

### 3 *The Evolution of Corruption as a Concept*

The concept of corruption is an age-old issue, perhaps as old as human civilization (Alatas 1999; Jordan 2009; Mulgan 2012; Von Alemann 2004). The underlying meaning of the concept that is understood universally, no matter what culture or society, is the one forwarded by religion – where morality and corruption are two sides of the same coin (or two binary products of human interaction). The soul represents purity, while sin represents the immoral act, which effectively corrupts the soul.

Maybe the most prominent example from the Abrahamic religions is that of Adam eating the apple in the Garden of Eden, giving in to the temptation that was forbidden to him. Or to use one of the nine definitions found in the *Oxford English Dictionary*, ‘Moral (corruption) – a making or becoming of morally corrupt; the fact or condition of being corrupt; moral deterioration or decay; depravity’ (from Heidenheimer et al. 1989, p. 7).

The biblical origins of the concept were briefly alluded to by Carl Friedrich when he analyzed the moral and political paradox forwarded by Lord Acton in his famous dictum ‘power tends to corrupt and absolute power corrupts absolutely’:

Such deep suspicion of power has, it would seem, a religious root, and is typically Western and Christian. It harks back to the notion of the kingdoms and to the contrast between the earthly and the heavenly city ... Such corruption, being in fact a decomposition of the body politic through moral decay, is a general category to include all kinds of practices which are believed to be dysfunctional and hence morally corrupt. (Freidrich 1972, p. 16)

The role played by the Augustinian tradition in the moral and political conception of corruption is further reflected in an argument made by Génaux (2004). In tracing the evolution of the term ‘corruption’ within the social sciences, she argues that ‘corruption did not belong to the legal vocabulary of the Ancient Regime but to a politico-moral lexical field

mainly drawn from the Bible ... “Corruptio” and “corruption” are in effect biblical words whose function is central to the Holy Book’ (Génaux 2004). It is this moral lens through which corruption has been analyzed in the political thought ranging from Enlightenment thinkers to contemporary scholars. Some have traced the roots of the concept of corruption within social settings as far back as to antiquity. Scholars such as Noonan trace the roots of the concept to the Middle East, where in Mesopotamia and Egypt ‘from the fifteenth century B.C. on, there has been a concept that could be rendered in English as “bribe”, of a gift that perverts judgment’ (Noonan 1984, p. 13; cf. Chayers 2015). Noonan demonstrates how corruption as a notion has been present since antiquity and been under debate in Greece (and then Rome) since the days of Aristotle.

The politico-moral character of corruption has remained a constant throughout its conceptual evolution. This is evidenced by the way the Romans used it ‘in reference to a specific human activity (bribery) or in the more general sense of destroy, lay waste, adulterate or spoil’ (Euben 1989, p. 220). Both moral and political terms are the basis for understanding corruption. An example of this is the Roman usage of corruption to cover ‘political decline’. Furthermore, Génaux highlights the presence of corruption as a concept within Roman law:

[I]n law the term had ... an official status associated to the criminality of certain agents of public power: ‘corruption’ was used in Roman law as in *ius commune* to incriminate the practices inherent to the exercise of justice. (Génaux 2004)

This quotation highlights the fact that the term ‘corruption’ was very much within the public realm in the Roman republic, where the term was applicable to holders of public power. This further highlights the link between the understanding of corruption and what is considered as justice, where a holder of public power who is responsible for exercising justice is considered corrupt if he fails to deliver this. According to this line of thought, an unjust power holder is corrupt; ergo, corruption is injustice.

Parallel to the Roman understanding of corruption is that found in the Islamic world. In contrast to the Roman usage, the Islamic authorities from the eleventh century, such as the famous Hanafite law manual *Mukhtasar al-Quduri*, discuss different categories of bribes, providing evidence of the presence of the concept of corruption within

the legal codes from a very early stage. Not only was corruption part of the legal codification, but the negative effects and dangers of corruption on governance, and the health of the state itself, also were eminently felt and discussed:

Now there's a risk of disruption to the existing order if men persist in nullifying the true and regularising the false. The judges of Islam and sultans in the past, in order to prevent that danger and to eliminate the potential causes of the state's decay, shut tight the door of bribery, transacted their business in accordance with the law, and kept their people under the law too. (Çelebi 1957, p. 127)

The recognition of the dangers of corruption to include a 'state's decay' is blatant – for which a suggested remedy offered is the legal code, alongside pointing out the need for tight regulation around briber as well as respect for the laws. From the existing authorities we can gather that the concept was very much in the legal codes as well as within the ruler's understandings of what dangers governance faces. In addition, what stands out as insightful in this early writing is the recognition of the limitations of legal codes and codifications. 'It is no use saying "We have employed a legal device"; there are many actions which can be dressed in the garb of legality but are not acceptable to the reason, because of the manifold corruptions lurking beneath' (Çelebi 1957, p. 127). This is reminiscent of the earlier discussion of corruption's classification as legal/illegal and the limitations surrounding this.

In recognition of the limitations of legal codification, the focus instead is directed at the importance of *implementation* (i.e. the exercise, the output side of the equation) of these laws. The quotation poignantly highlights that all corruption is not necessarily illegal, or covered by law; it is at times 'dressed in the garb of legality', reminding us that the concept of corruption is not limited to what is 'technically' seen as legal. Instead, the politico-moral importance of the concept is reinforced.

This early Islamic understanding of corruption, however, takes the consideration and analysis of corruption a step further by debating and discussing where the onus of responsibility lies – that is, whether it is the receiver or the giver of the bribe that is in the wrong and should be punished or if it is both receiver and giver of bribes that are to be held responsible. Although the references pertain to bribes, the exercise of extrapolation of concepts can be assumed to be present from the

practice of *qiyas* (use of analogy) as well as the writings of various Muslim scholars. One in particular, writing in the seventeenth century, the Ottoman scholar Kâtip Çelebi, analyzes these various authorities in a brief chapter on bribery found in his treatise, *The Balance of Truth*.<sup>1</sup> He classifies bribes into two categories:

1. That which was forbidden for both parties, and
  2. That which was forbidden to one party – namely, the receiver.
- The latter was approved if the intention was to avoid harm.

