



MAKING SENSE OF
CORRUPTION

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contrary, the cadre model seems to be very well entrenched in the system for recruitment and training (Keping 2014; Pieke 2009) as well as in the general perception of what is to be expected from a public official (Ahlers 2014). However, if the country were to change to a two- or multiparty democracy, the days of the cadre model probably would be minimal.

10 *In Conclusion: What Is the Opposite of Corruption?*

The Problem with Governance

As stated in Chapter 1, the concept of ‘good governance’ has been introduced, in part, as a code phrase for the opposite of corruption. A central conceptual problem in this discussion is that there are at least three very different ideas of what constitutes ‘governance’ in the social sciences. The first has its background mainly in the public administration and public policy analysis of Western democracies. Its basis was the recognition, beginning in the early 1990s, that an increasing number of empirical studies have shown that Western democracies no longer rely mainly on government authorities when trying to reach public or collective goals. It was argued that traditional public administration structures that used to have a monopoly, or at least were the main actor, in implementing public policies had been weakened, replaced or challenged by various forms of public-private partnerships and more loose networks of organizations, including various civil society organizations, trade organizations and private companies (Pierre 2000). The empirical studies showed that various forms of market solutions were also used for providing what were essentially public goods, such as, for example, publicly financed charter school systems and pseudo-market systems in the provision of healthcare. This development was seen as a result of a long-standing critique in Western democracies of the traditional Weberian type of public administration as being ‘rigid and bureaucratic, expensive and inefficient’ (Pierre and Peters 2005, p. 5).

The critique of the Weberian model of bureaucracy as not being able to function well for the more interventionist and ‘human-processing’ public policies has been almost endless (du Gay 2000; Rothstein 1998). In this line of research and theory, governance is seen as a society’s pursuit of collective goals through various forms of steering and coordination, independent of the formal status of the actors involved

(Levi-Faur 2012; Pierre and Peters 2000). Normatively, as well as empirically, in large parts of this approach to governance, which we prefer to label as the ‘policy approach’ to governance, the main idea was built on a critique of the classical Weberian model of public administration. The critique pointed at the fact that this top-down steering of public administration lacked participatory elements and was incapable of handling the types of complex implementation tasks that modern Western societies were in need of. Especially what came to be known as ‘implementation research’ showed a number of pathological trends when central policy ambitions and programmes met reality on the ground (Rothstein 1998, chap. 3). Under umbrella terms such as ‘new public administration’, both more market-oriented governance systems and more network and participatory systems were supposed to provide more flexibility and increased adaption of steering measures to a more demanding and competition-oriented society (Lynn 2012). A large part of this literature also argued that the public administration should use more competition- and performance-based measures imported from the private sector (Laegreid and Christensen 2007).

This post-Weberian policy approach to governance has become a fairly large enterprise, judged by the number of publications and citations (Levi-Faur 2012). For example, it almost completely dominates the recently published 800-page *Oxford Handbook of Governance*. The index of this handbook has only five entries about ‘corruption’ but fifty about ‘participatory governance’ and forty-eight on ‘network governance’. The same can be seen in the only international academic journal titled *Governance* – searching for the term ‘management’ in abstracts yields five times as many articles than a search on ‘corruption’. It also should be noted that this approach to governance rarely concerns issues about the public administration in developing countries (Pierre and Rothstein 2011)

The problem is that the conceptualization of governance in this approach is not overwhelmingly precise. On the contrary, leading governance scholars tend to make a virtue of conceptual ambiguity. An example is David Levi-Faur (2012, p. 3), who, in his introductory chapter in the *Oxford Handbook of Governance* mentioned earlier, states that this publication intends to demonstrate that ‘governance is increasingly becoming a broad concept that is central to the study of political, economic, spatial and social order in general’. In a critical analysis, Claus Offe (2009) has pointed to the fact that the concept is

empty of agency. There is no verb form of the word as there is for ‘government’. Members of the government can govern, but what is it that members of a network of governance are doing? In reality, the concept tends to capture all forms of collective social coordination outside pure market relations or the family. The problem is that such a broad understanding of governance makes it difficult to distinguish it from all other forms of social coordination. To paraphrase what Aaron Wildavsky (1973) said about another once-popular concept (yes, many years ago), ‘If planning is everything, maybe it’s nothing.’

