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DEFINITIONS OF CORRUPTION

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It has been widely deplored that no generally accepted definition of corruption has emerged. However, to expect everybody to agree on its precise nature is as unrealistic as a consensus on the exact attributes of democracy. Thus, the purpose of this chapter cannot be to find the definition of corruption.

Researchers and campaigners against corruption will continue to choose a definition that suits their purpose. Nevertheless, definitions are important. Any research effort dealing with corruption ought to have some explicit concept of the nature and scope of its subject. Moreover, constructing accurate global indicators presupposes a common understanding of corruption. Without it, measuring and comparing subjective assessments of corruption yields results that are meaningless if these appraisals are based on different notions of corruption.

In view of the difficulty of defining corruption and the need to operate within a definitional framework, this essay outlines different concepts of corruption and the problems these face. Moreover, it tries to answer the question whether there is sufficient agreement on the nature of the phenomenon to arrive at meaningful measures that can be employed internationally.

What's a good definition? *The Oxford Dictionary of English* refers to 'an exact statement of description of the nature, scope, or meaning of something'. It ought to be 'precise' in the sense that it delineates the boundary between corrupt and non-corrupt actions or states of the world. Without this precision the definition is not operationable. Moreover, definitions also ought to conform to common usage. Although there is nothing wrong with inventing one's personal concept, a discourse on the social phenomenon 'corruption' does require some common understanding to have any meaning at all.

The chapter starts with the definition with the widest conceivable scope. It then reduces the domain of corruption from physical objects to corruption of society at large to public and private organisations and ultimately to the public sector, the misuse of a public function for private gain. It continues by looking at alternative conceptions of 'misuse', mainly legalistic, public interest and public-opinion approaches. It lastly proceeds to the question of the existence of a consensus sufficiently broad to warrant international comparisons of corruption and the reason why such a common understanding might exist.

Corruption: Falling short of a standard

Corruption always involves a failure to conform to some standards. These standards may refer to physical objects, to states of society and culture or to individual behaviour. Corruption as physical decay – of objects that decompose like fruits or become damaged like 'corrupted' computer files – is for obvious reasons beyond the scope of this discussion. This leaves as its domain the failure of persons, institutions and cultures to live up to some standards.

The scope of the subject will be further limited in so far as only individual actions are considered corrupt and not states of society or culture. Political systems, for example, that are corrupt in Aristotelian terms 'in that they systematically serve the interests of special groups or sectors' (Scott 1972: 5) are not part of the discussion that follows. To repeat, it is not argued that such definitions are in any way deficient. It makes perfect sense when Aristotle calls tyranny a corrupt form of kingship (Heidenheimer 2002a: 3) or lays down an 'ideal' system of democratic rule and calls all deviations from this standard corrupt. Moreover, approaching the definition through standards of individual action or ideal states of the world has similar implications if violating the 'common good' or the 'public interest' is made the benchmark in both cases. Whatever road is chosen, to make the concept operationable requires an agreement on the 'common good'[1] and how it is going to be realised, something unlikely to be forthcoming.[2]

An early definition focusing on individual action we owe to Brooks who explicitly integrates the family into the sphere of corruption when he defines it as 'the intentional misperformance or neglect of a recognized duty, or the unwarranted exercise of power, with the motive of gaining some advantage more or less directly personal' (1909: 4).

Divorce, marital infidelity and childless unions, according to Brooks, all fall into the province of corrupt actions. Oddly enough, Transparency International uses a similarly broad definition, 'the misuse' (2012a) or 'abuse of entrusted power for private gain' (2012b), apparently without being aware of the implications for the sphere of corruption. Their activities certainly do not reflect the scope the definition entails. In what follows, corruption in private life is not considered.

Corruption in social organisations

Excluding family life from the realm of corruption still leaves the 'whole list of social organizations' within its bounds, public and private, 'the church . . . educational associations, clubs, and so on' (Brooks 1909: 5). On the whole, definitions have not followed Brooks' lead but instead have focused on political corruption, or the abuse of a public office for private gain, to use the most widely used version.[3]

Ought actions by individuals operating in the private sector be included within the boundaries of corruption? Violations of a 'recognised duty' or a 'misuse of entrusted power for private gain' are obviously to be found there too. Both sectors view certain practices, like bribery or embezzlement, similarly; the misuse of entrusted power of a public and private employee does indeed closely resemble each other.

