-expanding number of studies dealing with different dimensions and events of the Tanzimat period. For the sake of brevity and focus, it is sufficient to note here that the extant literature provides enough materials to dwell on in chronicling and critically reviewing the crucial parts and phases of major reforms and regulations, as well as philosophies and performances of paramount reformers of the period.<sup>2</sup> Given the prerequisites and common purpose(s) of the current work package, it is more reasonable and feasible to limit the current review with two overarching, separate but closely connected themes: modernizing the bureaucracy on one hand, and preventing and punishing corruption on the other.

As far as the studies about building a modern government/bureaucracy are concerned, many of them usually start with describing reform attempts witnessed during the reigns of Selim III (1789-1807) and Mahmut II. (1808-1839), paving the way for the Tanzimat reformations during the reigns of Abdülmecid (1839-1861) and Abdülaziz (1861-1876). While certain individual and collective scholarly works provide very valuable information and insights about socio-economic as well as political-administrative dimensions of the Tanzimat period (e.g. Inalcık & Seyitdanlioğlu 2012; Karpat 1972; Ortaylı 1987; TTK 1994) studies that exclusively or heavily focus on legal-institutional reforms of the era offer much better potential for contributing to the purposes in hand (e.g., Akyıldız 2004; Çadırcı 2007, 2011; Davison 1973; Engelhardt 1999; Eryılmaz 1992; Findley 1980, 1989). Although some studies examine the reform attempts with a near-exclusive focus on how and to what extent those efforts have changed the structure and functioning of central-government, or certain organs of it (e.g. Gökbilgin 1967; Shaw 1970) a significant portion of the existing studies describe the consequences of the Tanzimat reform for the provinces and localities of the Empire as well (e.g. Barkey 1994; Çadırcı 1991, 2011; Ortaylı 1974, Torun 2012). While the studies of legal scholars/legal historians provide much-needed details of the newly-enacted laws and regulations along with the challenges encountered in their implementations (e.g. A. Akgündüz 1986, 1987; Bilgen 1991; Ekinci 2004; Gökçen 1989; Şentop 2004; Taner 1940; N. Akgündüz 2010; Katgı 2013), still others offer political-administrative frameworks to analyze the patrimonial tendencies and legacies of then-burgeoning bureaucracy (e.g. Heper 1974; Mardin 1962).

On the other hand, it is rather surprising that the first (and still only) book dealing exclusively with the corruption in the Ottoman Empire was originally published in 1969. The late author of the book, Ahmet Mumcu, was at the time of the book's publishing a faculty member (a legal historian of sort) at the School of Law in Ankara University. Quite understandably, the book (Mumcu 2005) dwells

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<sup>2</sup> This in no way implies that no stone has been left unturned in the field or that there is a widespread consensus on these and other dimensions: indeed, there are many issues and millions of documents concerning the Tanzimat period waiting to be explored and evaluated. The point is that since 'basic facts' of the period are well-established, well-documented, our attention and efforts should rather be directed to issues and developments that are not yet examined pointedly, with a well-defined perspective and similar purposes to those defined by ANTICORRP in general, and WP2 in particular.

heavily on various legalistic definitions of bribery, along with cases mostly drawn from bribery trials of judicial authorities/persons during the Classical Period of the Empire. While limited in its thematic and chronological coverage (e.g., its focus on the Tanzimat period is rather terse) the book is still worthy of mentioning here not only because of its rarity (even uniqueness), but also because of the information it provides on the triggering factors, types, and consequences of bribery, as well as measures taken, albeit to not much avail, against this form of corruption. Although mentioned before, it is worth reiterating here: Works of some legal scholars/legal historians are valuable resources to get acquainted with the legal-judicial measures and mechanisms introduced during the Tanzimat period, including those directly related to anticorruption (e.g. A. Akgündüz 1986, 1987; Bilgen 1991; Ekinçi 2004; Gökçen 1989; Katgı 2013; N. Akgündüz 2010; Şentop 2004; Taner 1940).

When it comes to the quantity and quality of scholarly articles focusing on anticorruption during the period under investigation, a few of them present transcription/translation of a number of documents from Ottoman Archives related with anticorruption regulations and measures without much elaboration (e.g. Karal 1941; Karataş 2003), while others provide illustrative cases of fraud and bribery, lacking nevertheless any contextualized analysis (e.g. Daşcıoğlu 2005; Gürpınarlı-Ortaç 2002). Still others do not even bother with providing original documentation, relying instead on available secondary sources (e.g. Keleş 2005).

Two interesting and inspiring pieces deserve more attention here. One of them is an article focusing on the delicate task of differentiating gift from the bribery and fighting against the later during the Tanzimat period (Çelik 2006). The second article visits but goes beyond the same dilemma, focusing rather heavily on the trials of three top bureaucrats (*Nafiz Paşa*, *Akif Paşa*, and *Hüsrev Paşa*) with, among others, corruption charges. The two issues contained in these articles (the dilemma of differentiating the gift from the bribery, restricting the former while penalizing the latter; and mixing of anticorruption measures with political-bureaucratic power struggles) can be construed as two significant themes vis-à-vis anticorruption during (especially in early years of) the Tanzimat period, waiting to be explored and elaborated further in the future.

In terms of offering a broader perspective on the issues involved, a comparative and contextualized approach might be useful in that contrasting the efforts toward building a modern and clean bureaucracy in the Ottoman Empire with those of its contemporaries may prove fruitful. For instance, when exactly were tax-farming replaced with fix-salaries for bureaucrats in different countries in and around the 19<sup>th</sup> century? When and how efforts towards defining gifting and differentiating it from bribery adopted an anticorruption rhetoric and regulations in Scandinavian countries? Whether and to what extent were power politics and anticorruption campaigns interwoven in the past in Russia versus the Netherlands?

### **Lacunae**

The fact that there is only one monograph in Turkish about corruption (bribery) in the Ottoman Empire (written by a legal historian some forty years ago) and just a few scholarly articles devoted to the topic is, in and of itself, a telling observation about the current state of the field.<sup>3</sup> Coupled with the lack interdisciplinary conversation and collaboration in the country among the social scientists, including historians and political scientists, there is an immediate need for

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<sup>3</sup> A recently published ‘corruption bibliography in Turkey’ (Akkuş 2010), which contains a list of around 250 publications, has just few studies somewhat related to ‘history of corruption in the country’, let alone Tanzimat period.

conceptualizing and designing a multi-faceted, multi-disciplinary research project(s) around most relevant and promising thematic issues. Before anything else, however, there is this crucial task of identifying and bringing together the available information and resources about the period, which are scattered around along geographical, disciplinary, and institutional lines. In other words, the existing gap can only be reduced, if at all, by identifying and gauging it first.

It is reasonable to suggest that the existing studies of the Tanzimat period present a series of descriptive-analytic pictures of the legal-institutional aspects of reform attempts, even if they rarely provide solid theoretical groundings, not to speak of inspirational insights for innovative research questions and designs. The first task awaiting us then is aptly scaling and scoping of the current project so as to identify and utilize the most crucial and relevant pieces of the existing literature. Especially important is to identify and assess the introduction and implementation of the reform components that envision reminiscent of the bureaucracy described by Weber (i.e., merit-based recruitment and tenure for the civil servants, separation of offices from the individuals who hold them, fixed-salaries paid by the state, and so on). A very much related concern has to do with spotting, examining, and cataloging major developments in the anticorruption front during the same period. Thus, a research attempt towards juxtaposing legal-administrative reform initiatives aiming at establishing a ‘modern government’ with those focusing directly on building a ‘clean government’ in the country stands as both a necessity and an opportunity.

### **Possibilities**

The most challenging yet potentially rewarding task before us all is to engage in the ensuing and encompassing debate about historical precedents, roots and legacies of corruption and anticorruption more actively and effectively. A recurring requisite for all of us, however, has to do with the constraints faced in laying out the future research potentials and possibilities carefully and strategically. As such, there is an obvious need for balancing a realistic and effective scaling and scoping of our individual and institutional contributions on one hand, and conceptualizing and carrying out an informative, innovative, and inspirational research project, on the other.

Thus, a reasonable and realistic list of suggestions should start with sorting out, chronicling and cataloguing the major developments and documents during the Tanzimat period vis-à-vis corruption and anticorruption, along with those most directly related to efforts aimed at modernizing bureaucracy. In other words, the first and foremost task awaiting us is ‘mapping the territory’ to identify and delineate present and potential studies and documents with a well-defined focus and purpose. An immediate and much-needed product of such efforts might be ‘a historiography of anticorruption in the Tanzimat era’ of sort.<sup>4</sup> The second step in this direction is to aim at providing a broader and more nuanced perspective about major anticorruption issues, measures, and mechanisms of the period by uncovering underlying reasoning, rhetoric, and responses of key actors documented in official records and reports of reforms and regulations during the Tanzimat period: How did they perceive and problematize corruption? How the main actors did defend and justify launching new anticorruption measures and mechanisms? What were the defining characteristics of these measures and mechanisms? Whether and to what extent did they assess and explain the (past) failures? To where/whom did they attribute to the failures? Did they ever monitor and report the

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<sup>4</sup> More attention and efforts should be devoted to including all available records and resources (primarily including but not limited to Turkish and English), as well as involving all experts willing to avail themselves for the purpose. As for the latter, designing a (perhaps online) survey targeting ‘native’ and ‘foreign’ historians with a list of issues and resources to gather the participants’ research perspectives and priorities might be a potentially fruitful starting point.

progress of new anticorruption measures and mechanisms? If yes, how did they do this and to what effect?

### **Synergy**

Research that is multi-disciplinary and comparative by design offers the greatest potential in tracing the broad contours of the history of anticorruption. Nonetheless, given the time, resources and otherwise constraints facing us, it is only reasonable to stay focused, sticking with the core research issues and questions in our individual/institutional agendas. Thus, I will first and foremost be concerned with identifying, analyzing, and reporting corruption and anticorruption in the Tanzimat period, guided by the thematic issues and research questions presented so far in this review.