The strength of this categorization is enhanced when put into the context of public and private spheres – that is, the citizen and the state. The first type of corruption is classified as forbidden for both parties, both giver and receiver – where the onus is on both parties, effectively holding both the citizen who offers the bribe and the state representative culpable. The equal distribution effectively holds both the citizen and the state servant responsible for creating and maintaining that which is the ‘good society’. Holding the same context as a constant, the second category is of special interest because here the heavier onus is put upon the public servant by forbidding the corruption of this agent as the receiver. This underpins the relative importance of a state servant’s position, where their role significantly affects the whole of society versus that of the individual citizen’s action. The citizen is by no means absolved of responsibility for his or her actions, but the role and moral responsibility of the citizen are placed in the background. The striking feature of the second category is the exception that is forwarded – that is where the bribe/corruption is ‘approved’ as long as the intention of receiving the said bribe is to avoid harm. At first glance it may seem redundant; however, this important aspect highlights *why* the citizen can be without responsibility. Let us take the well-known example of a prison guard in a Nazi concentration camp. A prisoner tries to escape by offering the guard a bribe, and the guard decides to take the bribe and let the prisoner go free, knowing full well that unless he does so, the prisoner most certainly will be killed. The latter’s intention in accepting the bribe is ‘to avoid harm’ to the prisoner, and the giving of the bribe is only instigated due to the state of

<sup>1</sup> The authorities range from the legal manuals to open debates by the then scholars who were both public figures and also experts of jurisprudence (Çelebi 1957, p. 127).

not being able to provide justice to its citizens. This line of thought indicates that the concept of corruption is not specifically Western nor new but also reinforces the concept as very much universal and not limited to the modern liberal West (Alatas 1999; Kurer 2005; Rothstein and Torsello 2014).

The classic conception of corruption as a general disease of the body politic was also central to the thinking of Enlightenment thinkers such as Machiavelli, Montesquieu and Rousseau, aptly described by Friedrich in mapping the historical evolution of the concept. The historical evidence points to the presence of corruption during the times of these philosophers, explaining how the concept entered the political thought through the religious venue and was seen as a moral problem and/or a problem of virtue (Freidrich 1972, p. 19).

The use of this politico-moral analysis is elaborated by Ritner (2011), who shows how Machiavelli, extrapolating from the religious realm to the political realm, conceptualized corruption as the greatest ill in government, capable of bringing down an entire state. Although Machiavelli builds upon the republican interpretation of corruption, Ritner argues that Machiavelli does not view a particular government as black or white ('good' or 'bad') but as moving on a scale of different shades of grey with the main focus on maintaining an enduring state (Ritner 2011). In a similar manner, Heidenheimer (2002) traces the understanding of corruption back to the fathers of Western classical political thought – Aristotle and Plato.

## Republicanism versus Liberalism

This tracing process, mentioned earlier, brings to our attention the republican school of political philosophy through which Aristotle and Plato understood corruption. Before embarking on the contrast between liberalism and republicanism, it is imperative to distinguish the republicanism to which we refer. In the literature, there are two stark strands of republican political theory: on the one hand, the contemporary understanding of virtue and liberty in relation to the *individual* and, on the other hand, the classical republicanism that focuses on virtue and liberty in relation to the *collective*. This is traced back to different periods where the former relates to Cicero and the Roman understanding of republicanism, which came about due to private property laws. It is from this republican tradition that Machiavelli's understanding of this problem is said to

stem (Dryzek et al. 2006). On the other hand is the Greek or Aristotelian type of republicanism that also focuses on virtue and liberty but with the collective as its fulcrum. For a brief understanding of what this classical republicanism is, we will turn to the fundamental difference between liberalism and republicanism so that one may effectively differentiate the concepts and allow them to stand in their own right (Gerring 2012).

In liberal theory, society is viewed in two parts: the public/collective (that which is seen as outside, cold and distant from oneself) and the private (inside, close to oneself and familiar) (Pitkin 1981) and where the private trumps the public. There is a clear distinction and existence of the two entities 'private' and 'public.' As is evident from Hobbes' writing, there is a separation of the two, where only one survives, without the other, effectively dissipating the need to focus upon the tension that is created between the two realms. This results in leaving out any analysis or discussion of the overlap that exists between the two. The main concern in liberalism is the individual because the 'I' is always trumping the 'we'.

In contrast, the classical republican school does not adhere to this separation of 'I' and 'we' but views society as a whole, taking into account both the public (collective) and the private (individual) simultaneously, where the collective (public) is viewed as superior in relation to the individual (private), entirely flipping the outlook of how the world is viewed – that is, with the collective at centre stage. It is this holistic approach that accepts the tension that exists between all aspects of pairs of values, one of which is the collective value versus the individual, echoing the need for a balancing act in order to reach the public values constituting the 'good society'.

The classical republican outlook gives weight to both 'we' and 'I' and thrives off the tension that is created in the duality. This focus on the collective (in classical republicanism) versus the liberal-individualistic is succinctly summarized by Aristotle's analogy to the human body:

[T]he state is by nature clearly prior to the family and to the individual since the whole is of necessity prior to the part; for example if the whole body be destroyed, there will be no foot or hand except in an equivocal sense, as we might speak of a stone hand for when destroyed the hand will be no better . . . The proof that the state is a creation of nature and prior to the individual is that the individual, when isolated, is not self-sufficing; and therefore he is like a part in relation to the whole. (Aristotle 2000, p. 29)

It is this fundamental difference in point of departure that translates into the different conceptions that the respective schools have of what constitutes the 'good society' and man's role in society, liberty, politics and, of course, 'corruption'. In liberal thought, the role of politics in the 'good society' is to dominate others. As Shumer (1979, p. 10) points out, according to leading contemporary political scientists such as Robert Dahl, men are by nature 'privatised and ... they relate to each other in the political sphere in terms of private interests and through the medium of power as domination'. To begin with, in this liberal-individualistic approach, man is not viewed as a 'political animal', where the primary relation is to the collective 'body politics'. Instead, man is viewed as privatized, and this outlook (through the lens of private versus public) creates a trade-off where 'privately oriented men perceive the political arena only as a place to project their own interests in competition with others' (Shumer 1979, p. 9). There is a choice to be made, and in this choice, the 'self' is always primary to the collective instead of allowing both 'public' and 'private' to co-exist. In this liberal-individualistic ideology, the 'good society' is seen as a playing field of constant trade-offs and interest struggles where 'the raw capacity to dominate mediates political relationships, resulting in decisions [that] inevitably go to the most powerful whose private interests win the competition' (Shumer 1979, p. 46). This individual focus has been criticized as to how it can get out of control:

[W]hen private gain is the sole motivating force there are no checks to restrain either violence of disputes or search for complete domination. It undermines a people's political potential. For privatised politics enacts the deliberate refusal to seek for the universal or general and it is to reject even the attempt to distinguish between subjective private desire and a collectively determined public good. (Shumer 1979, p. 11)