Moreover, as Brooks noted, 'much of the impetus to wrong-doing in the political sphere comes originally from business interests' (1909: 5). In this light, it seems unsatisfactory when only the actions of public actors are considered corrupt and not those of the individuals who have prompted it. On the other hand there is no reason to label any kind of morally unsatisfactory behaviour 'corrupt'. Nor does the narrow definition preclude an analysis of the origin of corruption and the role played by private sector participants or by social structures.

More substantial arguments in favour of including the private sector are based on shifting boundaries between public and private sectors. If corruption is defined as a property of the public sector only, its incidence will tend to increase with the relative size of this sector. Scott, for example, finds it unsatisfactory that a country might be deemed more corrupt only because it has a relatively large public sector (1972: 8). Similarly, corruption might decrease merely because 'public purposes are more and more farmed out to nongovernment organisations and profit-seeking businesses' (Warren 2004: 331–2). In the context of China's incomplete privatisation the boundary between public and private becomes even more elusive: 'many state enterprises are now contracted or leased to private parties, while urban or rural collectives, and joint ventures are neither completely public nor private' (Sun 2001: 247). In all such cases a narrow focus on public-sector corruption may distort the incidence of corruption.

Yet to extend the definition of corruption comes at a cost. Besides similarities of corruption in public and private organisations there are differences in the normative structure as well. The limits to reproach are narrower for public office holders than for the owners of private businesses. Influencing the decision of an owner of a business is not a matter of corruption; offering money to receive favourable treatment is the very nature of business. Nepotism is a hallowed practice in the private but not the public sector. Discretionary funds are less likely to cause problems in the private than in the public sector with different accountancy rules. This different scope and nature of corruption in the public sector speaks strongly in favour of concentrating the discussion on the public sector.

There are other reasons for focusing on the public sector. As norms of private and public sector differ, lumping the sectors together increases the difficulty to define the attributes of corrupt acts and reduces the already low level of operationability of the concept even further. Even more importantly, the public has a greater interest in corruption in public than in private institutions. Bribing a policeman or a judge to get a special favour is of different significance than bribing an employee of a private organisation. Corruption in the private sector or business-to-business corruption, such as theft or bribery of private-sector staff, affects primarily the interests of the owners of such enterprises who can normally be expected to take appropriate countermeasures. Corruption implicating the public sector affects the interest of the public directly and effective countermeasures often involve political processes.[4] Moreover, whole categories of corruption are mainly restricted to the public sector. Successful extortion relies on the ability to enforce administrative decisions; nothing equivalent is available to a private company operating in a market economy. There are good reasons to restrict the scope of the definition to actions involving public functions – to public office and private–public sector corruption.

Misuse of public office for private gain

There are a number of problems associated with the most widely used definition of political corruption, the 'misuse of public office for private gain'. The obvious difficulty is to define abuse or misuse. Before addressing the issue of misuse, some more clarifications are useful. Actions imply intentions; thus 'corruption is intentional' (Brooks 1909: 6).[5] If the failure to meet a recognised duty is due to simple inefficiency, no corruption is involved. 'The corrupt official must know the better and choose the worse; the inefficient official does not know any better' (Brooks 1909: 6).

Corruption is sometimes defined as involving a transaction. This does not conform to conventional usage; there are a number of unilateral acts that are generally considered corrupt. Brooks knew this well when he talked of legislators, voting 'favourably or unfavourably on

pending bills, endeavouring at the same time to profit financially by their action' (1909: 4). Equally, few will call the embezzlement of the type of Nigerian or Angolan politicians who abscond with a large part of the public oil revenues anything but corrupt. Again, there is obviously nothing wrong with narrowing the scope of analysis to corrupt transactions, but such a restricted view does not amount to a general definition.

Critics have sometimes found fault with this definition because corruption may have beneficial social consequences. This charge is beside the point. Corruption is defined as breaking public office norms – not by the social consequences that follow. Breaking most norms has sometimes positive social consequences. Theft may have beneficial effects too. That corruption may serve political and social integration, as a mechanism to redistribute wealth or that it may increase efficiency in over-bureaucratised states, does in no way cause problems for this conventional concept.[6]

Nor does this notion of corruption, as has sometimes been claimed, clash with public opinion. It is true that one 'does not condemn a Jew for bribing his way out of a concentration camp' (Rose-Ackerman 1978: 9). The example is beside the point because only the action of the guard is corrupt and not that of the prisoner, and it is only corrupt because the sentry enriches himself in the process. The case is simply another illustration that corrupt actions might have beneficial consequences.