Having said this, one broad approach can be offered here. It has to do with major influences and legacies of Tanzimat period in general and anticorruption policies and practices in specific: Whether and to what extent was this issue so far taken seriously by contemporary scholars focusing on the region. Although not without involving controversy, there is a widely-shared acknowledgement and ample amount of information about the influences of the West in shaping the thoughts and policies of the Tanzimat-era reformers, as well as a high level of awareness regarding the legacies of the Tanzimat period in the design and development of Turkish political and administrative system in the subsequent decades. Nonetheless, we (at least, I) do not know much about whether and how much successor countries and communities of the Ottoman Empire have been influenced/affected by Tanzimat reforms and regulations, particularly by those aimed at modernizing the bureaucracy and curbing corruption. In concluding, it suffices to note here that consulting with the available resources on this line of research might significantly contribute to the design and delivery of a more comparative and a better contextualized research projects on the various issues involved.<sup>5</sup>

### **Bibliography**

In addition to identifying and studying a well-targeted portion of primary resources cited below, I will rely mainly on secondary sources made available by scholars of legal-administrative and socio-political history of Ottoman Empire in general, and of the Tanzimat period in specific, including but not limited to the following.

#### **Primary sources**

##### **1-Başbakanlık Osmanlı Arşivleri (BOA-Ottoman Archives)**

*A-Hatt-ı Hümayûn Tasnifi(HAT)*

*B-Ali Emiri(AE) Tasnifi*

*C-İbnülemin (İE) Tasnifi*

*D-Cevdet (C) Tasnifi*

*E-İradeler (İ) Tasnifi*

*F-Kamil Kepeci (KK) Tasnifi*

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<sup>5</sup> See for example, the volume edited by Van Meurs & Mungiu-Pippidi (2010), especially the individual chapters written by A. Pippidi and I.A. Tassopoulos, for the impact of the Tanzimat on transforming ‘Ottomans into Europeans.’

*G-Yıldız (Y) Tasnifi*  
*H-Bâb-ı Ali/Bâb-ı Âsafî(A) Tasnifi*  
*I-Mühimme Defterleri(MD)*  
*J-Ayniyat Defterleri*  
*K-Tanzimat-ı Hayriye Defteri*  
*L-Meclis-i Vâlâ Defterleri*  
*M-Meclis-i Tanzimat Defterleri*  
*N-Şer'iyye Sicilleri*

## **2-Newspapers:**

*Takvim-i Vekâyi* (1831-1922)  
*Ceride-i Havadis* (1840-1864)  
*Tecüman-ı Ahvâl* (1862-1870)  
*Muhbir* (1867-1869).

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## **2. Building and Maintaining an Honest Public Sphere: The Netherlands 1750-2000**

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This review is primarily oriented toward tracking anticorruption efforts in the Netherlands in the modern period. Ultimately, two emphases will be developed. The first will consider to what extent it is useful and accurate to place the Netherlands in a set of countries that – presumably at some point in the nineteenth century – decisively opted for a vigorous and apparently successful repression of practices labelled as corrupt. The second focus, later in time, investigates how the Dutch reacted to new challenges after the Second World War but especially after the Cold War. Which problems and above all which initiatives did they enact to secure or to maintain basic commitments to good government?

### **State of the Field**

In past decades little has been written on corruption in Dutch historiography, at least as a central focus. Even less has been written about anti-corruption mechanisms, let stand an evaluation of its successes or failures. Nevertheless, there are roughly five distinct bodies of literature that offer a basis for further historical analysis and research – even though each of these bodies have their own limitations for this FP7 project, limitations that shall be discussed in turn. The focus here is, as noted above, on the history of the Netherlands, but where relevant literature outside this specialization seems especially pertinent, it will be included.

The first area of historiography is focused on patterns of corruption in the first part of the period here under review, the late eighteenth century and to a lesser extent the early nineteenth. The reasons for the focus on the Dutch Republic seem evident enough, as the last decades of the Dutch Republic (to 1795) has been regarded by much of the late nineteenth and twentieth century as corrupt (Kerkhoff 2013). In contrast to the Scandinavian states with which it is often compared, most of the Netherlands in the seventeenth and eighteenth centuries had no experience with a centralized state, absolutist or otherwise. Rather power was rather diffusely distributed, though the *stadhouders*, a hereditary position after 1747, had a political lock on several regions of the country. Competing patronage systems which offered little to no access to newcomers makes it easy to paint the last half of the eighteenth century as one of corrupt cronyism. On the other hand, anti-tax revolts in 1748, launched in protest against tax farmers for their less than honest imposition of taxation, led to tax reforms thereafter (Dekker 1987). Increasingly, Dutch bourgeois citizens in the last half of the eighteenth century were interested in reform, in the first instance moral but increasingly also political in nature, which at least created a climate where honesty in public administration received increased attention as a public issue. Nevertheless, new measures against corruption came only after a French invasion and the Batavian Revolution (1795), when Dutch revolutionaries imposed new standards of public accountability, to be implemented by the centralized state which they created in 1798.

Older historiography relates corruption and resistance to it as part of a process of state formation (De Wit 1965; Schutte 1978). According to Kerkhoff the literature also took on normative tone, criticizing eighteenth-century administrators for their abuse of public office (Kerkhoff 2012: 31-35). More recent historiography has attempted to understand patronage networks in terms of their own time (Gabriëls 1989; De Jong 1987). One important study traces the jurisprudence defining administrative corruption since the nineteenth century (Sikkema 2005).

What the actual effects of these changes were in combating corruption has been dealt most closely with by historians who have focused on the institutional history of government agencies or ministries in the early nineteenth century, such as the court of auditors (Margry, Van Heukelom & Linders 1989) and the Ministry of the Interior (Boels 1993; Van IJsselmuiden 1988). The rise of a centralized national state, shaped by French pressures and by the autocratic king of the Restoration Period Willem I (1813-1840) created for the first time a systematic state apparatus. Corruption incidents were not recorded in administrative documents and historians are required to rely on rare sources to show that it did indeed exist (Stekelenburg 1999: 84-85), though court records and parliamentary proceedings offer us important sources. The patronage system with which Willem I kept his hands on power (Van Zanten 2004) was a source of resentment, and the lack of public accountability irritated liberal reformers until their successful propulsion into power in 1848. Nevertheless (declining) incidences of corruption already before 1848 can be seen in the light of bureaucratization (Van der Meer and Raadschelders 2003). Recently, though, Hans van den Heuvel has placed the most important shift not in the early nineteenth century and the advent of effective state bureaucracies but in the “new political culture” of the late nineteenth century (after ca. 1870) which, with the democratizing claims of civil society organizations and new political movements, fundamentally removed the elitist arrangements that had continued to make abuse possible (Van den Heuvel 2010). It is a pity that Van den Heuvel did not work this out further, since it places later the significant change than the other administrative historians, and also the view of the doctrinaire liberals of the nineteenth century, who saw their successful “revolution” in 1848 as crucial for transparent government. In this first body of literature there is no consensus about the decisive moment when anti-corruption measures took hold, taking anywhere between 1750 and 1900. But it should be also said that the most in-depth studies (Margry et al., Van IJsselmuiden) do not seek to answer this point, their focus being much broader.

Still it might be worth inquiring how the Dutch case fits into other literature which sees a decisive breakthrough in either the eighteenth or nineteenth centuries (in Northern Europe at least), in which a climate of anti-corruption stances had the effect of reducing what previously had been a systematic problem. A “big push” across the institutional board thus decisively broke with the past in Sweden, according to one vision (Rothstein 2011; Teorell and Rothstein 2012). John Girling sees something of such a push in Great Britain in the early nineteenth century, though he claims that the transformation there was moral in character (Girling 1997: 119-149). The Netherlands might possibly have witnessed a transformation at the same time, and though the reasons for it have not been investigated, there is some suggestion that here, too, there was a noticeable emphasis on the importance of a self-disciplined, exemplary moral conduct on the part of leading administrators (Lok 2009). Whatever the case and whatever the reasons, at some point in the nineteenth century, if not before, it is plausible to argue that Dutch public life adopted standards of “universalism,” the Netherlands being part of a trend worked out in the multinational study *The History of Corruption in Central Government* (Tiihonen 2003). Thus in the efficient and impartial disbursement of public services the Netherlands, too, became “Denmark” (Pritchett and Woolcock 2002; see also Fukuyama 2011). But are these historical depictions of the shift to universalism sufficiently deep to be helpful? For example, Eric Uslaner’s work offers a particularly compelling vision on the symbiotic relationship between inequality and corruption, at the same time citing successful historical examples of countries which broke through this pattern (Uslaner 2008). But his depictions, though providing a lead, are all too cursory to be highly persuasive. One of the tasks of this study is to be critical about possibly facile assertions concerning transformative, historical change.

What could be said about much if not all of the above literature is that there is the supposition that modernization somehow, inexorably, works to reduce corruption. This is *not* the case in a second body of literature, much of it of (very) recent date, which sees anti-corruption campaigns or scandals chiefly as discursive expressions of contested public values – and themselves very much products of modernity. This approach to analysing the history of corruption – and the success in combating it – particularly from the perspective of a Weberian norm (either taken as normative for modern times or for all of human history) has been challenged by the new approaches of this literature. Doubts that the scope of corruption – let alone the “success” of anti-corruption efforts – can actually be determined by even an exhaustive study of the sources has generated scepticism toward extrapolating from history any reliable generalizations about the presence, or the absence, of corruption. At the very least, the historians discussed here are keenly aware that the incidence of corruption cases says in itself little about the extent of corruption, nor is the paucity of cases necessarily an indicator of the triumph of universalism. More fundamentally, many historians recently working on corruption have insisted on “de-essentializing” the concept (Grüne and Slanička 2011: 31). They argue that the meaning of the word “corruption” – itself a relatively modern concept – or its synonyms are by nature unstable and multivocal, used by different actors in different ways for different ends. Following a set of illicit practices over time – or their “successful” elimination as a threat to good government – is thus problematic, and invites an anachronistic view of history (i.e., using standards of today to determine what “corruption” meant in the past). This new approach is clearly informed by *Begriffsgeschichte* and also by the linguistic turn, which emphasizes the signalling of corruption – and concomitantly efforts to combat corruption – in chiefly discursive terms.