In the alternative republican thought, the 'good society' is a collective action problem. All agents may very well know that if they just strive for their own self-interest, the famous free-rider problem will risk destroying the possibilities for creating the 'public goods' they all need to prosper (Olson 1965; Ostrom 1990). Moreover, if for some reason such public goods have been created, such as the rule of law or an impartial and honest public administration, self-interest may reach levels of individual opportunism that the goods in question will be destroyed. Distrust that 'most others' are playing fool may create

a ‘social trap’ situation in which the agents are, by their very distrust, locked into a sub-optimal situation. This is because the necessary amount of interpersonal trust cannot simply be ‘manufactured’ if genuine distrust has infested the group/society, although ‘everyone’ knows that they would all benefit from such trust (Rothstein 2005). The genuine dilemma in all such collective action/social trap types of situations is how to balance the tension created between private self-interest and the ‘public good’. This is solved through the medium of politics, helping to explain Aristotle’s proclamation of man as a political animal, upon which a ‘healthy society’ requires its citizens to be political so that each is able to contribute to what is the overall well-being of society and thereby effectively increasing their own well-being. In her work about political representation, Hanna Pitkin reinforces the importance of citizens leading a political life because it is

the activity through which relatively large and permanent groups of people determine what they will collectively do, settle how they will live together and decide their future, to whatever extent that is within human power. Public life in this sense is of the utmost seriousness and importance. (Pitkin 1981, p. 343)

Furthermore, republican thought treats the ‘good society’ as something akin to a living organism, where the ‘good society’, along with its citizens, is also constantly changing. The values within this society are also constantly evolving and not seen as a static feature. This results in the ultimate understanding of the ‘good society’ as that of a balancing act between the self and the collective. As John Schaar points out, the good society is

a community in which men can be both conscious and individual and share the moral bonds and limits of the group, emphasising that the tension is important in its own right. We must seek ways to live with the tension, rather than ways of abolishing either community or individual privacy. (Cited in Shumer 1979, p. 13)

This balancing act is achieved through the active participation in the political arena of a polity’s citizens in which both private and public interests are allowed to exist side-by-side deciding the polity’s common life. A strong criticism that the republican school is met with is that it is self-sacrificing of individual needs and identity. However, republicanism is not altruism, as Shumer is careful to point out:



[P]ublic values are not a form of selfless altruism, but rather the way in which a given society responds to this challenge [of handling the tension between private and public] . . . Thus a political people value political action and their own participation as a way of relating to others and of coping with and shaping their common life. (1979, p. 14)

The role of individuals within the polity is seen as imperative where they are ‘an active audience with their power gathered together and focused to resist when necessary’. In this form of republicanism, the individuals must be persuaded, not commanded (Shumer 1979, p. 17). However, in the liberal ‘good society’, citizens tend not to be political because they realize that ‘they can advance their private interests more effectively through non-political means’, such as being successful in markets or in social/private relations (Shumer 1979, p. 10). In contrast, the republican focus on the whole collective allows one to take into account the ‘living’ character of the polity, both the evolution of the polity balanced with the evolution of the individuals that make up the polity. A fitting example of this is provided by Aristotle himself:

Just as a living body is composed of parts which must grow proportionally if balance is to be saved, since otherwise it would be destroyed (if for example the foot of an animal were 4 cubits [1.78 m] and the rest of its body two spans [0.44 m]; the species may even change to another one if this disproportionate growth is not only quantitative but also qualitative), so a city also is composed of parts one of which often grows without being noticed, for example the mass of the poor in democracies or polities. (From Pellegrin 2012, p. 569)

In contrast to this, the liberal focus on the agents’ self-interests creates an imbalance as it ignores the evolution that occurs at the polity’s level that concerns how the individual should come to understand his or her ‘true’ interests or, to use the famous words of Alexis de Tocqueville, ‘self-interest rightly understood’. The republican school views all aspects of society and life with a view to the ‘whole’, whether this is ‘health’/‘good society’ or the opposite – corruption. The liberal view is the flip side of the same coin, where the individual reigns supreme, and all issues are viewed at the individual level whether they involve health, prosperity or corruption. In sum, and to generalize (maybe in the extreme), the republican approach views politics as a way of life and not as something separate from the private realm.

As mentioned earlier, the focus of ‘I’ versus ‘we’ is one that trickles into the various understandings of politics, whether this is liberty or

corruption that exists in both schools of thought. In liberalism, where the focal point is the individual, liberty is also assessed at the individual level, where the tension that exists is between the individual and the political sphere (i.e. the state). In liberalism, there is a constant suspicion that the authorities (the collective) want to usurp individual liberty. Some scholars have gone so far as to criticize liberalism as not actually having a concept of what the good life constitutes. As pointed out by the communitarian philosopher Michael Sandel, '[M]y objection to liberalism is not that it emphasises individual rights but that it seeks to define and defend rights without affirming any particular conception of the good life' (Sandel 1999, p. 210).

However, republicanism understands liberty as a balancing act as well, where 'common liberty' is weighed against 'individual liberty'. Shumer is one of the scholars who focuses on pointing out Machiavelli's effort at maintaining the importance of 'public liberty' in tension with 'individual liberty':

[C]ommon liberty rests on the respect and acceptance of the liberty of all. The phrase 'common liberty' contains the senses: first, that men live and act together in a political community; second that each expresses his individuality in his political action; and third that these two conflicting factors must constantly be held in tension. (1979, p. 14)

Once again, in republicanism, it is the acceptance of the existence of both public reason and individual liberties that is seen as creating the best outcome. The tension, it is argued, brings forward the best balance that serves as the basic ideal for the 'good society'. An interesting development in the scholarship surrounding republicanism is how liberalism has penetrated its understanding. A good example is the definition of republicanism provided by the *Stanford Encyclopaedia of Philosophy*. In this, Lovett (2016) provides the reader with the contemporary definition of republicanism, to be understood as political liberty. The article divides the republican scholars into groups: scholars such as Machiavelli are characterized as representing 'classical republicans', and the contemporary scholars are labelled as 'civic republicans'. What is of interest for our discussion is that this contemporary civic republicanism draws on political liberty mainly in reference to the individual, the 'I', reiterating the liberal stance where the individual/private is of central importance.

In contrast, the scholars that explore republicanism as political liberty in reference to the collective have been neatly labelled as ‘civic humanists’ (such as the well-known republican Hanna Arendt). This separation effectively divorces the original understanding of republicanism, where the collective is above the individual, thereby blurring the distinction between the two political philosophies, a danger where modern republicanism is now in lieu with liberalism.