Even less plausible is the charge that 'this definition reduces corruption simply to a problem of dishonest individuals or "rotten apples" working in the public sector', 'to individual greed and personal venality' (Haller and Shore 2005: 2). Misuse of public office may well be endemic and caused by structural factors; it has indeed been analysed in these terms for decades (e.g., Scott 1972).

Corruption occurs only where a personal benefit is expected, material or immaterial, typically in the form of wealth, political power and social status. Where benefits from misuse flow to tribes, ethnic groups or political parties, actions are corrupt when they increase the status and political power of the corrupt official. A personal benefit may be indirect when, for example, an action enhances the welfare of the family or clique with whom the actor identifies.

Without an expected gain there is no corruption. Police officers determined to 'put a bad guy away' and perjure themselves 'in order that legal standards of proof are "met"' may not be acting corruptly, although their behaviour undermines 'processes that are intended to reflect as well as preserve the values of a liberal democratic society' (Kleinig and Heffernan 2004: 12).[7] On the other hand, an action may be corrupt even if no gain accrues: an insider deal that goes awry may still be corrupt.

Problems begin with the question of what constitutes a public office. A narrow interpretation associates a public office exclusively with the Weberian state, the separation of public and private realms and the existence of a modern bureaucracy. If this road is taken, no corruption occurs in pre-modern as well as modern states that lack these attributes; personalist regimes like that of Mobutu's Zaire are prime examples where this narrow view excludes the existence of corruption. A wider interpretation of what constitutes a public office on the other hand embraces all public power holders, or, to follow Brooks, all those able to violate public duties. In what follows, this latter view is adopted, a view that has the advantage of corresponding to widespread usage – even in failing states where formal public office rules have largely broken down, talk about corruption is very much in evidence.[8]

Moreover, the wider net catches important holders of public power who are not functionaries of the state, in particular the voters. Indeed, the corruption of those holding political power often corresponds to the corruption of voters who support corrupt politicians and

benefit from their largesse. Dobel is one of the modern writers who employ the concept in this expanded way: corruption 'means the betrayal of public trust for individual or group gain' that may undermine 'the efficacy of the basic political structures of the society and the emergence of systematic corruption in all aspects of political life' (1978: 958).

On the whole, the public office standard has weathered the criticisms levelled against it fairly well, but only at the cost of being exceedingly vague.

Standards of misuse

Standing in the way of an operationable concept is the reference to 'misuse' or its equivalents, Brooks' 'duty to the state' (1909: 4), Banfield's betrayal of trust (1975: 587) or Nye's standard of 'rules against the exercise of private-regarding influence' (2002: 284). How can these notions be transformed into workable demarcation criteria?

Scott had suggested three approaches: legal norms, public interest and public opinion (1972: 3). All these definitions have been severely criticised. According to the legalistic definition, misuse occurs if an action is 'prohibited by laws established by the government' (Gardiner 1993: 115). The advantage of this type of definition is its high score on the operationability count: what constitutes breaking formal rules and regulations is relatively easily established and, in principle at least, observable.

One of the obvious problems of the definition is that rules differ in different periods and locations. It then becomes unclear what rules are going to be applied. More importantly, acts not illegal are not corrupt. Influence-peddling is not corrupt if not explicitly outlawed, and legalising nepotism and bribery can largely free a country from corruption. The boundaries to corruption are drawn too narrowly; certain legal actions have to fall within the bounds of corruption.

One way of escaping the problem of the narrow scope of legalistic definitions is to equate misuse with violations of the public interest: corrupt actions do 'damage to the public and its interests' (Friedrich 1966: 74). Influencing administrative and political decisions and using government resources for the benefit of the ruling class and their followers can now enter the domain of corruption, even if these acts are legal. For some writers this becomes the heart of the issue of corruption: 'Most commonly, political corruption involves substituting rule in the interests of an individual or group for those publicly endorsed practices which effect an ordered resolution to conflicting individual or group interest' (Philp 1997: 458).

The approach does suffer from a number of disadvantages. To begin with, it prejudges the result of corruption; corrupt acts are socially detrimental by definition (Caiden and Caiden 1977: 302). The debate on the consequence of corruption is reduced to the precise nature of the social damage that ensues. There is a more important objection, however. The definition 'would require an unambiguous definition of the public interest' and thus constitutes an attempt 'to resolve an essentially normative or ideological question by definition' (Scott 1972: 3). For a long time, the objection has been considered decisive.