From this vantage point, it is tempting to see the history of the discourse on corruption (which is of course often about anti-corruption) as about the changing course of “public values” (Johnston 1996), values which attempt to establish right ways of thinking and acting in public life. Corruption scandals, according to the recent project led by Kennedy (“Under Construction: The Genesis of Public Value Systems”) on the history of these scandals in Dutch history (1650-1950), are the best way to study the dynamics of these shifting public values (Van Eynatten, Kennedy, Rutgers and Wagenaar 2008). Following Johnston (2005), this research holds that the study of corruption scandals is not about the incidence of corruption or the success of anti-corruption efforts but about analysing political and social change. The emphasis is accordingly on the contested and shifting nature of these public values. In other literature, corruption discourses are themselves vehicles constructed by factions in the public sphere against their opponents. Corruption – and the need to put an end to it – are thus to a large extent about political legitimacy, or about efforts to delegitimize authority. Seen this way, corruption cases are not measures of public integrity – let stand an indication of success in the battle against corruption – but as the site of contestation not only between competing values – but also competing parties (see the case studies in Engels, Monier and Petiteau 2012).

Some of the historians focused on “public values” pay attention, like the public administration historians, to the modern dynamics of anticorruption discourses. But unlike these historians, they emphasize that modernity does not witness the triumph of anticorruption efforts so much as redefine the battle lines between parties willing to take up the anticorruption cause for their own purposes. It seems that the shift to “Weberian” norm did unevenly take place in Western Europe after the French Revolution, but with increasing differentiation, corruption became increasingly ideologized, as different norms in overlapping spheres of life increasingly overlapped and competed with each other (Kerkhoff, Kroeze and Wagenaar 2013). The German historian Jens Ivo Engels says that

precisely because the public-private distinction became important after 1800 “corruption” became an important source of debate up to the First World War, first concerning itself with parliamentary representation, then the role of money, then the place of the media and the bureaucracy (Engels 2006). This essentially specifies the insights of Tiihonen who, in sketching the history of corruption, sees the expressions of it change as the ideology and size of the state change, and with it, also efforts to control corruption (Tiihonen 2003: 1-36). Other historians such as Frank Bösch and G.R. Searle emphasize for the period 1870-1930 that polarization, the rise of mass media, and the intensification of imperialism and capitalism all fed corruption debates (Bösch 2009; Searle 1987). Seen this way, to underscore the point again, anticorruption efforts, successful or not, were rooted in ideological conflict, themselves the product of a contestation for political power.

In contrast to the German and the British historiography, with their emphasis on contestation, the Dutch research group “Under Construction,” particularly the work of Ronald Kroeze, emphasizes how Dutch politicians took “political morality” seriously in the scandals with which they were confronted (Kroeze 2013). The group of Dutch historians associated with “Under Construction,” especially Toon Kerkhoff, have demonstrated the shift from the “values pluralism” of the eighteenth century, where face-to-face values still competed with “bureaucratic” ones, became univocal at the turn of the nineteenth century (Kerkhoff 2012). High profile corruption cases in the Batavian Republic in the year of two coups d’état (1798) reveal the decisive shift toward a univocal moral set of values that strictly divided public duty from private gain. Efforts to regenerate conservative values of the *ancien régime* did not occur in the Netherlands as it did in Germany (Kerkhoff, Kroeze and Wagenaar 2013). And more importantly, anticorruption campaigns – to the extent that they were launched at all – seemed to miss much of the energy and vehemence evident in Germany, Britain and France. In this context Kroeze’s work points to an important perspective. We may not be able to get to the heart of whether anti-corruption efforts have been successful, but public discourses can say much about the extent of public trust, and the ways in which key figures perform in public debate in times when charges of corruption emerges. Their responses, and public reactions to them, may yield insights about national arrangements where commitment to fighting corruption is widely regarded, at least, as successful.

This brings us to a third type of relevant research, which deals with modern political culture in Dutch politics and administration (Aerts et al. 2013; Bos, Ebben and Te Velde 2007; Randeraad and Wolfram 1998; Wagenaar, Kerkhoff and Rutgers 2011). While not focusing on corruption or the effort to combat it, these studies in focusing on political culture compel us to look at deeply entrenched patterns of discourse and practice that (partially) determined the ways that Dutch politics and administration have worked. Ostensible patterns of consensus, a frequent tendency toward depoliticization, sensitivity to shocks from below may help in accounting for the felt success among the Dutch in combating corruption. In particular, the self-image of the Dutch as efficient administrators and trustworthy politicians is worth following in respect to anti-corruption, as it allows us to see how key Dutch agents (first) attempted to give discursive form to their self-understanding as a country that had, for the most part, effectively banned corruption from the public sphere. Making concrete ties between political culture and anticorruption efforts, however, can be difficult.

A fourth body of relevant literature stands somewhat isolated from the rest: historical portraits of important corruption cases in Dutch history. For the history of the Dutch Republic, there are numerous case studies many of which fall outside of the time period under consideration here. But the number of case studies for the modern period, particularly pertaining to recent decades, has

grown. Particularly high-profile cases, such as the misspent state subsidies to the ship construction concern Verolme in the 1980s (Dekker 2005), kickbacks from aircraft manufacturers taken by Prins Bernhard in the 1970s (see the controversial work of Aalbers 2011), or the granting of knighthoods in exchange for party contributions as instigated by the Dutch prime minister Abraham Kuyper (1901-1905), have been objects of (recent) historical study (De Bruijn 2005). Some recent Dutch literature (often of a journalistic bent) on recent scandals have been pessimistic about whether – despite their good reputation – the Dutch have been all that successful in their anti-corruption stance (Dohmen and Verlaan 2003; Kok and Van der Maas 2006). These works offer important research into the relatively recent history of corruption, and they raise important questions about corruption and anticorruption efforts in countries like the Netherlands that enjoy an impeccable reputation. More specifically, they provoke the question: What anticorruption mechanisms are needed to maintain, or revitalize, a “clean” public sphere? But much of the research does not reflect much beyond the specific casuistry, and none are really interested in exploring anti-corruption efforts as a theme. None offer a sweeping overview in a historical sense; Elaine Byrne’s (rather sobering) history of corruption in twentieth-century Ireland has no analogue in the Dutch historiography (Byrne 2012).

Finally, a fifth body of literature is not historical in orientation at all, but consists of the work of chiefly political scientists and experts in public administration. Shaped largely by recent concerns about the “integrity” of government, it seeks to measure incidence of corruption and make suggestions about how to improve anticorruption government efforts. This literature is often strongly transnational in scope or comparative, research of the kind being done by the leading lights of this FP7 project. Nevertheless, there is a fair amount of literature focused on the Dutch case. Hoetjes’ *Corruptie bij de overheid* is a classic early study (Hoetjes 1982), but more has emerged in recent decades. Recent research into corruption in Dutch government does not paint an overly alarming picture of corruption, though one important study notes that the mechanisms for systematically controlling for corruption is still often lacking (Huberts and Nelen 2005; Van den Heuvel 2012). Michel van Hulst’s overview of corruption in its various modern manifestations is helpful for its broad understanding of the problem (Van Hulst 2002). These studies are very much focused on what works as anti-corruption mechanisms, but are not historical in orientation, and tend to avoid the larger cultural context which might shed light on the issue.

### **Lacunae**

In addition to offering a sample of relevant literature, the point of offering various bodies of secondary literature is to underscore that the topic at hand – tracing the success of anticorruption measures in modern times in the Netherlands – has not been the central focus of any research. Moreover, not only are the aims of the research divergent, but the methodological and theoretical approaches as well. One could go further that the history of corruption and the effective initiatives against it is a topic that researchers very consciously have avoided, precisely because it is so hard to research and to measure. Just as corruption as an intrinsically hidden practice has thwarted, beyond the prudent focus on scandals, large-scale research (De Haan and Van den Heuvel 2003: 27), “success” in fighting corruption faces the same problem. Moreover, shifting definitions of good government across time has made historians in recent decades (even) more reticent to impose contemporary standards of good government across time. These are important reasons why the lacunae is so large and noticeable.

Nevertheless some issues and periods have been better covered than others. More research is badly needed on the first half of the nineteenth century, when the shift to a self-consciously clean public sphere was probably made. The multiple efforts to prevent abuse, made necessary enormous expansion of the state in the twentieth century, have been not much researched at all. And the Dutch colonies – focal point of much Dutch discussion about the need for good government – also needs much attention (see the literature review of Sanne Deckwitz). On corruption or anticorruption in the current colonies (the six islands of the Dutch Caribbean) there is very little.

In terms of actual sites, we could mention that a handful of ministries have been researched on the theme of corruption, but this could be expanded. The history of bureaucracies in general and in more in particular relating to good government issues are few and far between. The place of parliament, too, has for the most part not been investigated. The role of the media, civil society and (later) public opinion as (possibly) important checks on misuse of public office also have not been much problematized, let alone researched.