Scholars such as Dagger not only encourage this overlap but clearly aim to create a category of its own, a hybrid that focuses on the similarities of the two political theories. As he states it, ‘[W]e should pause to consider whether republicanism and liberalism share enough features to make a hybrid possible, perhaps in the form of a “more civic-minded liberalism” that might be called republican liberalism’ (Dagger 1999, p. 210). This search for similarities between republicanism and liberalism unfortunately negates the opportunity to critically assess the flaws that exist in today’s political science realms. Instead of labelling the critics as civic humanists, we argue that the scholarly realm should take heed to Shumer’s (1979) advice and use this political theory to reassess the current state of affairs from the viewpoint of ‘outside’ eyes in order for us to improve the current political theories that we use (Shumer 1979; cf. Sandel 1999).

### Corruption through Republicanism versus Liberalism

Unlike today’s liberal understanding of corruption, the republican school of thought, developed by Aristotle, explores this ‘dysfunctional’ character of corruption that is rooted in the relationship between politics and philosophy, *sophia* and *phronesis*, effectively a politico-moral understanding of corruption. Aristotle viewed government as a duality, as good versus bad, corruption versus virtue, and thereby as a balancing act where the state was not examined in isolation on any single matter but viewed in the context of dualities. According to Euben (1989, p. 227), Aristotle adopts a moral definition of corruption as he defines the concept in his *Politics*.

This definition – ‘When a constitution systematically falls short of the paradigms of action, character, and justice which give it unity and definition, it is corrupt’ – is propounded in connection to what Aristotle understood as the ‘good society’ or ideal regime, which will lead to the

society's ultimate goals of virtue and happiness because states ultimately exist for virtue and happiness of their citizens. It is in reference to this idea that corruption is conceptualized and where corruption and virtue form the basis for good/bad government, thereby creating a duality. Therefore, in order to understand Aristotle's conception of corruption, it is imperative to have a 'correct' understanding of what according to him constitutes the 'good society'. According to Aristotle, there are six main characteristics constituting a 'good society' (from Heidenheimer et al. 1989, pp. 227–9):

1. Citizens share in the administration of justice.
2. All commercial transactions subject to moral purposes of household management, towards the moral ends of polis.
3. Plurality of contributions and points of view.
4. [Equality] ... what matters is that equals be treated equally and unequals be treated unequally.
5. Private interests or associations subordinate to higher more inclusive public interests and associations.
6. Citizens are soldiers and soldiers are citizens.

As Euben points out, Aristotle was concerned about the moral quality of public life. The very first pillar reinstates the importance of the philosophical stance of morality, singling together morality and politics, where effectively a 'polis' (i.e. a state) is a partnership in virtue shared between citizens. The strand of morality in understanding the concept of corruption is followed through in each and every pillar, where the collective good is viewed as superior to that of the individual good, and political action is always weighed against the virtue of the society. This is evidenced in the second condition, where, faithful to the principle of duality, the condition is followed by an explanation of what corruption would be: 'a corrupt city is one where gain is valued over friendship, private interest valued over common good and materialist ideologies and motives are the animating forces of individual and collective life' (Euben 1989, p. 228). The collective or common good ('moral ends of the polis') is weighed above that of the private/individual – the importance of which is highlighted by the third condition, an issue further elaborated by Euben:

Each citizen must be committed to the common good but this needs to be viewed through different eyes. It is the shared view that becomes the basis for mere difference to become recognised as diversity. (Euben 1989, p. 228)

Once again, two opposite principles provide the basis for a healthy society in order to create the desired balance. On the other end, a corrupt society would be one in which there is politics without community or a community without politics. Understood through the lens of Aristotle's 'good society', corruption constitutes that which goes against the moral well-being of society, that is, a situation that ultimately contradicts the 'common good' (as decided by the collective). If, on the other hand, the moral well-being of society is ignored, where a situation arises that ultimately contradicts the common good, the end result of this is injustice. Through this duality approach, Aristotle attempts to combine the exoteric (i.e. the material) with the esoteric (i.e. whether this be argued as philosophy or religion) in the form of morality – that is, the philosophical well-being of the society when assessing how best to achieve the idea of 'good government'. Ultimately, a corruption-free society is a public good. In Aristotle's own words:

In all sciences and arts the end is a good, and especially and above all in the highest of all – this is the political science of which the good is justice, in other words, the common interest. (p. 125 in *Politics*)

In essence, the common interest not only elucidates the absence of corruption but also brings to fore the common interest, as well as the end goal of political science – to be justice. One of the prominent sociologists to maintain this republican outlook, where public and private are kept in constant balance, is Syed Hussain Alatas. In essence, he too reiterates this: a corruption free society, as a public good. However, he frames it as the main goal of the good society. In his exact words, '[T]he goal of state is to achieve a just and equitable society' (Alatas 1999, p. 39).

It is this inclusion of philosophy and politics on one plane that is missing in today's political science discussion surrounding the concept of corruption, rejected on the basis of the approach being 'moralistic and subjective' (You 2007). Euben's critique of the present discussion is that it uses the liberal approach in an attempt to 'develop a politically neutral, methodologically respectable, operationally viable definition of corruption' defending itself as objective, where 'empirical examination is certain to contribute more to an understanding of political corruption than the roundest condemnation' (Euben 1989, p. 243). Our argument is that a return to the republican

understanding of the concept of corruption is necessary on the very grounds that the liberalists reject it, namely, that it is subjective and moralistic. However, it is only when the philosophical and the political science are married that a deeper and more solid understanding will be reached of what corruption truly is. By rejecting the republican understanding as ‘moralistic and subjective’, the liberalist approach not only reverts the focus solely to the individual, but it also distances itself from the moral foundations of the republican idea of corruption. A problematic consequence of this is that the liberalist approach ultimately distances itself from the idea of justice being a collective value – one that is decided by the society. This would be as if we were to remove the issue of human rights from the idea of intrinsic rights and instead locate them in conceptions of self-interest. As stated by Euben (1989, p. 229):

The more principles, contributions and points of view a polis includes without losing its coherence or vitiating its moral end, the more it becomes a whole, the same way that the more experience and previous thought a theory takes into account the more impartial it becomes.