In recent years the public-interest definition has been resurrected, albeit in the slightly different guise of corruption in a democracy. Corruption, it is argued, 'is best understood in terms of transactions that subvert the impersonal processes of democracy' (Kleinig and Heffernan 2004: 9); or, in a somewhat different version, 'one of the most sinister forms of political corruption in a democracy is when the "democratic transcript" is betrayed: that is, when members of the political class act in such a way as to prevent or circumvent the exercise of accountability' (Heywood 1997: 423). The public interest is identified with an ideal form of democracy where corruption damages this 'democratic transcript'.

Warren takes the argument one step further. In his 2004 paper he is careful to propose a 'concept' and not a 'definition'. Nevertheless, the highly innovative concept can be read as a proposal for a definition. Warren accepts that all concepts of corruption operate within the framework of misuse of 'common' power (2004: 332) and goes on to identify misuse with violations of the principle that 'every individual potentially affected by a decision should have an equal opportunity to influence the decision' (2004: 332). Corruption is always a form of duplicitous and harmful exclusion of those who have a claim to inclusion in collective decisions and actions. Corruption involves a specific kind of unjustifiable disempowerment (Warren 2004: 329). He then concludes that 'through the democratic norm of empowered inclusion, we can identify the harms to democracy quite precisely, domain by domain': in government administration, judiciary, legislatures, media, civil society associations and markets (Warren 2004: 340).

Even if Warren's general specifications of the public interest in democratic government – mainly the 'norms of openness, publicity, and inclusion' (1994: 330) – did correspond to widely accepted norms of democratic government, the weakness of public interest perspectives remains. Who decides on the norms of 'empowered inclusion' if discourses fail to produce a consensus on 'duplicitous exclusion' in the various domains ranging from 'unfair trading practices' to 'open information for investors' and 'fair terms of exchange'? Where does constituency service end and vote buying start? The old argument against public interest definitions lost nothing of its force; they resolve essentially normative questions by definition.[9]

This leaves the public opinion standard as a basis to establish misuse, the standard often disparaged as the least promising of the three. Here the public is asked whether it considers an act corrupt, and the public's judgement is used as the definitional criterion (Scott 1972: 4). Scott rejected the application of the definition out of hand because 'we would undoubtedly find opinion divided or ambiguous in many instances'. Which view ought then to be adopted? The choice would be arbitrary (Scott 1972: 4). This position was reinforced by cultural relativism asserting that many practices considered corrupt in the West were deemed socially acceptable in Third World countries where they stood for 'a continuation of traditional gift-giving practices' (Scott 1972: 10). These assumptions effectively preclude an agreement on misuse.

Over time, the unsatisfactory state has spawned a large number of alternative definitions. One of the earlier attempts, the 'market-centred definitions' was mainly devised to analyse the causes and consequences of corruption with the help of economic analysis. As definition it failed because it presupposed a given and defined set of corrupt actions.[10] Nor are matters improved when corruption is defined as 'rent-seeking' since this shirks the question when rent-seeking transcends the boundary to corruption. To take a principal–agent framework does not clarify matters either, because it fails to specify 'when the principal's interest is sacrificed for that of the agent' (Alam 1989: 442). All these attempts ultimately confuse successful methods of analysis with a definition. Other endeavours do specify misuse but achieve no more clarity. Werlin, for example, advances notions like the 'the subversion of statesmanship by partisanship' or 'of governance by greed' (2002: 341). Little has been gained by these efforts.

Problems mount when political influence is considered.[11] Most people find it hard to draw the line where influence becomes corrupt. What complicates matters, for example in the case of party or campaign contributions, is the uncertainty whether undue influence actually occurs or not. Indeed, some actions are denounced by public opinion and are forbidden by public office rules even if influence remains unproven. They are condemned only because

they 'appear' to be corrupt.[12] In these cases, the definition of corruption acquires a new twist; misuse is now equated to suspected misuse of a public function. The age-old question reappears: when does a gift become a bribe? With suspected misuse the boundary between corrupt and non-corrupt actions becomes even more elusive.

When all these problems are considered, the definition of corruption based on the misuse of a public function seems to be in a truly parlous state. It appears inoperationable and thus beyond measurement.