### **Possibilities**

One of the ways to offer a longitudinal analysis of changing attitudes toward corruption and new strategies to combat it is made available through the digitization of important public sources of the nineteenth and twentieth centuries, particularly newspapers and the States-General, the latter fully digitized from 1814 to 1995. Newspapers are less coherently collected, with some periods (the Second World War), as well as some regions (in particular the overseas territories), extremely well-covered, while others much less so. Nevertheless, it is possible to see when and with which incidence, and especially how and why anticorruption measures are put on the public agenda. In all likelihood this will give a good indication of what concerned public voices about (possible) corruption, and what they wanted to do about it. More to the heart of this project, such analyses might also offer us the historical contours of a public sphere that at least came to see itself as deeply committed to repressing corruption (and since we cannot see either corruption or its successful reduction this is about as good as it can get). This analysis includes discussion of scandals but is at the same time broader in scope, taking other discussions about laws and norms into account. It can include an inventory and analysis of words and concepts associated with corruption and effective measures against it. This kind of analysis – also new among historians – can offer new vistas about the changes across time in what measures have needed to be undertaken in order to achieve good government and repress corruption.

Following these discussions across two centuries also allows us to test to what extent anticorruption concerns and measures date from a particular time. Was there a big push, or lots of little pushes? Did concerns for combating corruption come in waves, or was it more spread out? Can we even say, on the basis of the materials that, from a discursive standpoint, the Netherlands “arrived” as shining example of good government? Possibly, too, the consultation of digital sources allows us to link developments of longer ago with those of recent decades, given the historical analysis an added value.

Digitized sources are, of course, not the be all and end all of historical research on this front. The National Archive in The Hague offers material on leading political and administrative figures, as well as institutions and ministries, and pinpoint selection from these archives will be helpful.

Important, too, is attempting to link the patterns detected by digitized sources with broader developments in Dutch political and administrative history, thus embedding the history of anticorruption more fully with existing historiography.

### **Synergy**

We obviously hope that such a study will provide another modern perspective to stimulate a comparison with pre-modern cases. This is also true for the comparison with other modern cases. One of the exciting parts of this exercise is to link the history of the modern Netherlands with those of other countries with similar reputations, in this case Denmark and Sweden. Are the cases similar or dissimilar, particularly in respect to the eighteenth and nineteenth centuries, the purported period in which corruption disappeared as a major problem in public life? And the continued focus on the Netherlands throughout the twentieth century raises new possibilities about how “rich” or “honest” nation-states stack up with those with lesser reputations. Is the difference to be seen in the public discourse and if so, how? Obviously this kind of research invites scholars from other countries to conduct their own research on this front so as to compare findings.

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### 3. Corruption and Good Governance in the Netherlands Indies and the Philippines

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Research on corruption and anticorruption in the colonial administration of the Dutch East Indies in the late colonial period (c. 1870-1940) is very fragmented; a systematic analysis of the subject does not yet exist. Therefore, a somewhat broader geographical and chronological perspective has been adopted in this review. The existing relevant research can then be divided into four categories. The first attempts at studying corruption in Southeast Asia were made by social and political scientists. From the 1960s onwards, they have studied the relation between modernization and corruption and have focused on the problems that arise from a discrepancy between traditional and modern institutions. Second, a small group of historians based in the United Kingdom has recently begun to investigate corruption in a range of different colonial contexts. A few descriptive case studies of specific scandals and police malpractices in the Dutch East Indies form a third branch of important research on the topic. Finally, since the late 1990s, expert reports by multilateral agencies have increasingly shifted their attention to present-day issues of corruption and anticorruption in Indonesia. These efforts have been accompanied by a growing academic interest in the subject, some of which has tried to put recent development into a historical perspective. Each of these four categories has accentuated different aspects of corruption and anticorruption. Their main contributions as well as existing lacunae, possibilities and synergy with other ANTICORRP projects will be discussed below.

#### State of the Field

Social and political scientists were the first scholars to pay attention to the phenomenon of corruption in Southeast Asia. Their main concern was to investigate how the occurrence of corruption was linked to the process of modernization. In this regard, the Dutch sociologists Willem Frederik Wertheim and the American political scientist Samuel P. Huntington have made the most important contributions. Both took Max Weber's analysis of bureaucracy as a point of reference and specifically focused on the tensions created by the transition from a patrimonial to a rational-legal bureaucracy.<sup>6</sup>

In *Sociological aspects of corruption in Southeast Asia* (first published in Dutch as *Corruptie als sociologisch studieobject* in 1960), Wertheim reflects on the historical roots of corruption and provides an analysis of the phenomenon in his time. In his point of view, corruption is inherent in the transition from the patrimonial to the rational-legal bureaucracy. Although historical reality never corresponds to ideal types, Wertheim argues that exceptionally 'mixed forms' of such types are to be found in periods of transition. Accordingly, he described Eduard Douwes Dekker as a "transitional figure", whose 'difficulties and clashes with the official apparatus were partly due to the tension between a still predominantly patrimonial-bureaucratic indigenous substructure and a modern-bureaucratic European superstructure imbued with a new sense of values which was only slowly beginning to permeate that substructure.'<sup>7</sup> (Wertheim 1973: 570) Wertheim shows that these

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<sup>6</sup> To clarify the different stages in the continuous development to more rational forms of authority, Weber formulated twenty basic features of a rational-legal or 'modern' bureaucratic state. The most important distinction between the patrimonial and the rational-legal bureaucracy was probably the separation between a 'public' and 'private' sphere. (Gerth & Wright Mills 1946: 196-244)

<sup>7</sup> Eduard Douwes Dekker is better known as Multatuli and author of *Max Havelaar, of de koffi-veilingen der Nederlandsche Handels-Maatschappij*. With this book, Dekker had brought extortion and exploitation of

Western-bureaucratic ideals became predominant in the Netherlands Indies officialdom in the course of the twentieth century, while at the same time many remnants of traditional patrimonial relationships continued to exist. Even after independence, Wertheim notices that many forms of “intermediate loyalty” – towards a political party, ethnic entities or a military leader rather than towards the new Indonesian Republic – persisted. ‘The lack of stability of the new Asian regimes is due primarily, not to the frequency of corruption, but to the discrepancy between social norms and reality – a permanent tension with a dysfunctional and disintegrating effect.’ (Ibid.: 579)

Samuel P. Huntington has put forward three explanations for the relation between modernization and corruption. First, in line with Wertheim’s argumentation, Huntington holds that differences between the traditional and modern value system will inevitably lead to the classification of some traditional practices as being corrupt. ‘Corruption in a modernizing society is thus in part not so much the result of the deviance of behaviour from accepted norms as it is the deviance of norms from the established patterns of behaviour.’ (Huntington 2002: 254) His second argument is related to the emergence of new wealthy and powerful groups during times of modernization. Since their connection to the political system has not been specified by traditional norms and whilst the new norms are not generally agreed upon yet, corruption can be a means to incorporate these new “sources of wealth and power” into the political system.<sup>8</sup> (Ibid.: 255) The third explanation concerns the expansion of government authority and the increasing number of activities controlled by administrative regulations. As Huntington sees it, ‘the multiplication of laws [...] multiplies the possibilities of corruption’, especially in countries where laws are not widely accepted by the population, when there is a small chance of being caught when violating the law, and when such violations potentially lead to large profits.<sup>9</sup> (Ibid.: 255)

Wertheim and Huntington have thus brought important new insights about the relation between corruption and modernization, but a few points of criticism should be raised. First, both scholars seem to equate indigenous forms of administration with traditional institutions, while portraying the European colonial administration as being “modern”. By doing so, they overlook the fact that for a long time the colonial administration was a patrimonial system of control too. Besides, one may challenge the relevance of Weber’s ideal types in the context of non-Western societies. Wertheim and Huntington in fact apply a typically Western liberal ideal to a part of the world where corruption might be understood differently. Although variation across different cultures may not be reflected in different moral understandings of corruption, Bo Rothstein and Davide Torsello have demonstrated that a difference nonetheless exists in how societies view the meaning and value of the distinction between public and private goods as well as what people expect that most other

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indigenous people by native chieftains to the attention of the Dutch people. It had great influence on Dutch literature and colonial politics.

<sup>8</sup> Huntington thus views corruption as a means of assimilating rather than alienating new wealthy and powerful groups into the political system and thereby suggests that corruption is not always necessarily harmful to society. Gunnar Myrdal, in contrast, argues that “the extent of corruption has a direct bearing on the stability of South Asian governments.” (Myrdal 2002: 266)

<sup>9</sup> Heleen E. Bakker and Nico G. Schulte Nordholt have taken the line of reasoning put forward by Wertheim and Huntington one step further. In addition to what they call the ‘horizontal institutional gap’ – i.e. the discrepancy between traditional and modern institutions – they bring attention to the relation between corruption and processes of internationalization. Bakker and Schulte Nordholt point out that when national institutions are not capable of fighting various forms of international criminality, yet at the same time international organizations created with the purpose of combating these types of criminality do not have sufficient authority, a ‘vertical institutional gap’ appears that “is a breeding ground for corruption in the same way as its horizontal counterpart.” (Bakker & Schulte Nordholt 2000)

people will do when faced with an opportunity for bribery. (Rothstein & Torsello 2013) Finally, by focusing on the institutional level, Wertheim and Huntington do not provide any insights into the political culture and idiosyncrasies of colonial rule.

Recent historical work by William Gould and Jonathan Saha does provide a more in-depth analysis of the functioning of the colonial state in South and Southeast Asia. Besides, they recognize that the history of corruption has not been static and explore the changing significance and meaning of the phenomenon over time. Their research to a large extent builds upon Akhil Gupta's ground-breaking work on the nature of the state.