As this quotation clarifies, the reason why the republican understanding of the concept of corruption needs to be brought back into the academic debate is not only to bring in ‘previous thought’. Instead, the reason is to gain an understanding of what, in an increasingly globalized world, could be commonly seen as the ‘good society’. As argued by Amartya Sen (2009), it is upon such shared norms of human well-being that the concept of justice must be founded, and this must ultimately be based on a set of moral arguments that are different from atomistic individuals pursuing their self-interests. The foremost example of such shared norms of human well-being are the human rights laws, which are rights intrinsic to being humans, whether or not one’s state has signed up to the UN’s Human Rights Declaration. The main contribution of the republican school of thought to the corruption debate is thus the insight of the complexity that surrounds the concept of corruption, where the constant balance between private and public needs to be maintained. That it is a concept that has constantly been rooted in politics, the understanding of which has evolved according to the values that we associate to our ideas of present morality and justice.

## **Is a Universal Conceptualization Possible?**

‘The search for a robust conceptual definition of corruption is a near Sisyphean task’, writes Heywood and Rose (2015, p. 103). We certainly agree and would specifically like to point at a problem faced both by academia and the policy world, namely, the conundrum of finding a balance between the universality of corruption and its relation to the environment within which it exists. It leads us to the crux of the corruption debate: is corruption a universal concept? As pointed out by the Council of Europe, ‘[N]o precise definition can be found which applies to all forms, types and degrees of corruption, or which would be acceptable universally as covering all acts which are considered in every jurisdiction as contributing to corruption’ (Pearson 2013, p. 36). This poses many problems, one of which is bringing together the different forms of corruption such as, for example, clientelism, patronage, nepotism and patrimonialism into one comprehensive analytical concept.

Philosophically, we argue that concepts such as these all share a ‘core’ with corruption, which appears to be the reason justifying why these are constantly examined hand in hand (Kawata 2006; Kitschelt and Wilkinson 2007; Kotkin and Sajó 2002). It is perhaps in lieu of this that some scholars have attempted to identify a core that can be pinned down and that binds these different forms of corruption together, thereby going beyond the cultural or relativist understandings that tend to dominate within much of the empirical research. It is true that using the same concept for a situation where a policeman demands a small sum for not giving a speeding ticket and the huge sums that are reported to be paid for securing government arms deals can seem a bit awkward. However, there is a lesson to be learned from the natural sciences in this respect that alleviates this conundrum. Let us look at the example of classifications. Biologists classify humming birds, hens, eagles and ostriches all as ‘birds’ despite the fact that they are, to say the least, quite different ‘birds’. This analogy may indicate that it is not the size of the matter that is important, but some qualitative core or aspect of the phenomenon we want to define. The purpose of the next section is to analyze the extent to which a core or a universal concept of corruption exists on a philosophical level that would connect the various forms of corruption such as clientelism, patronage, patrimonialism, particularism and state capture.

## Is There a Core to the Concept of Corruption that Is Universal?

Any attempt to analyse the concept of corruption must contend with the fact that in English and other languages the word corruption has a history of vastly different meanings and connotations.

– Heidenheimer and Johnston (2002, p. 3)

The preceding quotation suggests that corruption is seen by many as a relativistic concept where culture, history and language play a role in how the term is understood. However, such an analysis ignores the fact that corruption appears to be something that all societies shun and that it is not confined to the Western states (Alatas 1999; Rothstein and Torsello 2014). In Latin, the word is *corruptere*, meaning ‘decay’, whereas, for example, in Urdu, the word for corruption is *be-imaan*, literally translating to ‘without conscience’. All languages may not share the same or similar term for corruption, but the underlying concept and the general understanding are what have remained the ‘red thread’ within societies. This is well illustrated by Kotkin and Sajó:

Even if the code of certain societies emphasises the importance of gift-giving, including public transactions, it is clear that such gift rules do not rule out the concept of impermissible levels of gifts or a disregard of public duties. A gift culture does not exclude either the concept of public trust or the breach of rules in exchange for impermissible advantages. Furthermore, because of increased intra- and inter-societal communication and exchange, the chances of a universal understanding and condemnation of actual practices have increased. (2002, p. 30)

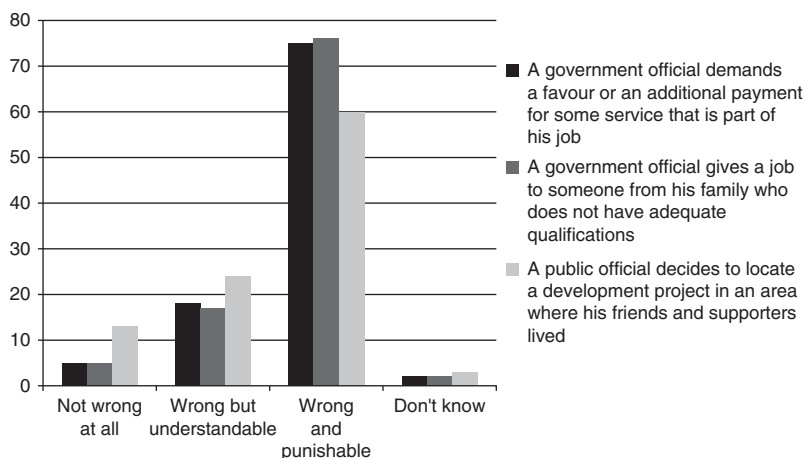
This highlights a truth that appears to be implicit within the research and policy circles – that there can be a universal understanding of what corruption constitutes even if all languages do not share the identical term. As Karklins (2005, p. 6) points out, there may be a difference in the way corrupt acts express themselves, but that does not change the core meaning of the concept. This point is particularly relevant to the discussion that has erupted concerning the issue if the increased anti-corruption efforts from many international organizations are to be seen as hiding a neoliberal, Western liberal or post-colonial political and ideological agenda.

The development of the international anti-corruption regime since the late 1990s has not been without its critiques. One point that has been



stressed in this critique is that the international anti-corruption agenda represents a specific Western liberal ideal that is not easily applicable to countries outside that part of the world (Bracking 2007; Bratsis 2003; Bukovansky 2006; de Maria 2010; Hindess 2005; Wedel 2014). There are at least two arguments against this type of relativistic conceptual framework. The first is normative and based on the similar discussion in the areas of universal human rights and the principles of representative democracy. First, the right not to be discriminated against by public authorities, the right not to have to pay bribes for what should be free public services and the right to be treated with 'equal concern and respect' by the courts are in fact not very distant for what counts as universal human rights. For example, for people who do not get the healthcare to which they are entitled because they cannot afford the bribes the doctors demand, corruption can result in a life-threatening situation. The same can be true for citizens who do not receive protection by the police because they do not belong to the 'right' group. The second reason against a relativistic definition of corruption is empirical. Although the empirical research in this area is not entirely unambiguous, most of it points to the quite surprising result that people in very different cultures seem to have a very similar notion of what should count as corruption. Survey results from regions in India and in sub-Saharan Africa show that people in these societies take a very clear stand against corruption and view the problem in much the same manner as it is understood in, for example, Denmark or by organizations such as the World Bank and Transparency International (Afrobarometer 2006; Widmalm 2005, 2008; see also Miller et al. 2001; Nichols et al. 2004). To illustrate this, respondents to the Afrobarometer's (2006) survey in eighteen African countries were asked about their views on the following scenarios where an official 'decides to locate a development project in an area where his friends and supporters live'; 'gives a job to someone from his family who does not have adequate qualifications' and 'demands a favour or an additional payment for some service that is part of his job'. As can be seen from Figure 3.1, a clear majority of the 25,086 respondents considered all three hypothetical actions of the official to be 'wrong and punishable', while only a small minority viewed such actions as 'not wrong at all'. Furthermore, the group that deemed these actions 'wrong but understandable' is also surprisingly small.