The public opinion standard

Whereas the theoretical literature dismissed the public opinion approach unceremoniously, those engaged in measuring corruption adopted it without much hesitation. Most international comparisons are based on subjective impressions. At least the authors of the comparisons and their users must believe that there is sufficient common understanding of what constitutes corruption in the public sector to warrant the adoption of this procedure.[13]

This common understanding has to exist locally and globally. The theoretical literature generally assumed there was neither.[14] Particularly the adherents of cultural relativity perceived an unbridgeable gap in attitudes among cultures, although this notion was so weakly corroborated that it amounted to little more than an article of belief.[15]

A further confusion arose from Heidenheimer's useful distinction between 'white', 'grey' and 'black' corruption. A majority of the population condemns 'black corruption' and advocates punishment. 'Grey corruption' on the other hand indicates ambiguity about punishment and in the case of white corruption people would 'not vigorously support an attempt to punish a form of corruption that they regarded as tolerable' (Heidenheimer 2002b: 153). Thus the ambiguity concerns punishment, not whether an act is corrupt or not. We might believe an action to be wrong but still 'not vigorously support an attempt to punish' it. Heidenheimer's categories point to the area where cultural relativity may well play a significant role, in the assessment of the overall severity of a transgression in view of the circumstances of the case, including value conflicts that play out differently in different cultural environments. Yet his classification does not preclude that people have a fairly distinct view on what constitutes corruption.[16]

What is the empirical evidence for a common understanding of corrupt practices within countries and among countries? Considering the importance of this question one would expect a barrage of surveys directed at it. This is not so; only the few studies that are reviewed in this section deal with the question in a systematic way.

Of particular interest is evidence from countries with an extensive tradition of gift-giving where corruption is endemic. Both a tradition of gift-giving and the presence of endemic corruption are supposed to hinder the establishment of public office norms or erode them where they have existed. For the same reasons, studies of groups exposed to endemic corruption are a crucial test of the thesis of the wide gap in attitudes.

One institution where these hypotheses predict an erosion of public office norms is the Russian police force. A survey among active police officers and trainees indicates that this erosion does not necessarily take place. Only 'speeding off duty and showing the badge to get off' was believed to be morally acceptable by a majority of respondents (Beck and Lee 2002: 360). Next in the league of acceptability was 'getting a spouse's driving licence back without a fine' after a speeding offence; it was found to be acceptable by nearly half of those surveyed. A third of those surveyed thought using contacts to get an acquaintance released from charges of drunken fighting and accepting a free computer after awarding a police tender were

morally acceptable. All other activities included in the study – outright bribery, taking money from prostitutes and dealers, protecting a colleague caught selling bootleg vodka – were regarded as corrupt by a vast majority (Beck and Lee 2002: 360). The authors conclude: 'Overtly criminal scenarios are morally approved by only a small minority of police officers and trainees' (Beck and Lee 2002: 370). This remained true 'despite their indisputable low wages' that might have made illegitimate activities morally acceptability (Beck and Lee 2002: 364). The disapproval of practices usually considered corrupt remained high even in an institution where corruption is endemic.

A Hungarian pilot study provides perhaps the oldest general population survey dealing with attitudes to corruption. It indicated that in an environment of endemic corruption the demarcation of corruption still conformed to what would have been expected elsewhere (Hungarian Gallup Institute 1999). Still, Hungary is a Western country, and the survey was far from representative.

More significant is a population survey of attitudes in Kathmandu. It asks respondents to classify actions that included bribing administrative officers to speed up processes or waive procedures; enticing tax officials to reduce the amount of tax paid; inducing police officers to abstain from issuing a ticket; bribery in government procurement; and, finally, nepotism in public employment and procurement. All these actions were deemed unacceptable. On a scale from one (very acceptable) to five (very unacceptable), 'government employee awards a government construction contract to a friend's business because he is a friend' was the most acceptable action with a mean score of 3.83 (Truex 2010: 1136). Considering that nine out of thirteen actions received a score greater than 4, there is no indication of the postulated wide gap in attitudes.

Similar findings are provided by a survey in Kazakhstan. Money requested by doctors and nurses in hospitals to ensure proper care (in addition to the official payments), a gift by a student to a university professor in order to influence his grade, a company giving money to a government official to avoid waiting in a long queue or to avoid paying taxes, a gift to a judge at the beginning of a court case and a payment to a policeman to avoid a fine were all considered by a majority of the respondents as definitely corrupt (World Bank 2002: 69). These assessments were shared by all the different groups of respondents – households, enterprises and public officials.