In his article *Blurred boundaries: the discourse of corruption, the culture of politics and the imagined state*, published in 1995, the Indian-American anthropologist Akhil Gupta examines discourses of corruption in public culture and the interaction between villagers and local government officials in order to give an ethnography of the state in India. In doing so, he uses various case studies from the northern province of Uttar Pradesh. Rather than taking the notion that corruption is necessarily harmful to state organizations as a point of departure, he sees corruption 'as a mechanism through which "the state" itself is discursively constituted' and focuses on the modalities by which the state comes to be imagined. (Gupta 2005: 376) In other words, what is the image that ordinary citizens have of the state and how do they imagine they can negotiate with the authorities? One of Gupta's main conclusions is that the typically Western distinction between the state and (civil) society is actually a historical and cultural construction and not applicable to the Indian context. 'There is no reason to assume that there is, or should be, a unitary entity that stands apart from, and in opposition to "the state", one that is mutually exclusive and jointly exhaustive of the social space.' (Ibid.: 393)

Gupta's main concern was thus not the issue of corruption, but the ethnography of the state. Gould and Saha, on the other hand, have made corruption the prime focus of their research, although debates about the nature of the (colonial) state take a prominent place in their work too. In fact, in the introduction to his book *Bureaucracy, community and influence in India*, Gould (who also studies the Indian province of Uttar Pradesh) emphasizes that the 'idea of "corruption" in any particular context is central not only to how the state operates, but also to how the state is imagined and discussed.' (Gould 2011: 1) Like Gupta, Gould finds it difficult to conceptually separate the "state" and "society" (analogous to the fact that bribery involves 'givers' as well as 'takers'). Additionally, Saha states that 'misconduct was both a discourse for imagining the state and a set of practices through which the state was constituted.' (Saha 2013: 10) According to him, corruption was "pervasive" and "integral" to the making of the colonial state in Burma. In his point of view, low-level acts of corruption and misconduct should not be seen as aberrations from norms and values regarding state practices, nor as serious threats to the survival of the state, but he argues that in Burma at the turn of the twentieth century 'subordinate officials necessarily invoked the colonial state in order to commit their acts of misconduct and establish their personal authority. Through their acts, the state was not weakened, but enacted as a powerful and intrusive entity.' (Ibid.: 129) Unlike Wertheim and Huntington, Saha does not see corruption as the residue of antiquated social traditions that constitutes an obstacle to modernization, but suggests that corruption should be thought of as "performative" to the modern state in a wide variety of colonial contexts. (Ibid.: 132)

Gould and Saha also devote considerable attention to the punishment of corruption and the creation of anticorruption policies. What is interesting about Gould's study is that it covers the late colonial period as well as the early independence years. With regard to measures of anticorruption, Gould

notices that while both British colonial administrators and the leaders of early independent Uttar Pradesh blamed corruption on traditional customs, only the latter felt that it was the obligation of the state to eliminate these practices. As a result, between 1948 and the mid-1960s, several anticorruption committees were set up, attempts were made to rewrite rules of conduct, and the scope of the Special Police Establishment (responsible for the investigation of cases of bribery and corruption) was enlarged. Although the aloofness and acquiescence in British colonial anticorruption policy stood in stark contrast with official rhetoric and anticorruption campaigns at home, Saha nonetheless comes to the same conclusions. Moreover, Saha notices that ‘British policies towards corruption reified the racial divisions of the state.’ (Ibid.: 129) The only option lower-level bureaucrats and the general populace had to in order to file a complaint of corruption or to defend themselves against corruption accusations was to turn to the authority of European deputy commissioners, a situation which reinforced the moral superior status of the Europeans. Authorities also acted more strictly against Indian or Burmese officials implicated in acts of misconduct than they did in cases of malfeasances committed by Europeans.

Gould and Saha have made an important first step in conducting historical research on corruption in a colonial context. In doing so, they have taken Gupta’s ideas on the nature of the state as a starting point. Gupta essentially argues that the state is not something that can be imposed from above, but that is constituted from below. This is clearly reflected in the choice Gould and Saha have made to focus on the lower administrative ranks. Consequently, their work, however important, lacks a more comprehensive view of the meaning of corruption in the different layers of the entire colonial state. Nevertheless, one of Saha’s main contributions is that he demonstrates that corruption was not necessarily damaging to the colonial state, but in fact contributed to its formation. This raises the question of which role corruption played in the colonial state in the Dutch East Indies, particularly in relation to the fact that only a few European administrators ruled such a large area.

Concerning Gould and Saha’s findings on anticorruption policies and penalties, it is interesting to note that Paul D. Hutchcroft describes a contrary situation in the American colony of the Philippines. There, American officials who were found guilty of corruption were more severely punished than their Filipino counterparts. This was in part because Americans were required to set an example to the indigenous population, but it was also the result of more pragmatic reasons since the scarce Filipino administrators were desperately needed for the supervision of municipalities. (Hutchcroft 2000: 293) No systematic analysis exists on how the Dutch responded to corruption in the various levels of the colonial administration in the Dutch East Indies. Indeed, historical research on the Netherlands Indies in the late colonial period hardly mentions the topic of corruption and anticorruption at all. The only exceptions are the case studies on the Billiton scandal documented by Ronald Kroeze and the malpractices of the colonial police in the Dutch East Indies described by Marieke Bloembergen.

The Billiton scandal arose in the 1880s and concerned the private extension of a concession to extract tin on Billiton, an island located in the Karimata Strait between Sumatra and Borneo. In 1852, the Dutch Governor-General and the founders of the Billiton Company had signed a concession contract valid for forty years and with a yearly rent of 3% of the company’s annual profit. The concession largely passed unnoticed. However, in 1882, when the then Governor-General renewed the concession for another 35 years and increased the annual rent to 10%, ‘a rumor arose that the concession had been agreed behind the scenes and that it was far too favorable for the small group of share-holders and directors who would get 90% of the estimated profit of 70 million guilders whereas the state would only get 10%.’ (Kroeze 2010: 297) A parliamentary

commission created with the purpose of investigating the case came to the conclusion that ‘morality and law had both been impugned by the Dutch Minister of Colonial Affairs, the Governor-General and the Billiton Company during the negotiations.’ (Ibid.: 298) It was not until 1892 – when the first concession almost expired – that a new contract was signed with parliamentary consent, this time with an annual rent of 62.5%.

Marieke Bloembergen describes various malpractices committed by the colonial police in her book *De geschiedenis van de politie in Nederlands-Indië* (‘The history of the police in the Netherlands Indies’). Two of the most controversial cases are the “Batavian police scandal” and the “Tjoeroep affair”. The Batavian police scandal revolved around the chief commissioner of the Batavian police C. Van Rossen, who was arrested on 8 September 1923 on suspicion of embezzling salary funds. As the investigation progressed, however, more and more wrongdoings by the colonial police came to light – in Batavia as well as in the other major cities on Java. The assistant-resident in charge of the investigation showed that common abuses were corruption, the extortion of Chinese brothels and gambling houses and the misuse of the cash register. (Bloembergen 2009: 227-231) The Tjoeroep affair concerned various cases of misconduct committed by the colonial police on Sumatra’s west coast. These included poor detective work, unlawful imprisonment, coercion of confessions, manipulation of the judicial process and harassment of people who complained about police methods. (Ibid.: 307-314) Both scandals were captured in big headlines and lengthily described by the press. As a result, the government felt compelled to make it clear to the public that this was not the way civil servants ought to behave. An example had to be set and scapegoats were found in the chief commissioner Van Rossen, who was sentenced to six years in prison, and detachment commander Harlingen in Tjoeroep, who eventually only had to leave the police services.

In addition to describing the events as they unfolded, both Kroeze and Bloembergen place the scandals and affairs in their historical context. Kroeze actually argues that without information about contextual developments, corruption can never be fully understood. Accordingly, he puts the Billiton scandal in the context of the constitutional revision of 1848 and the growing awareness in the 1880s ‘that a colony was not only a territory to be exploited but also a territory to be civilized.’ (Kroeze 2010: 301) Through this civilizing mission the Dutch justified their presence in the Netherlands Indies, so the Billiton scandal should in fact be seen as weakening the Dutch imperial claim of moral supremacy. In a similar fashion, Bloembergen concludes that the various malpractices committed by the police seriously damaged the ideal image of a modern colonial police created by the government. The ensuing dissertation aims to further explore this captivating relationship between improper official conduct and the civilizing mission through which the Dutch justified their presence in the Indonesian archipelago.

Although Indonesia has been plagued by corruption scandals ever since it gained independence on 17 August 1945, hardly any research exists on corruption and anticorruption during the Sukarno and Suharto regimes. Denis Leith briefly touches upon “corruption, collusion and nepotism” (*korupsi, kolusi dan nepotisme*, popularly known as KKN) in her analysis of Freeport McMoRan’s (one of the world largest producers of copper and gold in the world) presence in Indonesia. Leith makes a distinction between two types of corruption: the “need-based” corruption practiced by low-level civil servants simply in order to survive and the “greed-based” corruption used by politically powerful figures in order to enrich themselves. (Leith 2003: 33-34) Other than that, a 2004 report by Transparency International ranks Suharto as *the* most self-enriching leader of the past two decades (despite the fact that he came to power promising an end to corruption). (Transparency International 2004: 13)

Since the late 1990s, multilateral agencies have increasingly turned to issues of corruption and anticorruption in contemporary Indonesia. In their reports, corruption is portrayed as a public policy issue that can be corrected by improved governance. As a result, post-Suharto governments have introduced a wide variety of anticorruption measures, the most important being the creation in 2004 of the Corruption Eradication Commission (*Komisi Pemberantasan Korupsi*, or KPK) and its associated Anti-Corruption Court (ACC). According to Simon Butt, these institutions have for the most part been successful during the first four years of their existence, when their primary targets were mid-senior level officials. However, since the KPK shifted its attention to the upper echelons of parliament, the cabinet and the central bank in 2008, it has encountered more resistance, which has proven to be detrimental to its work. (Butt 2012)

In his analysis of the anticorruption agenda during the 2009 Indonesian presidential elections, Gerry van Klinken also observes a growing verbalized opposition to the ongoing anticorruption campaign. He notices that the ‘major parties increasingly thought of the KPK mainly as a political weapon in the hands of their opponents.’ Others saw the KPK as hampering the development process. Van Klinken therefore suggests that a reduced priority of anticorruption measures would not necessarily be a defeat, since ‘an essentially negative anti-graft program by itself is not enough to transform Indonesian governance. Only a program that connects positively with what Indonesians want their government to do for them can inspire.’ In other words, anticorruption policies are only one part of a broader ‘debate about the nature of the state in Indonesia.’ (Van Klinken 2009) Elsewhere, in his discussion of corruption in the Indonesian construction industry, Van Klinken argues that the existing clientelistic system in provincial towns in fact ‘ensures a degree of redistribution to small and medium entrepreneurs’ and thereby “helps to ensure political stability.’ (Van Klinken & Aspinall 2011: 162)