In this policy approach to governance there is now a widespread discussion of entities such as ‘global governance’, ‘corporate governance’, ‘interactive governance’ and ‘network governance’, just to name a few. Our impression is that governance in this public administration and public policy approach should be seen as a meta-concept for all possible forms of order (or disorder) in a number of different settings – from the very local to the global and from the very political and state centred to various private networks that exist outside and have a minimal relation to the state. It may be possible to assess the quality of governance in specific sectors with this approach (see Levi-Faur 2012). However, it goes without saying that ‘assessing the quality of governance’ as it is understood in this policy approach for a whole country, region or even a city cannot be accomplished in any meaningful way. Leading scholars in this approach also argue that it is not a feasible enterprise to try to establish quantifiable measures of this type of governance for comparing analyses. Instead, they argue for qualitative ‘process-tracing’ case studies (Torfing et al. 2012, p. 84). While we think that this policy approach to governance empirically captures an important development in Western liberal democracies, the conceptual net is simply far too big for assessing what goes on in a country as a whole. A second problem is that there are very few normative analyses of what should constitute ‘good’ or ‘high quality’ in this approach to governance because it is usually unrelated to the type of measures of human well-being discussed earlier. Thirdly, this approach to governance is almost completely detached from the problems of administrative capacity in developing or transition countries. What can be done within this approach is to assess governance in particular sectors, such as the healthcare system, in a country or region or at certain levels of government, such as the city or village level in ‘Denmark-type’ countries.

Participatory (Democratic) Governance

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

The discussion about the advantages of new and more participatory methods for engaging citizens in public decision making in liberal democracies and the effects of increased possibilities for deliberation is in itself interesting. In our view, the problem of an increasing 'democratic deficit' is in many cases real. There are, however, two main problems with 'democratic governance' from the perspective of increasing the relevance of political science by focusing on the part of the political system that turns out to have a significant effect on people's life situations. One is that democratic governance blurs the distinction between 'access to power' and 'exercise of power'. As argued by Fukuyama (2014), this concept is built on the so far unrealized hope that there is no conflict between simultaneously realizing representative democracy and state capacity. The second is that so far the lack of conceptual precision in this approach has prevented the production of any standard measure for this concept that can be used in comparative research.

Good Governance

What is interesting is that at the same time as the aforementioned approaches to governance started to mushroom, a very different idea of what this concept entails saw the light of day. The background of this approach was not located in studies of public administration and public policy in mature Western democracies but instead in discussions in research about development and (the lack of) economic growth in Third-World (and later transition) countries. In common parlance, the approach argued that the institutionalized 'rules of the game' should have a more central role in social science research, especially for explaining variation in social and economic development (Greif 2005; North 1990; Shirley 2005; Smith 2007). In this approach, which we prefer to call the 'political economy approach to governance', the importance of informal institutions has often been stressed by leading scholars (North 1998; Ostrom 1990). However, in empirical research, these 'rules of the game' have de facto become oriented towards state-centred variables. These are, for example, states' administrative capacity, the degree to which the rule-of-law principles are respected, the level of corruption in the public sector, the effectiveness and professionalism in the public administration, the secure enforcement of property rights and meritocratic recruitment of civil servants (Smith 2007). An early important empirical result was produced by Evans and Rauch (1999), who showed that a Weberian type of public administration had a positive impact on economic growth for developing countries.

'Good governance' is now used, in particular, by many national development agencies and international organizations, such as the World Bank and the United Nations. One example is the International Monetary Fund, which in 1996 declared that 'promoting good governance in all its aspects, including by ensuring the rule of law, improving the efficiency and accountability of the public sector, and tackling corruption, as essential elements of a framework within which economies can prosper' (Rothstein 2012, p. 143). In development policy circles, this 'good governance' agenda has to a large extent replaced what was known as the 'Washington consensus'. This approach stated that economic growth could be created by systematic deregulations of markets, tightening of public spending, guarantees for property rights and large-scale privatizations (Serra and Stiglitz 2008). The reason why this

strategy did not work was, according to many observers, that poor countries lacked the necessary types of institutions that were 'taken for granted' in neoclassical economics (Rodrik 1999).

As should be obvious, what is understood as 'governance' in this development research perspective is very different from the approach that has come out of the post-Weberian critique of the hierarchical model of top-down steering in public administration analysis centred on problems in liberal Western democracies. It is also very different from the 'democratic governance' approach. In the political economy approach to development, governance is a very state-centred concept referring mainly to specific traits in the court system and public administration (Norris 2012). A first conclusion is that many of the complaints that the governance concept is ill defined (Fukuyama 2011, p. 469; Lynn 2012, pp. 49ff) stem from the fact that these three almost completely different approaches use the same term, each with its own specific intellectual as well as policy background. We would argue that much of the conceptual confusion in governance research is caused by the conflation of these three very different approaches to the subject.¹ A second conclusion is that since the development approach has a more restricted idea of where 'governance' is located, the possibility for creating a definition that is specific and precise enough to be operationalized for assessing and measuring governance in a specific country should increase. This is also why, for example, Rothstein and Teorell (2008) argue that the term 'quality of government' (QoG) should be preferred as the opposite of corruption instead of 'good governance'.