Widmalm (2005, 2008) found similar results in a survey study of villages in India. He found that the Weberian civil servant model



**Figure 3.1** Understandings of corruption ( $n = 25,086$  for Benin, Botswana, Cape Verde, Ghana, Kenya, Lesotho, Madagascar, Malawi, Mali, Mozambique, Namibia, Nigeria, Senegal, South Africa, Tanzania, Uganda, Zambia and Zimbabwe). (Source: Afrobarometer 2006.)

(i.e. impartial treatment of citizens disregarding income, status, class, caste, gender and religion), although an absent figure in these villages, has surprisingly large support among the village population. In other words, the idea put forward by, among others, Heidenheimer (2002) as well as by most anthropologists – that the public acceptance of what is commonly understood as corruption varies significantly across cultures – does not find support in these types of studies.

The existence of a universal understanding of corruption also has been questioned among post-colonial theorists (e.g. de Maria 2010; for an overview of this literature, see Gustavson 2014). However, it can be pointed out that in Frantz Fanon's classic book, *The Wretched of the Earth*, which in many ways is ideologically the most important and founding text for the post-colonial approach to development issues, the author himself points to corruption among the new political elite as a serious malady for West Africa. In Fanon's words:

Scandals are numerous, ministers grow rich, their wives doll themselves up, the members of parliament feather their nests and there is not a soul down to the simple policeman or the customs officer who does not join in the great procession of corruption. (Fanon 1967, p. 67)

The reluctance by many scholars in the post-colonial approach to look at corruption as a serious problem for the countries they study is thus difficult to understand. In sum, there are both normative and also strong empirical grounds for opting for a universal understanding of corruption and the opposite of corruption. However, this does not exclude that there are different types of corruption and that the connection between corruption and the political system can differ. This is not different from saying that while we can have a universal definition of what constitutes representative democracy, the specific institutional configuration of democracies varies a lot. Swiss democracy is institutionally very different from the Canadian version, which, in turn, is different from what occurs in Denmark.

The reason why people, although condemning corruption, participate in corrupt practices seems to be that they understand the situation as a 'collective action' problem where it makes little sense to be 'the only one' who refrains from using or accepting bribes and other kick-backs (Karklins 2005; Mungiu-Pippidi 2015). As the Swedish economist Gunnar Myrdal stated in his analysis of the 'soft state' problem, in relation to developing countries already in the 1960s: 'Well, if everybody seems corrupt, why shouldn't I be corrupt' (Myrdal 1968, p. 409). In his anthropological study of corruption in Nigeria, Jordan Smith (2007, p. 65) concludes: '[A]lthough Nigerians recognize and condemn, in the abstract, the system of patronage that dominates the allocation of government resources, in practice people feel locked in.' In such situations, it makes little sense to be the only honest policeman in a severely corrupt police force or the only one in the village who does not pay the doctor under the table to get his or her children immunized if everyone else pays (Persson et al. 2013).

This may also be caused by a distinction pointed out by Alatas as 'extortive corruption', where people would resort to 'buying their rights'. An example of this is the need for a licence to operate a shop. It is a non-competitive and routine procedure in nature, but the government official will not issue a permit without his or her hands 'being greased'. This is as opposed to 'manipulative corruption', where one would 'deprive other people of their rights', such as paying for a job to be granted to an unqualified candidate (Alatas 1999, p. 11). This is similar to the distinction pointed out by Bauhr (2012) between 'need corruption', which she defines as paying a bribe to get a service (e.g. healthcare) to which you are legally entitled, and 'greed corruption',

which is demanding a bribe for a service that you otherwise would not give even though it is your legal obligation to do so.

In his classic study of clientelism and particularism in southern Italy, Banfield (1958) found that it made perfect sense for all the families in the village of Montegraneesi to be amoral familists because everyone was expected to eventually perform according to this social template. The spatial universalism of corruption increases theoretical depth when considering that even temporal approaches to this phenomenon have provided similar conclusions. Analyses of what counted as corruption in the very distant past, such as the Roman Empire, thirteenth-century France, or the fourteenth-century Islamic empire, give the impression of not being different from contemporary notions of the concept (Jordan 2009; MacMullen 1988).

The attempt to identify a core concept of corruption that can be applied universally has been present in the literature. Friedrich (1972) was one of the earliest scholars to venture onto this path, suggesting that a core meaning emerges from an overall analysis of the different meanings, offering a definition of corruption as ‘a kind of behaviour which deviates from the norm actually prevalent or believed to prevail in a given context, such as the political’, pointing out that what matters is private gain at public expense. The definition has been criticized as too broad, reflected also by Heidenheimer’s contemplation of ‘corruption’ having lost meaning, so much so that replacement of the word was suggested – that was to replace it with the word ‘graft’ (Heidenheimer et al. 1989, p. 12). However, changing the term did not solve the problem. Instead, it was the lack of unity within the field itself as to what the concept means that resulted in the continued search for a concept that could carry that core meaning without being lost in translation. This should also highlight the importance of formulating a universal concept that refers to the core characteristics of corruption.

Another example of this is Karklins’ (2005) work, in which corruption is identified as a structural problem of post-communist transition states in the form of clientelism. Karklins identifies the ‘core’ as ‘misuse of public power for private gain’, defending it to be a definition that is culturally neutral, where the underlying injustice is seen as the same everywhere (see also Sajó 2003), once again reiterating the linkages to justice that exist as an essential in all societies. In another attempt, Philp (2015, p. 22) presented what he argued is a ‘core’ in defining political corruption:

Corruption in politics occurs where a public official (A), violates the rules and/or norms of office, to the detriment of the interests of the public (B) (or some sub-section thereof) who is the designated beneficiary of that office, to benefit themselves and a third party (C) who rewards or otherwise incentivises A to gain access to goods or services they would not otherwise obtain.