Robert Cribb notices that in present-day Indonesia an unusually wide gap exists between the written law and the implementation of the law. He mentions three important elements that account for this disparity, each of which he traces back to the colonial period. First is the weakness of the Indonesian state and its institutions, which Cribb describes as a result of the fact that the Dutch left Indonesia with relatively few educated lawyers after independence. Second, he observes that when moral values and the law are in conflict, Indonesians generally tend to prioritize the former. According to Cribb, this has to do with the fact that the Dutch for a long time accepted the existence of multiple legal systems in the Netherlands Indies and were relatively slow in introducing a system of universal law. Consequently, ‘the existence of these multiple legal systems within the Netherlands Indies undermined the tendency, which universalist legal systems encouraged, to regard the law as an expression of common human moral values.’ (Cribb 2011: 36) Finally, Cribb notes that ideas of social contract are exceptionally weak in contemporary Indonesia. He sees this as a by-product of the fact that the Dutch for a long time did not feel responsible for the welfare of the indigenous population, but primarily viewed the Netherlands Indies as a region of profit (*wingewest*). In this respect, the Ethical Policy was, according to Cribb, ‘short-lived, undermined by the Depression and by its own inflated expectations, and its intellectual legacy was weak.’ (Ibid.: 39)

Parallels certainly exist between corruption and various other forms of state illegality in the (late) colonial period and present-day Indonesia. Contemporary problems of corruption, however, cannot be placed in a historical perspective until we have a much better understanding of the significance and meaning of corruption as well as policies of redress in the colonial era. In conducting this type

of research, specific attention should be paid to the ways in which policies and administrative norms were transferred from the motherland to the colony. Furthermore, it is important to examine how conceptions of good governance as well as control mechanisms were institutionalized in the Netherlands Indies.

### **Lacunae**

Conceptions of corruption and policies of redress therefore need to be studied in a more systematic and integrated way. This dissertation, then, seeks to write the first history of corruption and anticorruption in the colonial administration of the Dutch East Indies. As we have seen, no such work exists at present. This lack of attention might be explained by the fact that corruption is anything but an easy object of study. It is often not possible to provide a complete picture of the incidence and extent of corruption in a society. In many cases, corruption remains fully or partially undetected, since those involved in malfeasances usually have strong interests in hiding their practices out of fear for legal sanctions, social disgrace, or both. Besides, as Ben Hoetjes has pointed out, corruption is a politically sensitive topic and the atmosphere of scandal and sensation that surrounds it could quickly call in question its scientific value. (Hoetjes 1977: 1-2) With regard to the colonial context, Gould warns for a “colonial gaze”, by which he means ‘a situation which had led so many observers [...] to see the phenomenon as endemic, ubiquitous, tantalizing and probably not worth writing about.’ In other words, corrupt ‘acts become almost expected for western observers’ and ‘discussion of it is usually [...] based on presupposition and expectation.’ (Gould 2011: 3-4)

Despite these difficulties, an investigation into corruption and anticorruption in the Dutch East Indies in the period 1870-1940 is important because it enables us to assess the idiosyncrasies of colonial rule (two characteristics stand out which are pertinent to the issue of governance: 1) the distance between the metropolis where rules were formulated, and the locus of administration in the colonies, and 2) the ethnic differences between ruler and ruled and the tensions created by the clash of administrative cultures) and it gives us an analysis of the changing conditions under the process of state modernization. Colonial rule and its transformations created specific tensions between various traditions of governance: metropolitan and colonial, European and indigenous, and patrimonial and rational-legal. This raises certain compelling questions. How did conceptions of corruption and good governance change under the process of state modernization in the colonial state of the Dutch East Indies? How did the Dutch attempt to transfer ideals of good governance from the mother country to the colonies despite the lack of manpower? In which ways were these ideals adapted to the different context of the Netherlands Indies? But also: how were corrupt practices punished and which policies or campaigns were set up in order to curb corruption? Was there a difference between the various levels of the officialdom; between the central administration in Batavia and the outer regions; and between indigenous and European officials? Was there something typically colonial about these policies and punishments? Finally, how did the situation in the Dutch East Indies compare to other Southeast Asian colonies? This dissertation aims to answer these questions and to provide the first systematic analysis of corruption and anticorruption in the Netherlands Indies.

### **Possibilities**

The literature discussed in this review offers a basis for further historical research on this topic. Methodologically, the existing literature concentrates either on the political culture and idiosyncrasies of colonial rule or institutional continuation and change. Both approaches provide useful tools for this dissertation, which aims to combine the methods of discourse analysis and

historical institutionalism. On the one hand, then, it will probe the subtle historical, cultural and linguistic issues with regard to corruption and anticorruption. On a more abstract level, it will analyse the transfer of values from the motherland to the colony, investigate how mechanisms of control were institutionalized, and compare developments in the Dutch East Indies with other Southeast Asian colonies.

The dissertation will be based on the thorough investigation of a wide variety of primary sources, including digitized sources like historical newspapers, selected periodicals and the proceedings of the States-General. One of the advantages of using digitized sources is the possibility to go through large amounts of text by using specific keywords (e.g. terms and concepts related to corruption). Additionally, official documents from the archives of the Ministry of Colonial Affairs in The Hague and the archives of the General Secretariat and Interior Administration in Jakarta will be studied. Unfortunately, the judicial archives from the colonial era are lost, so it will not be possible to assess court cases.

### **Synergy**

The study of corruption and anticorruption in the Dutch East Indies will not be conducted in isolation. On the one hand, the results of the recently finished NWO project *Under construction: the genesis of public value systems* (which traces the history of Dutch political corruption from 1650 till 1950) will provide the necessary input for a comparison with developments in the Netherlands. On the other, a comparison with other Southeast Asian colonies on the basis of secondary literature (in particular the work of Gould and Saha) will put the efforts to curb corruption in the Netherlands Indies and their (perceived) success in a regional perspective. Finally, within the context of the European Council's FP7 ANTICORRP project – which primarily focuses on European trends concerning corruption – this dissertation will form a crucial contribution as it investigates how European notions of corruption and good governance have spread to another part of the world and how these “western” anticorruption policies were installed in “the east”.

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#### **4. The Case of Modern Sweden**

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Even though the question of how to improve the quality of government and reduce the level of corruption has been high on the research agenda for nearly two decades, few if any revolutionary breakthroughs in terms of policy recommendations, have so far been presented. Quite to the contrary it has been argued how difficult it is to find effective solutions to this very costly problem (see for example Persson, et al. 2012). Anti-corruption initiatives, even where they have been badly wanted, have either failed to come about or have been found ineffective, which means that we have very few contemporary examples of corruption improvements to study. By turning to history, i.e. to study the development from traditional bureaucracies, in which different forms of corrupt practices were prevalent, to modern Weberian public administrations in countries which today are considered relatively uncorrupt, allows us to expand the number of cases and may potentially provide us with important insights on how similar problems in the world today can be solved (see for example Teorell & Rothstein 2012: 34).

##### **State of the field**

Given the huge amount of research on different aspects of the development of the Swedish bureaucracy from the 16<sup>th</sup> century onward, there is surprisingly little research that systematically addresses issues like malfeasance, fraud, bribery and corruption, let alone anti-corruption measures. That is not to say that assessments of the extent of corrupt practices during different periods in time are lacking, but these are often based on anecdotal, if any, evidence or very limited studies in time and space (see for example Frohnert 1993; Awebro 1977; Edler 1915). The reason is naturally that it is very difficult to find reliable indicators of corruption further back in time. The difficulty lies, not so much in finding evidence of corruption and malpractices, which are abundant, but to determine how widespread they were and whether these cases were the rules rather than the exceptions to the norm. Instead, rather than focusing on the level of corruption, most studies which are of interest to this WP, look at the development from a traditional, patrimonial or even feudal organization of the public administration to a modern, Weberian type of bureaucracy. Lack of Weberianism does not necessarily equals corruption, but it is reasonable to assume that they go together sufficiently well, to make indicators like meritocratic recruitment, separation of offices from the individuals who hold them, and the introduction of fixed salaries paid by the state, fruitful in this field of research.

The historiographical perspectives range from Marxist, where the step from feudalism to capitalism is regarded as a prerequisite for getting a Weberian bureaucracy (Therborn 1989; Rothstein 1998; Frohnert 1993) to more idealist ones, where either important persons are highlighted, e.g. Axel Oxenstierna and Gustavus III (Carlsson 1979), or the importance of new ways of thinking, such as liberalism (Teorell & Rothstein 2012; Bågenholm 2013).

There are only a few scholars who have focused on corruption or corruption related practices per se and why they eventually changed. Rothstein's (2011) title - Anti-corruption: the indirect 'big bang' approach - neatly summarizes his two key points, namely that incremental anti-corruption reforms are unlikely to become successful, since these small and sporadic reforms easily will be counteracted upon by corrupt vested interests within the public administration. On the contrary, the Swedish example seems to suggest that it takes a large number of reforms in different areas in a short period of time in order to overwhelm these interests and tip the balance in terms of incentive structures for the actors concerned. Rothstein's second argument is that the aims of these reforms

not necessarily have to be specifically targeted towards fighting corruption in order to achieve that particular result. Quite a few of the 21 supposedly crucial reforms listed in the article and which were adopted between 1840 and 1878, had other purposes, such as the abolition of the guild system, the imposition of a free trade regime, reforms concerning higher education and equal rights of inheritance.