If QoG is the opposite of corruption, how should this concept be defined? In what follows we will specify a number of dimensions on which this theoretical enterprise has to make choices. In this we rely heavily of the approach to concept formation (and mis-formation) in political science that goes back to Giovanni Sartori (1970) and that has been expanded by, for example, David Collier, John Gerring (2012) and Andreas Schedler (for a summary of the discussion, see Schedler 2010). It should be kept in mind that we are striving for a definition of QoG that can be operationalized in such a way that we can actually

¹ To this conceptual 'Tower of Babel' we could add approaches such as 'global governance', corporate governance, meta-governance and regulatory governance.

measure the level of QoG in different countries (or regions or cities or branches of public administration within these entities).

Normative or Empirical Strategy

For an understanding of what should be seen as the opposite of corruption, Heywood and Rose (2015) have made an important point, namely, that we would not be satisfied with just 'no corruption'. The reason is that this is a far too low a threshold for what we ought to demand from those who are entrusted with public office. Our demand is not just that these agents should refrain from corruption but that we as citizens (and taxpayers) are entitled to expect something more than the absence of corruption. This could, of course, just be competence, but we will argue that there should be a more basic normative standard for how people entrusted to provide public services ought to behave. The issue is thus whether QoG should be defined by a certain norm that pertains to how government power is exercised or whether, as argued by Fukuyama (2013), this conceptualization should be confined to more empirical 'things', such as bureaucratic autonomy and capacity.

There are four reasons why we think a normative definition is necessary. Firstly, terms such as 'good' (as in 'good governance') and 'quality' (as in 'quality of government'), not to mention 'corruption', are inherently normative. Something is 'good' or has high/low 'quality' in relation to a certain norm (or norms), and it is therefore necessary to specify this norm. To state that something or someone is corrupt is doubtless a normative judgement. Trying to define 'good' governance while ignoring the normative issue of what should constitute 'good' simply defies logic. Secondly, the empirical results show that when people make up their minds about whether or not they find their governments legitimate, how a state's power is exercised turns out to be more important for them than their rights pertaining to the 'access' side of the political system. Moreover, the procedures at the 'output side', such as the rule of law and the absence of corruption, turn out to be more important for political legitimacy than are 'outcomes' in the form of public services or benefits (Gilley 2006). Since perceptions of political legitimacy are inherently normative, we have to conceptualize this norm(s). It should be noted that the legitimacy of how the access side of a democratic system should be organized is,

according to Robert Dahl (1989, 2006), based on a single basic norm, namely, ‘political equality’, which in practice is equal voting rights and equal right to stand for office. Thus, if the procedures that take place at the ‘output side’ of the political system are more important for citizens when they make up their minds about whether their government is to be considered legitimate than the procedures at the ‘input side’, we should be able to find the parallel basic norm for this part of the political system. Obviously, it cannot be ‘political equality’ because most laws and public policies require that citizens should be treated differently (e.g. pay different taxes or get different benefits, subsidies and services depending on their specific situations and circumstances).

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

The problem with this definition is that it is very close to what the theory intends to explain. How surprised should we be that a society with such ‘inclusive’ institutions will create a good and prosperous society and that a society with the opposite type of ‘extractive’ institutions will be bad and poor? What they are saying is basically that a good society will produce a good (or prosperous) society. The same can be said for definitions of QoG that includes effectiveness. The purpose of this conceptual enterprise is to explain why some states are more effective (in producing human well-being) than others, and if

we include effectiveness in the very definition of QoG, we will not be able to explain variation in effectiveness.

The central issue is this: if a society decides to organize its public administration according to a certain norm (or set of norms) that states, for example, who will work in this administration and according to which principle(s) civil servants and professionals will make decisions, will this result in higher organizational capacity and competence? Furthermore, will this make it more likely that the politicians will entrust this administration with a certain degree of autonomy? The empirical answer to this question seems to be in the affirmative. For example, if civil servants are recruited based on the norm of impartiality, which means that factual merits for the job in question are what decides recruitment and promotion, this will lead to higher competence and thus to higher state capacity, which, in turn, is likely to lead to increased levels of human well-being (Charron et al. 2013; Dahlström et al. 2011; Rothstein 2012; Rothstein and Tannenberg 2015). Thus, the procedural principle of impartiality translates in practice into meritocracy, which, *inter alia*, leads to increased competence and capacity in the public sector. The question raised by Fukuyama (2013, p. 349) – that is, whether impartiality as the basic norm for how a state interacts with its citizens will result in increased state capacity – is thus no longer only ‘simply asserted’ but also empirically grounded. Simply put, there are now a number of reasonably good empirical indicators showing that impartiality as the procedural norm will lead to better outcomes in terms of lower corruption and higher state capacity.