The shortcomings of these core values are that they are only applicable in a setting where the political culture is clearly shared and there are rules governing the conduct of both public officials and members of the public in their dealings with these officials. To be more specific, because neither what should count as ‘misuse of public power’ nor ‘the interest of the public’ nor the ‘norms of office’ are specified, these definitions are empty shells. More specifically, we get very little information from these definitions about which norms that are transgressed when corruption can be said to occur or which norms that should be upheld by public officials in order for corruption not to occur.

Diego Gambetta (2002, p. 26) is yet another scholar who has proposed a core definition of corruption. The problem with his conceptualization is that he argues that corruption need not be unethical, inefficient or illegal. If none of these standards apply, there is, of course, no need to worry about corruption. On the other end of the spectrum are scholars such as von Alemann (2004), who regards the search for a universal concept of corruption as the academic Holy Grail, which of course means that this is something that is ultimately unattainable.

In lieu of this, von Alemann (2004, p. 26) presents a multidimensional approach that takes into account five different aspects. These are its historical development (corruption as social decline), the sociological understanding (corruption as deviant behaviour), the legal and economic perspectives (corruption as logic of exchange), corruption as a system of measureable perceptions and corruption as shadow politics. This approach argues that corruption is an ever-changing concept, which helps one to view it within its social settings, and this addresses one of the main criticisms forwarded by Alatas, which can be summarized as follows: ‘[P]olitical ideas are imported ready-made without any consideration as to their suitability or to the need for their adaptation to the receiving environment’ specifically in the context of developing countries (Alatas 1977, p. xv). However, this ignores the core understanding that we, based on Rothstein and Torsello’s anthropological analysis, argue is

shared universally, that is, the underlying current for corruption being condemned in almost all known societies. The core, we argue, is the equating of corruption with some particular form of injustice.

Returning to Karklins' earlier defence of a core meaning centred around injustice, a strand of research centred on justice has developed in which the angle of injustice/justice has been taken up as the core meaning with the attempt to conceptualize corruption with a maximal definition (cf. Gerring 2012). One of the scholars who examine this maximal definition is Génaux, who forwards the proposition of the relationship between rulers and ruled (government and citizen) in every age to be centred on justice. In this relationship of ruler and ruled, the idea of justice is the main duty expected from political leaders where corruption 'started to designate the set of unjust deeds committed by the holders of supreme public offices' (Génaux 2004, p. 21). Putting forward the politico-moral angle of corruption as injustice, the term 'corruption' refers to unjust deeds committed by holders of power. Concluding that a basic core meaning of corruption does exist, that in its figurative sense has long meant, and still means, injustice, Génaux states:

In my view there does exist 'a basic core meaning' of the word and it encompasses Friedrich's definition: 'corruption', in its figurative sense, has long meant, and still means, injustice. (Génaux 2004, p. 22)

This not only reinforces why the technical sense of corruption cannot be understood without the rich polysemy of the term and also highlights the republican understanding of corruption as a collective action problem wherein a corruption-free society<sup>2</sup> is a public good. This is in line with the holistic perspective provided by Aristotle, in which the end good of political science (as well as that of the good society) is the common interest, specifically a society promoting virtuous behaviour.

## The Public Goods Approach

One way to understand why there seems to exist a universal understanding of what should count as corruption despite its enormous variation both in types, frequencies and locations, is what we would

<sup>2</sup> In reality, a 'corruption-free' society is as likely as a 'crime-free' society. The point is that both corruption and criminality vary a lot between different societies.

call a ‘public goods approach’ to this problem. In all societies/cultures, in order to survive, all groups of people have to produce at least a minimal set of public goods such as security measures, a basic infrastructure and organized/collective forms for the provision of food. As Fukuyama (2011, p. 29) has argued, the very idea proposed by rational choice-oriented contract theorists that we as humans started out as atoms in a state of nature and then decided to rationally accept a ‘social contract’ is highly misleading. Instead, he argues, humans were from the beginning always living in some form of societal and collective arrangements.

The very nature of a good being ‘public’ is that it is to be managed and distributed according to a principle that is very different from that of private goods. The public good principle implies that the goods in question should not be distributed according to the private wishes of those who are given the responsibility for managing them. When this principle for the management and distribution of public goods is broken by those entrusted with the responsibility for handling public goods, the ones who are victimized see this as malpractice and/or as corruption. This is why corruption is a concept that is related to the public and not the private sphere and why it is different from (or a special case of) theft and breaches of trust in the private sector. Corruption is usually seen as illegal, but the reason that a special term has been used for such a long time and in so many different cultures must be that it is a special form of crime different from ordinary theft.

Much of the confusion about cultural relativism in the discussion – about what should count as corruption – stems from the issue that what should count as ‘public goods’ differs between different societies and cultures. For example, in an absolutist feudal country where the understanding may be that the central administration is the private property of the lord/king, the state is not seen as a public good. However, in many indigenous societies with non-state political systems, local communities have usually produced some form of public goods, for example, what Ostrom (1990) defined as ‘common pool resources’, which are natural resources that are used by members of the group but which risk depletion if overused. Such resources are constantly faced with a ‘tragedy of the commons’ problem and thus are in need of public goods in the form of effective regulations to prevent overuse leading to depletion.

Our argument departs from the idea that it is difficult to envision a society without some public goods. Even a small tribe has to produce some minimal public goods such as security, handling of internal conflicts and maybe taking care of orphans. The point is: when these public goods are handled or converted into private goods, this is generally understood as corruption independent of the culture. A conclusion that follows is that we should not expect people in developing countries, whether indigenous or not, to have a moral or ethical understanding of corrupt practice that differs from, for example, what is the dominant view in Western organizations such as Transparency International and the World Bank or as that stated in the United Nations Convention against Corruption. Instead, what may differ is what is understood to fall within the public goods category.

