

Corruption in Europe and Beyond

Definitional Aspects of
Corruption

Problems in producing a universal definition

- Cultural differences
- Sub-cultural differences
- Lack of clarity in laws
- Whether or not to include B2B misconduct
- Methodological reasons

But . . .

- Solid core – ‘economic’, ‘Western’ (notably rent-seeking by officials)
- And then ‘penumbra’ – ‘social’, ‘Asiatic’ (e.g. patronage/clientelism)

Similarities and differences

- *Blat* (Russia)
- *Guanxi* (China)
- Networking (USA)
- 'Old school tie' (UK)

Bribe or gift?

- 6 crucial variables:
 - Intention of donor
 - Expectation of recipient
 - Timing of the giving
 - Value of what is given
 - Regulatory perspective (formal)
 - Perceived social acceptability of the transaction (informal)

The most common definition . . .

- Leslie Palmier, *citing others*, 'the use of public office for private advantage'
- Almost identical to a World Bank definition – 'the abuse of public office for private gain'

Problems with this definition

- Blurring between public and private
- Private and personal
- What if corruption is to the advantage of *both* the individual or group and the public (i.e. can it be a 'win-win' or positive sum situation)?

Transparency International's confusing approach

- Main definition – ‘the abuse of entrusted power for private gain’
- CPI (until 2012) and pre-2000 definition - ‘the abuse of public office for private gain’ – now, CPI does not provide a definition

Synonyms?

- ‘bribery and corruption’ – what does this tell us?

Differences among academic analysts

- Minimalists –

- Only consider legal definitions (e.g. Scott)
- Only consider cases involving exchange (e.g. Offe)

- Maximalists –

- Corruption is in the eye of the beholder (e.g. Werner)

Simple typologies

- Heidenheimer's black, white, and gray corruption
- The Knapp Commission's 'meat-eating' versus 'grass-eating'
- Active vs. passive corruption

To summarise so far . . .

- The context of word usage is very important

LTH's preferred approach

- Use criteria to identify, not a simple definition

The Five Criteria - #1

- An action or omission (the latter might include deliberately 'turning a blind eye' in return for some reward) should in principle meet five criteria:
 - It must involve an individual or a group of individuals occupying a public office, typically a state position; in short, it must involve *officials*, whether elected or appointed

The Five Criteria - #2

- The public office must involve a degree of decision-making or law-enforcing or state-defensive *authority*. Hence, while military officers could be corrupt, ordinary soldiers - particularly conscripts - would be excluded under this definition. Similarly, even though they might be state employees, a postal delivery worker or a train driver could not be corrupt under this approach

The Five Criteria - #3

- The officials must commit the act at least in part because of either personal (vested or private-regarding) interest and/or the interests of an organisation to which that official belongs (e.g. a political party), if these interests run counter to those of the state and society

The Five Criteria - #4

- The officials act (or do not act when they should) partly or wholly in a clandestine manner, and are aware that their actions (or omissions) either are or might be considered illegal or improper. In cases of uncertainty, the officials opt not to check this – not to subject their actions to the so-called *sunlight test* (i.e. they are not prepared to allow open scrutiny of their actions) - ultimately because of intended interest-maximisation

The Five Criteria - #5

- It must be perceived by a significant proportion of the population and/or the state as corrupt