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

Should the Definition Be Based on Political Procedures or Policy Substance?

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

Including as the World Bank does ‘sound policies’ in the definition also raises the quite problematic question of whether international (mostly economic) experts really can be expected to be in possession of reliable answers to the question of what ‘sound policies’ are. For example, should pensions, healthcare or education be privately or publicly funded (or a mix of these)? To what extent and how should financial institutions be regulated? Secondly, such a definition of QoG that is not restricted to procedures but includes the substance of policies raises what is known as the ‘Platonian-Leninist problem’. If those with superior knowledge decide policies, the democratic process will be emptied of most substantial issues. The argument against the Platonian-Leninist alternative to democracy has been put forward by one of the leading democratic theorists, Robert Dahl, in the following way: ‘[I]ts extraordinary demands on the knowledge and virtue of the guardians are all but impossible to satisfy in practice’ (Dahl 1989, p. 65).

All this implies that a strictly procedural definition of QoG is to be preferred. This also follows from the desire to strive for a definition of

QoG that is parallel to how the ‘access side’ of liberal representative democracy usually is defined, which speaks for a strictly procedural definition. The system known as ‘liberal representative democracy’ should not in itself favour any specific set of policies or moral standards (except those that are connected to the democratic procedures as such). From the perspective of legitimacy, it should be noted that there is ample evidence from experimental studies showing that when people decide whether a decision by a public authority that affects them is just, they do not only take into consideration the ‘what did I get’ issue. Instead, ‘how they got it’ – the fairness in the actual procedure in which the decision was implemented – is in most cases more important for them to accept the outcome, especially in cases where the outcome is a negative one (Levi et al. 2009; Tyler 1992).

There is a well-known drawback to all procedural definitions of political processes for decision making, namely, that they cannot offer a guarantee against morally bad decisions. As is well known, there is no guarantee against perfectly democratically made decisions in a representative democracy resulting in severe violations of the rights of minorities and individuals. As Mann (2005) has argued, there is a ‘dark side’ to democracy. This is also the case for any procedural definition of QoG, be it ethical universalism (Mungiu-Pippidi 2006), impersonal rule (North et al. 2009), bureaucratic autonomy and capacity (Fukuyama 2013) or impartiality in the exercise of public power (Rothstein and Teorell 2008). In this approach, we think that the strategy suggested by John Rawls (1971) is the right one. His central idea is that if a society structures its systems for making and enforcing collective decisions in a fair way, this will increase the *likelihood* that the outcomes are normatively just. As Rawls stated: ‘[S]ubstantive and formal justice tend to go together and therefore ... at least grossly unjust institutions are never, or at any rate rarely, impartial and consistently administered’ (Rawls 1971, p. 59).

The Opposite of Corruption: Quality of Government as Impartiality

A state regulates relations to its citizens along two dimensions. One is the ‘input side’, which relates to *access* to public authority. This is where we in democracies find rules about elections, party financing, the right to stand for office and the formation of cabinets. The other

side of the political system is the ‘output side’, which refers to the way in which that political authority is *exercised*. On the input side, where the access to power and thereby the content of policies are determined, as stated earlier, the most widely accepted basic regulatory principle has been formulated by Dahl (1989) as that of ‘political equality’. This is also Rawls’ (2005) basic idea on how to construct a non-utilitarian society based on his well-known principles of justice. Political equality certainly implies impartial treatment on the input side of the system, and this makes political equality and impartiality partially overlapping concepts (Rawls 2005; cf. Goodin 2004, p. 97). Elections have to be administered by the existing government, but if they are to be considered free and, in particular, *fair*, the ruling party must refrain from organizing them in a manner that undermines the opposition’s potential to obtain power. That is, in order to be seen as legitimate, free and fair elections must be administered by impartial government institutions (Choe 1997; Norris 2014; Schedler 2002, p. 44). But again, the impartial organization of elections does not imply that the content or outcome of the process is impartial. On the contrary, the reason that many, if not most, people are active in politics is that they are motivated by very partisan interests. A working democracy therefore must be able to implement the partisan interests produced by the input side of the system in an impartial way. The question is how this can be conceptualized. Based on Strömberg (2000), Rothstein and Teorell (2008) have suggested the following: *when implementing laws and policies, government officials shall not take anything into consideration about the citizen/case that is not beforehand stipulated in the policy or the law*. In this context, impartiality is not a demand on actors on the input side of the political system but first and foremost an attribute of the actions taken by civil servants, professional corpses in public service, law enforcement personnel and the like. In order to effectuate this ideal, it may also be necessary, however, to inscribe impartiality as an ideal into the mind-sets of these actors.