Further evidence of opinions comes from the World Values Survey (2011).[17] It asks respondents to rank the statement 'someone accepting a bribe in the course of their duties' on a scale ranging from never justifiable (1) to always justifiable (10). In fifty of the fifty-five countries, the majority of the population found bribery was never justifiable. As is to be expected, the variation in the percentage of those who think bribery is never justifiable is large, ranging from Jordan (95.3 per cent) to Thailand (28.3 per cent).[18] Nevertheless, this high level of condemnation emerging from raw data is a ringing endorsement of the universality of a practice at the core of corruption.

The most comprehensive evidence supporting the view of the existence of a common understanding of corrupt practices comes from the Afrobarometer survey covering eighteen sub-Saharan countries. It not only shows that bureaucratic corruption, the petty extortion by government officials, is strongly condemned, but that nepotism is equally strongly disapproved of by majorities in each country, often large ones. Perhaps most surprising is the solid condemnation of clientelistic practices by a large majority of the population (Afrobarometer Network 2006: 13; see Table 2.1).

This evidence indicates that endemic corruption does not necessarily acquire normative force. It is not the case that once corruption 'becomes sufficiently widespread as to constitute

Table 2.1 Defining corruption

For each of the following, please indicate whether you think the act is not wrong at all, wrong but understandable, or wrong and punishable.	Not wrong at all	Wrong but understandable	Wrong and punishable	Don't know
A public official decides to locate a development project in an area where his friends and supporters lived	13%	24%	61%	2%
A government official gives a job to someone from his family who does not have adequate qualifications	5%	18%	75%	2%
A government official demands a favour or an additional payment for some service that is part of his job	5%	16%	77%	2%

Source: Afrobarometer Network, 2006. 'Citizens and the State in Africa'. New Results from Afrobarometer Round 3, Table 5.1.

a normal rather than an exceptional mode of behaviour, it ceases to exist' (Caiden and Caiden 1977: 302). The proposition, apart from being theoretically dubious, is also empirically unsound.[19]

The empirical evidence, patchy as it is, strongly suggests a common understanding of corruption: actions or practices are identified as corrupt even in environments where cultural relativity theory predicts them to be morally acceptable. This common ground might still leave large areas of disagreements and may throw up unexpected results. Thus an observer concluded from a survey of the Chinese literature on corruption that 'a core of consensus converges on corruption's basic attributes' which 'corresponds mainly to the "universal" features of corruption emphasized in the English language literature' (Sun 2001: 263). However, a number of practices were considered corrupt in China and not in the West (Sun 2001: 248).[20]

Common understanding of corruption

How can this common understanding of corrupt practices be explained? It will hardly result from long chains of deductive reasoning starting with the public interest such as ideal forms of democracies from which corrupt particular practices are derived.

The evolution of the concept of corruption provides some hints. Noonan traces it to the Middle East, where in Mesopotamia and Egypt 'from the fifteenth century B.C. on, there has been a conception that could be rendered in English as "bribe", or a gift that perverts judgment' (1984: 13–14). Bribery and corruption, he shows, are notions that have been with us since antiquity and have been debated in state (for example, Rome) and (Catholic) church ever since. Noonan also demonstrates the close link of its evolution to the role of the judge, a role demanding impartial judgement that is constantly threatened by conventional gift-giving practices, concessions to personal proximity and personal advantage (Kurer 2005: 229). This role and the associated principle of impartial action are understood everywhere as an element of the special duty of public functions, even in undifferentiated societies (Kurer 2005: 229). Corruption as misuse of a public function is universally understood because of the universality of principle of impartiality embodied in public office roles.

This leads back to question of how to circumscribe misuse and brings us to the last definition of this chapter. Misuse involves violations of norms of impartiality. If politics is seen as

'who gets what, when, and how' (Lasswell 1936), corruption can then be viewed in distributive terms, as violations of norms governing the distribution of rights and duties. To put it differently, political functionaries might discriminate in the allocation of rights and duties in ways that violate distributive norms. A definition of corruption as unfair discrimination emerges: public functionaries violating non-discrimination norms governing the allocation of rights and resources including, of course, access to the political process (Kurer 2005: 230).