Ander Sundell is one of the preciously few scholars who actually tries to construct indicators in order to measure the level of corrupt practices historically. He has recently shown that the major breakthrough in terms professionalism (measured as the proportion of public officials with more than one job) occurred between 1866 and 1881 and that nepotism (measured as the probability that two randomly drawn persons will have the same surname, between and within offices) decreased dramatically between 1895 and 1910 (Sundell 2012). In another study Sundell shows that the sportler system, by which public officials were paid directly by the users for specific services, and which at least could be considered as conducive for corrupt behavior, was incrementally phased out during the mid 18th century (Sundell 2011). Sundell thus disagrees with Rothstein on the merits of big bang changes.

Finally, Teorell & Rothstein (2012) look at the number of court cases of malfeasance and the number of convictions in High Court from 1720 to 1850 and find a decrease in the number towards the end of the period, which basically supports previous findings on the timing of the emergence of a Weberian bureaucracy. The explanation for this development is claimed to be that the loss of Finland to Russia in 1809 was a national trauma, which made the Swedish elite aware of the necessity for administrative changes. That was made possible by the already well functioning Supreme Court, which was a prerequisite for sanctions against offenders to be a credible threat, as well as by the emerging liberal ideas, not least manifested in the early press, and whose advocates demanded political, economic and administrative reforms. The trauma hypothesis has been criticized by Bågenholm (2013), due to weak evidence of such sentiments in general, the lack of discussion of administrative problems of that kind during the parliamentary debates on the new constitutional draft, the quick solution to the problem (electing a new *de facto* king with great military and diplomatic skills) and finally the great time lag between the defeat and the initiation of reforms.

In the Swedish case, there is a general understanding that Weberianism was not achieved until the latter half of the 19<sup>th</sup> century, but exactly which decade is a matter of contention. For the sake of this review, that is of relative unimportance, however. The differences depend mainly on which types of reforms that are studied and when the actual implementation of the legislation is considered to have become effective. Those who place the timing somewhat earlier tend to focus more on the adoption of legislation, whereas the other tend to pay more attention to the implementation and enforcement of these laws and regulations.

In terms of the speed of the process, it seems that the views are more divided. During the Age of liberty (1721-1772), traditional and modern values and modes of behavior seem to have been at constant odds with each another. This conflict is also reflected in the extensive research on different aspects of public administration, where some scholars view the period as one of progress, not least because of its semi democratic or at least parliamentarian tendencies, with the power concentrated in the four estate parliament and with a more or less powerless king, whose consent on legislation was not even needed towards the end of the period. Also in terms of legislation concerning the still very limited civil service, several important reforms were made, by which for example the accord

system, i.e. the buying and selling of public offices, was made illegal and meritocratic recruitment to several positions in the bureaucracy was made mandatory (Nilsson 2000). It has also been argued that a change in values and views on the role of a civil servant in a clear Weberian direction took place (Cavallin 2006). There is thus a number of indications that Sweden was strongly heading towards a modern state, where impartiality and honesty were held in high esteem by the civil servants.

The somewhat less positive accounts of the period, point to the fact that even though a number of well-intended laws were adopted, the willingness or capacity to enforce them properly was lacking. Hence, corruption flourished at all levels; local civil servants frequently abused their position in extracting rents from the peasantry, bribe taking – even from foreign countries in order to influence Swedish foreign policies -, fraud and embezzlement were commonplace features of that time (see for example Awebro 1977; Frohnert 1993: 275 on local administration; Larsson 2000 on military promotion; Nordström 1991 on the central administration). There thus seem to be a vast discrepancy between the legal framework, which to a considerable and increasing extent is what could be regarded as Weberian, and its implementation, which still left much to be desired and hence made the actual behavior more traditional and patrimonial (see Rothstein 1998: 303-304).

Few would however dispute that Sweden by 1830 still had a substantial distance to travel before fulfilling the Weberian criteria. Wichman for example, describes Sweden as late as in the 1830s as a country with "a strong, partly absolutist monarchy, a weak and divided four estate parliament, which only assembled every five years, a nobility and civil service, which the middle class and common people found repressive, a frequently mismanaged judiciary system, a poor and to great extent ignorant and by alcohol pacified people" (1927: 14) Three decades later, Sweden was a very different country according to Wichman. His account is also in line with Rothstein who argues that a large number of crucial legislation was adopted during a thirty year period starting in 1840 and which was effective in reducing the level of corruption and malfeasance towards the end of that period (2011). There is a "clear indication of the fact that the Swedish state had by this time [1860s] been thoroughly reformed and transformed from a patrimonial into a more professionalized, Weberian bureaucracy" (Teorell & Rothstein 2012: 11).

The substantial amount of research on bureaucracies, public administration and civil servants has only touched upon the issues concerned with here (see for example the extensive literature review in Raadschedlers, 1998). Even though the historic accounts are sketchy and unreliable, there is still some agreement among scholars that things started to happen towards the end of the 18th century, but that the process was not completed, if it ever was, until a century later (Rothstein 1998, 2011; Rubinstein 1983; Sundell 2012; Tiihonen 2003). In his summary of the international findings, Rothstein places the Weberian breakthrough in Prussia to the mid 19<sup>th</sup> century, Britain around 1860-70 and France around the 1890s (1998: 302-303). In Denmark this transformation seems to have occurred slightly earlier (Frisk Jensen 2008).

### **Lacunae**

Despite the massive amount of research on the history of public administration in Sweden, the whole research field is with a few notable exceptions still a lacuna, in the sense that we do not know exactly when, how and why Sweden ended up with a modern, uncorrupt Weberian bureaucracy. There are some hypotheses, but still no firm evidence. What is basically lacking is systematic archival studies, mainly of the protocols from the four estate parliament, but also from the

government and specific agencies such as the parliamentary ombudsman (JO), which was introduced in 1809, but which I so far have seen very little research on, and whose function was (is) to scrutinise the government and the civil service upon the request of the common people (see Bexelius 1981). The number and types of cases as well as the measures taken will be a good indicator on how well the Swedish state was actually functioning during the 19th century. So far we do not know which actors who were behind the laws that set Sweden on this path and by which arguments they tried to persuade their opponents and who their opponents were. The study of the parliamentary records between 1809 and about 1870, will hopefully give us more complete answers in this respect

A crucial factor appears to be the more or less simultaneous personal changes in the burgher's estate, the government and at the throne. They all came very timely, at a moment when Sweden was just about to change in many other respects, not least in terms of the technical development, which for its progression needed new types of engineering talents that could only be obtained by proper education. To what extent are new people, with different types of education and perhaps different mind-sets recruited to different offices and does massive changes in this respect in any way correspond to the drop in patrimonial, nepotism and clientilism in Sweden?

### **Possibilities**

I have already indicated a number of questions that will be addressed further on and naturally the answers to them will be based on primary sources. In particular the debates and arguments around the most important pieces of legislation will be studied, in order to find out whom the actors involved really are, where their ideas came from and what motives they stated. Moreover, to what extent the more incorrupt practices are a function of personal changes in the administration and/or the parliament and government and how new persons differ from their predecessors will also be analysed. In particular I will take a closer look at the educational system and above all the curricula for the civil servant education, as I think it is reasonable to assume that effective changes in terms of practices follow changes in the value system, which in turn should be reflected in the content of the education in public administration. The incentive structure is also of great interest. What punishments are levied against those who are found guilty of malfeasances and what is the likelihood of being caught?

### **Synergy**

The Danish case offers some interesting points of reference. In contrast to Sweden, the advent of absolutism in Denmark in 1660 prompted the king and his close associates to initiate what could be called control for corruption reforms. These were directed at the nobles and aimed at weakening their powers and their potential threat to the royal dominance. These reforms continued during subsequent rulers, even though their actual impact could be put in question. In the aftermath of the financial collapse in the early 1800s, the king, Frederick VI, again and more forcefully than his predecessors, jump started a new round of anti-corruption reforms, but this time mainly to appease a disgruntled population, which was sick and tired of being mistreated by the local civil servants. According to Frisk Jensen (2008), these reforms were very efficient and within less than three decades, corruption was more or less eliminated. The Danish example thus points both at some kind of continuity, but also a critical juncture after which the visible effects were swift. Moreover it shows that absolutism, i.e. royal dictatorship, not necessarily is all that bad for successful anti-corruption strategies. The contrast to the Danish case is seemingly striking, which implies that there

are several paths which lead to the same outcome and that few factors seem to be necessary to produce this result.

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Protocols from the four estate parliament 1809-1866, which among other things include legislative propositions from both the government and individual MPs, reports, committee decisions and debates in all four estates.

Protocols from the governments' meetings.

The Parliamentary Ombudsmen's Annual Reports (from 1826)

If available, curricula of the public administration education.

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## 5. The Danish History of Corruption and Anti-Corruption, 1660 – 1900

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### State of the field

The study of corruption or mechanisms of anticorruption has, in general, not received much focus in Danish historical literature. Until recently, the most dominant study was published by the national economist and statistician Marcus Rubin at the end of the 19<sup>th</sup> century (Rubin 1895). He described some of the cases of corrupt civil servants in the years following the economic crisis after 1813, in which year the Danish state went bankrupt, only to be followed by worsening economic conditions the following year when Denmark, as an ally of France in the Napoleonic wars, was defeated. Generally skeptical of Danish absolute rule from 1660 to 1848, Marcus Rubin pointed out what he saw as the lack of will and ability of the absolute monarchy to hold corrupt civil servants to account. In a Ph.D. dissertation on corruption and the ethics of public office in Denmark 1800 – 1866 by the present writer, the Rubin version of the actions taken by the administration towards the corrupt civil servants are reassessed (Frisk Jensen 2008). Through an empirical study of a large number of court cases where the civil servants were put on trial for their corruption, a serious approach to the corrupt actions is documented. The absolute king and his advisors were very consistent in their condemnation of the misconducts of the civil servants from across the spectrum of the bureaucratic hierarchy. At this time, Denmark experienced the greatest loss of territory in its history with the transfer of Norway to Sweden after 1814: the future of the state was at stake. Likewise, absolutism was threatened in a Europe where other countries were experiencing revolutions and the introduction of liberal constitutions. The Danish king feared revolution, and the corruption of the king's civil servants was perceived as a threat to absolutism.