To see why this definition of QoG is universal, it is useful to compare it to Dahl’s idea of ‘political equality’ as a basic norm for democracy. Every particular democratic state is, in its institutional configuration, different. It should suffice to point at the extreme variation in the electoral systems in, for example, the Swiss, Danish and British democracies. There are in fact innumerable ways to organize a national democracy (presidentialism versus parliamentarism, unicameralism

versus bicameralism, proportional versus majoritarian electoral systems, variation in the power of the courts, federalism versus unitarianism, the role of referendums, the strength of local governments, and so on). As long as the principle of equality in access to power is not violated (e.g. by giving one specific political party the right to rule or by refusing to give some specific group of citizens the right to stand for office or take part in the public debate), we call such differing political systems, as in Finland and the United States, ‘democracies’. The reason is that all institutional arrangements on the input side in a representative democracy should be possible to justify from the viewpoint of ‘political equality’.

Impartiality as the parallel legitimatizing and defining principle for the output side can in a similar way also encompass various administrative practices. As shown by Andrews (2013), the specific administrative and organizational configurations of governments deemed to be of high quality are in effect quite different. QoG as impartiality is, of course, in line with the idea of a procedural definition, which means that it can encompass very different policies and does not rule out support for specific groups or interests.

Kurer (2005, p. 230) has also tried to define corruption in terms of impartiality. His definition is that ‘corruption involves a holder of public office violating the impartiality principle in order to achieve private gain.’ As Kurer argues, the advantage with this definition of corruption is that what counts as a breach of impartiality is fairly universally understood and thus not related to how such things as ‘abuse’ or ‘misuse’ of public power are viewed in different cultures. The advantage of this definition is that impartiality rules out not only all forms of corruption but also practices such as clientelism, patronage, nepotism, political favouritism, discrimination and other forms of ‘particularism’.

One way to think about the logic of impartiality is to make an analogy to sports, for example, soccer (football). The football clubs in a national (or regional or local) football league are in stark competition, and they all really want to win the league, almost at all costs. However, the football clubs also want to secure the existence of a functioning and well-organized league that has legitimacy both among their own supporters and among supporters in general. If this is going to work, the clubs will have to come together and produce two things. One is a set of rules for the games that all ‘reasonable’ clubs are willing to accept. They also need

a set of rules for organization of the league (how transfers of players should be done, how to handle teams whose supporters interfere with the matches and so on). For this to work, they need to produce officials (referees and league managers) who are guided by the principle of impartiality. For example, individuals who are 'die hard' fans of a specific club in the league will not be accepted as referees. A referee who is willing to favour a team for money will be seen as corrupt and will be shunned by supporters of all teams. If club A knows that club B has bribed the referee, it will either leave the match or start overbidding in bribes, and then the league will collapse (as was the case in the famous 2006 football corruption case in the Italian National League) (cf. Hill 2008). Also, players usually do not like to play on a team where they can take for granted that some of their team-mates are 'on the take' (this is apparently why so many players from South America prefer to play in Europe). It should be noted that the importance of impartiality in the governing a football leagues seems to be universally understood and accepted. The Confederations of African and the South American Football do not differ in this respect from their European and North American counterparts. Clubs and supporters from these parts of the world do not think of the rulebook produced by the Fédération Internationale de Football Association (FIFA) as a Western imperialist post-colonial treaty alien to their cultures. After all, we are talking about the world's most popular sport.

As stated earlier, some have argued that it is necessary to take the 'substance' of policies and laws into account when defining what should count as QoG. Here the important point is that the referees (or league managers) do not decide any rulings or make any official judgements about the substance of how well the team plays. In this respect, 'the input' (i.e. how teams are playing and what system of defence they use) is not in the domain of the 'public officials' who are responsible for organization of the league. The referees also do not have anything to say about whether the teams play 'beautiful football'. A team does not get extra points for playing well. Thus, if the input in the match is 'good' or 'bad', to use Agnafors (2013) terms, 'the morality of the laws' is outside the domain of what the public officials are to decide. A team that plays really badly, what in Swedish is known as 'pig football',² but

² This is when a team, after having scored the first goal, goes for an extreme defensive strategy, trying only to destroy any organized play by the other team.

that makes more goals than the opposing team will still be the winner. Using the terminology from the World Bank, the officials in this example do not make decisions about which tactics or strategy on the field is to be counted as 'sound football'. However, note that a league with good, impartial referees (and league managers) is likely to play much better and more fair football than a league that lacks this 'QoG', but, of course, there can be no guarantee. We simply have to hope that Rawls was right when he stated that there is a causal connection from procedural justice to substantive justice (Rawls 1971, p. 59).