The form such norms take will vary from society to society. That the sale of tax-farms in eighteenth century France was not considered corrupt does not speak against such a definition, and it is obviously a valid project to look for forms of corruption specific to democracies. However, over these obvious differences the similarities in the interpretation of misuse ought not be forgotten: the misuse of public funds, peddling political and administrative influence and engaging in nepotism by favouring those socially close and discriminating against those more able.[21] These topics have been debated for centuries in a wide range of countries, and with this much common ground it is not surprising that comparable social circumstances throw up similar views of corrupt practices, similarities that are sufficient to generate valid international comparisons of corruption.

Conclusion

Corruption, at its most general, is a deviation from a standard – physical, personal, social, political, cultural. Unsurprisingly, many standards have been defined whose violations were said to constitute corruption and undoubtedly more will be identified in the future.

The choice of the scope of a definition is necessarily pragmatic. The focus of the chapter has been on the misuse of a public function or the violation of a public duty. Extending the scope of corruption to the private sector reduces the chance of an agreement on the boundaries of corruption even more as the difficulties of determining its attributes mount. The concentration on the public sector is warranted furthermore because the public has a greater interest in public than private corruption.

How to define a misuse? There are only two plausible candidates, the public-interest and public-opinion standards. The public-interest approach suffers from the difficulty how to define the standard whose deviation constitutes misuse; operationability presupposes an agreement on the 'public interest', something which is unlikely to be forthcoming. The public-opinion standard on the other hand presumes some common understanding of corrupt practices. Contrary to what has been expected, there is a substantial body of evidence that such a common understanding exists.

This common understanding provides sufficient ground for meaningful international measures. It is based on violations of equity norms guiding the distribution of rights and duties of public functionaries and their subjects and it has a long history. The impartiality demanded of a judge is the archetypical example of such a norm, but misappropriation of resources, inappropriate influence on government decisions or nepotism have all traditionally been topics in the political discourse on the misuse of political power. In view of this shared tradition the common understanding of the concept of political corruption as misuse of public functions and of a substantive set of practices is hardly surprising.

Acknowledgement

Notes

1 To use Schumpeter's terminology (1976: 250).
2 The issue will be taken up when public-interest definitions are evaluated.
3 Largely because of its use by the World Bank.
4 This is not to say that the public may not suffer from private-to-private corruption. If a private hospital employee is induced by a bribe to buy medication without active ingredients, patients suffer. At the same time, where market forces operate, the owner of the hospital has a strong incentive to correct the abuse even without public intervention.
5 At least according to action theory that distinguishes 'action' from 'behaviour'. The latter includes reflexive actions, or more generally behaviour not involving intentions.
6 A point made, for example, by Nye (2002).
7 If the actors expect neither direct nor indirect gains, e.g., enhanced status, bonuses, or earlier promotion because of higher clear-up rates.
8 The agreement on a broad view of who performs a public function does obviously not imply an agreement on what constitutes corruption. Whether such an agreement exists is discussed later in the chapter.
9 The criticism does not deny, of course, that such proposals are important contributions to this process of contestation or norm creation.
10 As has been pointed out long ago by Heidenheimer in the precursor volumes to Heidenheimer and Johnston (2002).
11 What in a democratic context Thompson confusingly called 'institutional corruption', the illegitimate influence violating institutional norms that protect the democratic process (1995: 167).
12 For a discussion of this issue see Warren (2006).
13 Objective measures such as the exposure to extortion suffer from the same problem, in so far as the practices in the survey must be considered corrupt everywhere.
14 See, for example, Gardiner (1993: 32).
15 It was not uncommon to ask those who were involved in dubious practices to assess the morality of their action (Kurer 2005: 227–9).
16 As has been argued by Gardiner (1993: 33). On confounding the perception of corruption and corruption tolerance, see Chang and Kerr (2009: 5).
17 World Values Survey, Third Round, Question 201.
18 Rwanda (49.2 per cent), Zambia (40.3 per cent), Serbia (38.7 per cent), Malaysia (35.5 per cent), Thailand (28.3 per cent). When the stringency of the condemnation of the rejection is relaxed and the first three data points are added (1 to 3), only Serbia falls below 50 per cent.
19 There is no law of nature why endemic practices ought to be normatively sanctioned.
20 According to Sun, the notion of corruption 'extends to private behaviour of public officials, i.e. behaviour that violates moral conventions of society' as well as to harming society's interests even if, as in case of bureaucratic negligence, it does not lead to a private gain (2001: 248).
21 Considering, for example, the literature on 'dissipation' or, less Eurocentric, the norms regulating the spending of African tribal chiefs (Schapera 1956: 102).

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