The study shows that during the years of economic crisis between 1810 and 1830, the number of court cases where civil servants were convicted and sentenced, primarily for embezzlements, escalated. This was followed by a decrease in civil servant misconduct, so that by 1860 Denmark had reached a very low level of corruption: a level that has remained fairly constant since. The study also deals with the initiatives of anti-corruption in the Danish administration. In the decades after the introduction of absolutism in 1660, a number of laws regulating the standards for official duties were introduced. A ban on bribery and the acceptance of gifts by civil servants came in 1676 and was renewed with greater penalty attached in 1700. In 1690 the king also issued a law specifying the penalty for fraud in office.

In the wake of the increase in the number of cases where civil servants were put on trial in the beginning of the 19<sup>th</sup> century, the absolute monarchy initiated a number of legal and administrative reforms that are likely to have had an effect in terms of anti-corruption. The reforms also brought Danish state administration closer to the ideals described by Weber. The study suggests that the consistent opposition to civil servant corruption by the absolute monarchy, combined with the number of administrative and legal reforms, contributed decisively to the low level of bureaucratic corruption from the middle of the 19<sup>th</sup> century onwards.

A number of other historical studies have dealt with elements of corruption or anti-corruption in Danish administration in a more indirect way. Over the last thirty years, researchers from the Danish State Archives have published several empirical studies on the history of administration of

the Danish state. A common focus for a great deal of these studies has been the question of when the elements of Weberian bureaucracy were fulfilled in the administration.

Among the most important studies in respect to measures of anti-corruption is that by Erik Gøbel on the collective civil servants in the Danish-Norwegian civil central administration 1660 – 1814 (Gøbel 2000). This research documents how the corps of civil servants with royal nominations changed in this period. From 1660 the Danish-Norwegian kingdom had the most sovereign form of absolutism in all of Europe. In an attempt to consolidate the power of the monarch after 1660, power was centralized in Copenhagen, and the traditional aristocracy was gradually replaced with new groups of bureaucrats who were more likely to be loyal to the king. They did not have a political agenda of their own and were dependent on the income from the office. Gøbel documents that by the beginning of the 19<sup>th</sup> century only ten percent of the civil servants were nobles and held offices primarily in the Foreign Service and diplomatic corps. Throughout the 18<sup>th</sup> century, the bureaucratic offices were taken over by men who had a degree in law, so around the beginning of the 19<sup>th</sup> century recruitment to the royal nominations in the administration was to a large extent meritocratic.

Another central study in this respect was that published in 1987 by the archivist Birgit Bjerre Jensen on the right of appointment in the power politics of Danish absolutism 1660 – 1730 (Bjerre Jensen 1987). With the introduction of absolutism in 1660, the king not only gained absolute power of the country but also the unrestricted right to appoint and dismiss all royal officials. At the time, the archenemy Sweden had just conquered the three large Scanian provinces east of Øresund, and the Danish monarchy had been close to total extinction. The king's need for an efficient administration was severe, and Bjerre Jensen shows in her study how the king used his right of appointment to change the corps of royal officials. After the formation of the absolute monarchy, great efforts were put into the process of establishing an administration closely linked to the king in person, in order to eliminate the chance of the bureaucracy becoming an independent factor of power and in an attempt to safeguard the rule of absolutism. The men with royal nominations were sworn in directly by the king, to whom they had to pledge loyalty and fidelity by signing an oath of office. The office was never owned by the civil servant, who could be dismissed at any time. Bjerre Jensen shows how the kings used this right to dismiss civil servants who were no longer trusted, were deemed to be corrupt, or who simply no longer enjoyed the favor of the reigning monarch's mistresses. During the short period from 1700 – 1701, and again from 1715 – 1716, the Danish King Frederik IV used his right of appointment for financial gain by selling offices. But even at this point, the office went to a person who was formally qualified, not just to the one with the highest bid, as was the case in France where offices were put up for auction. Sales of offices were not seen in the Danish administration after 1716.

Apart from the studies of administration and state building in the central administration, Karl Peder Pedersen's Ph.D. dissertation provides a detailed study of the establishment of the bureaucracy at the regional level (Pedersen 1998). In respect to measures of anti-corruption this group of officials was important because their duties included the collection of taxes. The study shows how the administration, in the decades after 1660 and the following centuries, deliberately worked to bureaucratize the regional administration through recruitment, attempts to strengthen audits, and the demand for an economic guarantee as a surety that the civil servants had to set up personally before they could be sworn in. By the end of the 18<sup>th</sup> century, the majority of the top officials in the regional administration had a university degree in law, which probably contributed to the establishment of rule of law in the administration. Pedersen concludes that by the beginning of the 19<sup>th</sup> century, most of the criteria described by Weber were already fulfilled in the regional

administration; the offices had to a large extent been professionalized according to the standards of the time, and the employees had gone from being the personal servants of the king to civil servants with more general responsibilities to the state.

In line with this study, the historian Pernille Ulla Knudsen, in a Ph.D.-dissertation, focuses on the changes in the practice of law at the local administration level in the Danish cities in the 18<sup>th</sup> century (Knudsen 2001). Knudsen's research shows how the lower courts were professionalized at that time, and how officials of the cities were required to be trained in both administrative and judicial work. Knudsen further documents how the offices in the local administration were cumulated both geographically and functionally to be large enough for civil servants to make a living and have a full time job in the office.

An important source to the accumulated history of the state administration is the three volume *History of the Danish Administration*, published in 2000, with professor of public administration Tim Knudsen acting as both contributor and co-editor (Knudsen 2000). The work sets up an authoritative introduction to the history of the state administration with detailed studies written by experts in the field.

## **Lacunae**

To date, many empirical studies have had the deliberate focus to describe both the driving elements behind and the components in the process of state building, and the history of administration to see how workable absolute rule was as a political system. The question of change or continuity has been central. Only in an indirect way have they dealt with what can be seen as measures of anti-corruption, and there is an obvious need for a new reading of the historical literature in this regard, as well as new empirical studies.

Apart from the years between 1800 and 1866 there have not yet been any systematic studies of this aspect of Danish history. Frisk Jensen (2008) demonstrates that the main part of the corrupt crimes committed by civil servants in the beginning of the 19<sup>th</sup> century was embezzlement. Only very few cases of bribery were found, raising the question of why this was the case. Further research as to how bribery was apparently eliminated in the centuries before would be of great importance as a focusing point in future research on the Danish history of corruption and anti-corruption. In an attempt to understand the mechanisms behind bureaucratic corruption and development in the 18<sup>th</sup> century, detailed empirical studies of a number of the cases where civil servants were caught in corrupt crimes are useful to show how corruption was handled in the court system, in the administration and by the king. Answering the question of what was perceived to be maladministration and corruption at the time and if it was seen as a problem for the administration at all? These central questions can only be answered by systematic archival studies of the records from the court systems and the part of the administration in charge of civil servant conduct. Further information on both corruption and attempts of anti-corruption could be elicited through a systematic study of the records from the more or less regular trips around the country conducted by officials from the central administration in both the 18<sup>th</sup> and 19<sup>th</sup> centuries to monitor the administration at the local level. Apart from the control exercised from 1819 to 1830, these primary sources have yet to be studied – either as a part of the Danish state building process, where the ability of the central administration to control and monitor the administration at the local level would give an indication of the range of the bureaucracy at the time, or as a means to control corruption.

When it comes to international comparisons of both political culture and processes of state building that could contribute to pinpointing the different or common paths in efforts of anti-corruption, surprisingly few attempts have been made, offering large potential for further research. Both in Denmark and in the other Scandinavian countries, historians have primarily been writing the history of their national communities. Despite many common characteristics, the majority of the studies have focused on describing separate national identities and the social and economic forces behind the internal development as opposed to a larger Scandinavian or European context. Recently, there have been more substantial attempts to change this. In the book *Scandinavia in the Age of Revolution. Nordic Political Cultures 1740 – 1820* (Ihalainen, Bregnsbo, Sennefeldt, Winton 2011), a large number of historical experts from Denmark, Norway and Sweden contribute to the writing of post-nationalist comparative histories of the 18<sup>th</sup> century seen in a Scandinavian and at times European perspective. A shared focal point in the articles is the common Scandinavian agrarian nature, the traditions of rural self-government, the long-standing monarchical traditions and Lutheran based political culture and values, the strong links between state and church, and high levels of literacy. Even though many of the articles position the nations as the starting points, the book as a whole delivers a solid foundation for new comparisons to be used in future historical studies, and especially for the study of the history of anti-corruption and corruption in the period.

## **Possibilities**

The study of the Danish history of corruption and anti-corruption 1660 – 1900 within Work Package 2 will take its starting point in the above mentioned lacunas. The primary focus will be on the Danish history of anti-corruption, state-building and the establishment of an increasingly Weberian type of bureaucracy in the period from 1660 to 1800. This study will investigate how bribery in the civil administration went from being a normal procedure to a criminal act, unaccepted by the Danish king and his leading advisors. By studying a large number of cases at the Danish State Archives, focusing on civil servants who were removed from offices because of maladministration, the project will try to identify the official standards of the administration and the types of misconduct carried out by the civil servants. A central focal point will also be the study of how payments within the administration were formalized in the period, and how attempts of separating public and private funds were carried out.

Apart from the study of primary sources, there would also be great potential in reading the literature on the history of customs, taxes and state audits in terms of measures of anti-corruption.

An important aspect in the study will also be comparisons with the processes of state-building, anti-corruption and the handling of bureaucratic corruption in Sweden and Norway as well as other European countries. In this respect, the works of Bo Rothstein, Andreas Bågenholm and Anders Sundell from Sweden will be of great importance, and Ola Teige from Norway will also be central to the comparisons there.

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