Rawls also stated that 'it is supposed that if institutions are reasonably just, then it is of great importance that the authorities should be impartial and not influenced by personal, monetary, or other irrelevant considerations in their handling of particular cases' (Rawls 1971, p. 58). One should note here that the demand for 'reasonableness' pertains only to when the clubs decide about the rules (institutions) for the league and the rules for the matches, not for how the different teams should be playing (i.e. the input side). The clubs do not come together and reason about whether they all should use the 4-4-2 system or some other setup when they play. In politics, this is equivalent to a situation in which the opposing political parties can hopefully come together and try to be reasonable when deciding about a state's constitutional and administrative arrangements, but not about their specific programmes. Thus, this is where Rawls' famous 'overlapping consensus' can occur (cf. Rothstein and Teorell 2008).

In the political philosophy discussion about impartiality, this distinction between which norms should guide the content versus procedural sides of the political system is readily seen in Brian Barry's important book, *Justice as Impartiality*. Barry argues that impartiality should be a normative criterion in the exercise of political power: 'like cases should be treated alike' (Barry 1995, p. 126). His idea of 'second-order impartiality' implies that the input side of the political system should be arranged so that it gives no special favour to any conception of 'the good'. However, as Barry readily admits, his theory 'accepts that a demand of neutrality cannot be imposed on the outcomes' (Barry 1995, p. 238). Accordingly, when it comes to decisions about the content of the policies that governments should pursue, it is not neutrality or impartiality but 'reasonableness' that is his main criterion (Barry 1995, p. 238). By this he means that people engaged in the political process should give sound arguments based on a secular

understanding of knowledge for why they prefer certain policies over others. In Barry's words, 'What is required is as far as possible a polity in which arguments are weighed and the best arguments win, rather than one in which all that can be said is that votes are counted and the side with the most votes wins' (Barry 1995, p. 103).

The implication is the one argued for here, namely, that impartiality cannot be a moral basis for the content of policies that individuals, interest groups and political parties pursue on the input side of the political system because reasonableness is not the same as impartiality. For example, in a given situation, there may be good reasons for lowering pensions and increasing support to families with children. This is, however, not the same as being impartial between these two groups because there is no such thing as an impartial way to decide in a case such as this.

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

Those who want to include policy substance in the definition of QoG would in this sports analogy be thinking more like what occurs for referees in a beauty contest or maybe also in figure skating. Here the referees not only follow and implement a set of rules about how the contenders are supposed to appear, such as how long they should perform and what acts are acceptable. Instead, the referees also make decisions about how beautiful the contenders look or, in the case of figure skating, the artistic component of the performance. Thus, in contrast to the referees in football, the referees in beauty contests and figure skating also decide about what is good at the input of the performance. Here impartiality is, we dare to say, neither desirable nor possible.

The conclusion we draw from this thought experiment is that the probability that a political system that builds access to power on the fair principle of 'political equality' will produce outcomes that increase social and political justice is higher than if access to power is organized

in a different manner. The equivalent for the administrative side of the state would then be that if implementation of policies is based on a norm such as impartiality, the *probability* for normatively good outcomes would increase. As argued earlier, empirical research shows that the latter case is more probable than the former; that is, high QoG has a much stronger impact on measures of human well-being than representative democracy has. Given a fair political order such as high QoG, this is what we can expect but, again, not guarantee. This is what Philippe Van Parijs (2011) has labelled the 'Rawls-Machiavelli programme', which, he argues, has two components: from Rawls he takes what one should regard as a just political order and from Machiavelli what we, from empirical knowledge, can suppose is feasible for 'real people' to accomplish (Van Parijs 2011).

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

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

Secondly, the same problem exists for the procedural principles following from political equality that forms the basic norm for representative democracy – there is nothing in this norm that hinders the majority in an ever so correct procedural representative democracy to decide

illiberal policies that seriously violate human rights for individuals or minorities (King 1999; Zakaria 2003). This problem of possible normatively unwanted outcomes is unavoidable if we want to stay within a procedural definition of QoG (or liberal democracy). This is why most democratization activists and organizations nowadays usually speak of ‘democracy and human rights’ as if they are inseparable. There is certainly nothing that hinders policy activists and policy organizations to start promoting ‘QoG and human rights’ (something that we certainly would support following our earlier discussion of the connection between human rights and anti-corruption discourses). However, from a theoretical perspective, democracy, corruption and QoG are separate things and should not be conflated because we want to know how they are empirically related. As stated by Fukuyama (2013, p. 351), we probably would not like to ‘argue that the U.S. military is a low-quality one because it does things we disapprove of, say, invading Iraq?’ If we define QoG by ‘good outcomes’ or include the ‘moral status of the laws’ and/or the ‘public ethos’ (Agnafors 2013), we will be creating a conceptual tautology saying that a society with a high moral standard and a good ‘public ethos’ will result in good outcomes. This is like saying that the good society is a cause for achieving the good society. Simply put, we must have the intellectual courage to admit that a public organization can have high quality and low corruption in doing what it does even if from a moral perspective we disapprove of the policies it is carrying out. It goes without saying that we as individuals can often think that a public policy is grossly unfair and unjust even if it is decided by a perfectly correct democratic procedure. As we see it, this is just one side of how majoritarian democracy is supposed to work. After all, most people become engaged in politics because they are partisan to some cause, group or idea. However, the point we want to make is that the ‘opposite of corruption’ implies that we should normatively prefer even policies that we disagree with to be implemented in an impartial way. If we include the substance of policies in the definition, QoG is just simply when a public authority efficiently implements the policies that we happen to like. Moreover, a reasonably high level of QoG can be seen as a prerequisite for establishing democracy (Fukuyama 2014). Almost all stable ‘elite’ democracies in Northwestern Europe first managed to create state capacity and get corruption under control – and then they became democracies.