An example could be the case in which there is not a system for taxation, but still there are certain individuals who have been selected to perform functions as arbitrators or judges. These functions are to be understood as public goods because they make it possible to solve disputes between village members/families in a non-violent way. These arbitrators may, in several cases, receive gifts from the parties involved for their services. Such gifts may, for a Westerner, look like bribes, and many anthropologists have seen them as such (Torsello and Vernand 2016). However, such gifts are usually not seen as bribes by the agents, who, in general, can make a functional distinction between bribes and gifts (Alatas 1999; Sneath 2006; Werner 2000). This implies that the gift is to be seen as a fee for a service, not a bribe. It would only be a bribe, and seen as such by the local populace, if it was given in a way to influence adjudication by favouring one party over another. In this case, the public good is converted into a private one, and it is this that is perceived as corruption. To support this argument, Rothstein and Torsello (2014) have used data from the Human Relations Area Files (HRAF) database, which is the single most comprehensive and largest ethnographic database of world cultures. The HRAF database was compiled by Yale University and includes data on 258 world cultures and over 600,000 pages of ethnographic descriptions made by professional anthropologists. The cultures covered are divided among eight world regions (i.e. Africa, Asia, Europe, Middle America and the Caribbean, Middle East, North America, Oceania and South America). Analysis of the data shows that the word 'bribe' is found in 113 of the 258 cultures, which is 48 per cent of the whole HRAF



sample, excluding European countries. It is also found in all four general types of societies (i.e. foragers, horticulturalists, pastoralists and agriculturalists). The agriculturalists societies/cultures (which are also monetized and commercial) contain the largest number of bribery entries, which supports the thesis that corruption is widespread where public and private arrangements for the use of and access to resources and goods can be expected to vary. Even more interesting is the finding that pastoralist societies are apparently the least exposed to corruption among the subsistence types. This also supports the ‘public goods’ theory because it is in this economic type of society that one should expect to find the least ambiguity between private goods (herds and land) and public goods.

### **The Core Unveiled?**

Carrying forward justice as the core within the framework provided by Heidenheimer’s three understandings of corruption (i.e. public office, public interest and public opinion), Kurer (2005) and Rothstein and Teorell (2008) use the subjective standard of public opinion to forward the ‘impartiality principle’, whereby a state ought to treat equally those who deserve equality. In order to further elaborate on the proposition of corruption as partiality (effectively injustice), it is important to first set out what the impartiality principle entails. As stated by Brian Barry, ‘A theory of justice cannot simply be a theory about what justice demands in this particular society but must be a theory of what justice is in any society’ (1995, p. 6). In a similar vein, the core idea of corruption in one society relates to the core idea of corruption in any society. As indicated earlier, there is a strand of literature that links corruption to injustice (Kurer 2005).

Unlike Kurer, a more direct linkage of corruption to injustice has been made by You (2015) in relation to corruption as a normative theory. Accordingly, if impartiality is justice, then corruption (i.e. partiality or favouritism) must be injustice. The opposite of justice cannot be just equality or equal treatment because in many cases we accept inequalities and unequal treatment as fair. For example, a child with learning difficulties will need more time and attention from teachers than other children. Instead, as argued by Robert Goodin, ‘[T]he opposite to justice is favouritism’ (2004, p. 100). This would translate into a universal understanding of corruption as favouritism in the

exercise of public power and equating impartiality in the exercise of public power as the special type of injustice that is the opposite of corruption. This is, in principle, a conceptualization of corruption that is applicable to any society, thereby removing it from cultural/relativistic arguments and reinforcing its universality.

In order to support our contention that a universal conceptualization of corruption is possible if it is based on the idea of injustice and favouritism, we will make use of a distinctively non-Western treatise of justice, namely, *The Muqqadimah*. This famous work, written in 1377 by the Muslim Arab (Tunisian) historian Ibn Khaldun, deals with, among many other things, Islamic political theory. In *The Muqqadimah*, 'justice' is defined as 'a balance setup among mankind' (Ibn Khaldun 1958, p. 103). To understand what *The Muqqadimah* means by such a 'balanced' justice, it is necessary to look at how injustices are described. The list of examples provided is extensive, but what is interesting from our perspective is that the list comes together with a general warning against a limited understanding of injustice. For example, Ibn Khaldun warns against limiting the understanding of injustice to matters of a pecuniary nature, such as 'to imply only the confiscation of money or other property from the owners without compensation and without course' (1958, p. 107). This recognition of the dangers posed by limiting understandings of injustice lifts the concept of injustice from the particular to an attempt at a universal understanding. Of the examples provided as injustice, the most important examples provided, for our purpose, are three in particular that highlight the existence of a core understanding of corruption.

The first example of what is understood as injustice in this work is that 'people who collect unjustified taxes commit an injustice.' Bribes demanded by civil servants are exactly this, an 'unjustified tax', because it has to be paid for a public service that is already paid for by the 'justified' taxes. Public servants are adding their own 'taxes', which are unjustified, effectively mitigating the essential rights of citizens to access the service in question. The second example presented by Ibn Khaldun pertains to the *actors*; that is, 'those who deny people their rights commit an injustice' (Ibn Khaldun 1958, p. 107). Moreover, 'injustice can be committed only by persons who cannot be touched, only by persons who have power and authority.' Ibn Khaldun further states that in order to have the potential to commit an injustice, the 'person has [to have] a free hand', implying the necessity of discretion.

We can apply these two examples in our present context by looking at simple examples of civil servants providing basic rights/services in society, such as nurses, postal workers, doctors and even police officers. All these professionals have the power to withhold their specializations from citizens; nurses can withhold a treatment that a doctor has prescribed to a patient, and postal workers can choose not to send your letter or sell you a postage stamp until you have paid a little sum to them or done them a favour. All these examples involve people in positions of 'discretion' and the ability to 'deny people their rights'.

The third example relates to an understanding of corruption as a moral decay that spreads in the form of a 'social cancer' driven by greed and the perception of what others in the same situation are doing. According to Ibn Khaldun:

One person after another becomes reduced in circumstances and indigent . . . Corruption of the individual inhabitants is the result of painful and trying efforts to satisfy the needs cause by their (luxury) customs; (the result) of the bad qualities they have acquired in the process of obtaining (those needs); and of the damage the soul suffers after it has obtained them, through acquiring (still) another (bad luxury) quality. (1958, p. 293)

Ibn Khaldun also makes clear that corruption is not confined to the less esteemed segments of society. Instead, he points out:

The person who is strongly coloured by any kind of vice and whose character is corrupted is not helped by his good descent or fine origin. Thus, one finds that many descendants of great families, men of highly esteemed origin, members of the dynasty, get into deep water . . . because their character is corrupt . . . If this (situation) spreads in a town or a nation, God permits it to be ruined and destroyed. (Ibn Khaldun 1958, p. 287)

Thus, in the *Muqadimah*, written in the fourteenth century in the Arab Muslim world, we see traces of three contemporary general understandings what is the core of corruption, namely, bribes as unjustified taxation, injustice in the form of denial of rights, and moral decay 'from above' leading to ruin for the whole society.

One may ask what set of non-discrimination norms currently exists. The most well-established non-discrimination norms that currently exist are found in the United Nations Universal Declaration of Human Rights, and it is to these norms that we now turn.