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

Should the Definition of QoG Be Multi- or Unidimensional?

Several attempts to define QoG have argued for a multidimensional or ‘complex’ strategy. QoG should entail that decisions in the public administration adhere to ‘efficiency’, ‘public ethos’, ‘good decision making’, ‘transparency’, ‘accountability’ and ‘stability’, to name a few. Others have argued for a unidimensional strategy (Mungiu-Pippidi 2006; Rothstein and Teorell 2008). There are several drawbacks with the multidimensional strategy (also sometimes labelled ‘thick’ conceptualizations). The first is that we may treat what is basically an empirical question by definitional fiat. Simply put, we want to explain why high QoG makes some states’ public administration more efficient than others, and this implies that we cannot include efficiency in the definition of QoG because we do not want to state that efficiency explains efficiency. The same goes for ‘good decision making’ (as suggested by Agnafors 2013) and ‘capacity’ (as suggested by Fukuyama 2013). We want a definition of QoG that can

be helpful in explaining why the public administration in some states has a better capacity for making good decisions than the public administration in other states (or regions or cities), and if we include what we want to explain in the definition, this explanatory purpose becomes impossible.

The problem with defining the opposite of corruption as ‘accountability’ is that this term refers only a process or a tool. No organization or bureaucrat can be held accountable in general because you are always held accountable according to some specified normative standard(s). Heywood and Rose (2015, p. 112) point at ‘integrity’, which they define as ‘doing the right thing’ and also doing it ‘in the right way’, but they do not provide a clear definition of what should be this ‘right thing’ or ‘right way’. They state that ‘where integrity is upheld, actions taken are consistent with the “proper” means of acting.’ However, in a thoroughly corrupt country, the ‘proper’ means of acting for a high-level civil servant may, for example, be nepotism when recruiting personnel. Thus, without defining the normative standard(s) for when we can say that corruption occurs, accountability as well as transparency and integrity may be important instruments (or tools), but they lack conceptual substance.

A well-known problem with multidimensional definitions is how to handle a situation when a state for which we want to measure QoG shows very different values on the dimensions. World Bank researchers include five different dimensions, and Agnafors (2013), for example, includes no fewer than six dimensions. The question then becomes how to handle a situation where the rule of law is zero but where there is maximum efficiency (or stability, or public ethos, or good decision making). Would this be a state with 50 per cent QoG? As Agnafors (2013) readily admits, there can be ‘no universal and complete weighing procedure’ for solving this problem. His solution is that ‘one can perform an *incomplete* weighing, at least in theory, because it will be inescapably messy in practice.’

This line of reasoning is a luxury that many political philosophers think they can afford because they seldom engage in empirical research or take responsibility for the administrative or practical side of their policy suggestions (Wolff 2011). As Agnafors (2013) stated, he does not want to take responsibility for how his many criteria for what should be included in QoG should be weighed when they come into conflict. He readily admits that his method is

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

As argued by Van Parijs (2011, p.1), ‘[I]t is sound intellectual policy . . . not to make our concepts too fat.’ He continues, and we agree, ‘[F]at concepts hinder clear thinking and foster wishful thinking. By packing many good things under a single label, one is easily misled into believing that they never clash.’ As known ever since William Ockham’s days, ontological parsimony is an analytical virtue. In sum, the conceptual obesity that is suggested by Agnafors (2013) and many others for what should constitute QoG will inevitably lead to explanatory impotence and thereby become unusable for policy recommendations. This is not only a question of internal academic civilities and intellectual hair splitting because we now know that low QoG has severe effects on human well-being.

Impartiality and the Rule of Law

This is also the reason why the impartiality principle cannot be equated to the rule-of-law principle. While impartiality is a central ingredient in most definitions of the rule of law (Versteeg and Ginsburg 2016), the former also includes the aforementioned professional groups that implement public policies but for which the modus operandi of the rule of law is not applicable (Rothstein and Teorell 2008). An analysis

of four different comparative measures³ of the extent to which rule-of-law principles are respected and implemented in different countries finds some very interesting results (Versteeg and Ginsburg 2016). Although the four indexes are built on quite different conceptual strategies, empirically, they correlate on a surprisingly high level. The pair-wise correlation between three of them exceeds .95 (the fourth is ~.80), and they also correlate at this high level with the measure of corruption constructed by Transparency International (Versteeg and Ginsburg 2016) and with the measure of ‘impartial administration’ constructed at the Quality of Government Institute (Dahlberg et al. 2013). From this the authors conclude that the reason why the differently constructed indexes of the rule of law correlate so highly is that they seem to ‘fit into a broader umbrella concept of impartiality’ which they think might be ‘a higher order concept’ that connects corruption and the rule of law, thereby capturing the ‘essence’ of both indicators. The authors also argue that although impartiality is a ‘thin’ concept, relating only to procedures and excluding the normative substance of the rules, the ‘thicker’ conceptualization of the rule of law does not add anything. In other words, the ‘thicker’ conceptualizations of the rule of law that includes the normative substance of the rules ‘do not matter’. One conclusion from this is that we here may have found empirical support for Rawls’ (1971) presumption that ‘thin’ procedural justice is likely to result in ‘thick’ substantive justice.

Quality of Government as the Opposite of Corruption

The conclusion is thus that we should strive for a normative, procedural, universal and parsimonious definition of what should count as the opposite of corruption (QoG) that, moreover, can be operationalized and measured. The definition should not include the system of access to power (e.g. representative democracy) because we want to be able to explain the relation between representative democracy and QoG. It also should not include things such as efficiency or capacity because we want to be able to explain whether QoG has a positive or negative impact on these things. Following the Rawls-Machiavelli programme as suggested by Van Parijs, this conceptual strategy can

be seen as resting on the assumption (or hope) that if we as political scientists can suggest ‘just institutions’ for making and implementing collectively binding decisions, the people who come to operate these ‘just institutions’ are also likely to produce morally good outcomes. The alternative, that we should suggest specific (‘sound’) policies or prescribe the ‘moral status’ of the laws, runs in the face of the need to reach an ‘overlapping consensus’ for how collectively binding decisions should be made and implemented. Again, no such procedural definition (of democracy or QoG) can work as a guarantee against morally bad outcomes – we are dealing with probabilities, not absolute certainty. Since empirical research shows that higher levels of QoG (but not representative democracy) are related to higher levels of human well-being (and political legitimacy), following Sen’s capability-oriented theory of justice, we as political scientists have a moral obligation to increase our ambitions to define, measure and study what takes place at the ‘output side’ of the political system. This is not an internal academic affair in which you can sacrifice what actually works for what would be an ideal (but un-implementable) definition. We have no doubt in stating that a major part of human misery in today’s world is caused by the fact that a majority of the world’s population is forced to live under dysfunctional (low-quality) government institutions.

The impartiality definition suggested by Rothstein and Teorell (2008) that we have developed here is normative, fairly precise, unidimensional and, as argued earlier, can be applied universally. As opposed to empty definitions such as ‘the misuse of public power for private gain’ (Karklins 2005) or ‘the interest of the public’ (Philp 2015), where what should count as ‘misuse’ or the ‘public interest’ remain unspecified, the definition we propose clearly specifies which norm is transgressed when corruption occurs. The definition we propose is admittedly ‘thin’, but it should be recalled that we have been trying to find the basic norm that can serve as the core for what is to be understood as corruption and the opposite of corruption.

As has been shown in other studies from the Quality of Government Institute, this definition of QoG can be operationalized and measured in both expert surveys and surveys with representative samples of the population (Charron et al. 2013; Dahlström et al. 2011). Neither experts nor ordinary people seem to have problems understanding and answering the battery of survey questions that follows from this definition of QoG. Moreover, these measures largely perform in the

³ The indexes are constructed by the Heritage Foundation, Freedom House, the World Bank and the World Justice Project.

expected way when correlated with various outcome measures, such as measures of human well-being. In closing, we argue that the opposite of corruption can be defined, measured and operationalized. This implies that we can find explanations for the huge variation in QoG that exists between societies over time and in space. Some of these explanations may be situated in historical and structural factors that are beyond our capacity to change, whereas others may be within the reach of effective policies (Rothstein and Teorell 2015). While changing corruption in policies and institutions may well be a Herculean task, especially if the collective action theory we have put forward is correct, a number historical cases show that this can be done (Mungiu-Pippidi 2015; Rothstein and Uslaner 2016).