Anticorruption in History

From Antiquity to the Modern Era

Edited by
RONALD KROEZE, ANDRÉ VITÓRIA
and
G. GELTNER

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Introduction

Debating Corruption and Anticorruption in History

Ronald Kroeze, André Vitória and G. Geltner

The present volume is the first major comparative study of how societies and politics in and beyond European history defined legitimate power in terms of fighting corruption and designed specific mechanisms to pursue that agenda. Corruption is widely seen today as one of the most urgent problems we face as a global society, undermining trust in government and financial institutions, economic efficiency, the principle of equality before the law and human wellbeing in general. Corruption, in short, is a major hurdle on the “path to Denmark”—a fated blueprint for stable and successful state-building. The resonance of this view explains why efforts to promote anticorruption policies have proliferated in recent years. But while the subject of corruption and anticorruption (straddling the public/private divide) has captured the attention of politicians, scholars, NGOs and the global media, scant attention has been paid to the link between corruption and the creation, change and implementation of anticorruption policies over time and place, with the attendant diversity in how to define, identify and address corruption.

Economists, political scientists and policy makers in particular have been generally content with tracing the differences between low-corruption and high-corruption countries in the present and enshrining them in all manner of rankings and indices. Questions about these rankings have been raised many times and new lists, based on revised methodologies, continually emerge.¹ By comparison, the long-term trends—social, political, economic, cultural—potentially undergirding the position of the countries in those indices continue to play a very small role. Such a historical approach could help explain major moments of change in the past, which in turn may support or undermine the perceptions and unwarranted certainties we hold today about the reasons for the success and failure of specific anticorruption policies and their relation to a country's image (of itself or as construed from outside) as being more or less corrupt. It is precisely this scholarly lacuna that the present volume sets out to fill.

THE HISTORIOGRAPHY OF ANTICORRUPTION AND THE PRESENT VOLUME

Anticorruption has seldom been treated as a historical subject except as the occasional counterpart of corruption. The latter, to be sure, has generated a rich

and varied historiography. Historians, journalists and historically-minded political scientists and economists have tended to examine corruption from two perspectives. The first concerns the meaning and practice of corruption, its role in past societies and how discourses about it changed over time. Projects launched in recent years in Germany, France, England and the Netherlands, for instance, have focused on the historical use of the term corruption in (mostly early modern and modern) political and philosophical literature and in public debates, and analyzed practices that were deemed corrupt when they were exposed during scandals.²

These studies have also followed a contextual approach as they provided in-depth analyses of cases of corruption within local or (proto-)national political cultures. In fact, much of the historiography on public values and corruption builds on a contextual and constructivist understanding of corruption. In a way comparable to Michael Johnston's "neoclassical" definition of corruption as "the abuse, according to the legal *or* social standards constituting a society's system of public order, of a public role or resource for private benefit." Such an approach stresses that corruption should not be researched from a twenty-first-century, ahistorical and universalistic point of view, but with the help of an emic definition that provides clues about what corruption has meant—sometimes the overall decline of a society, sometimes particular abuses—and thus could mean in a specific time and place. Such a definition is also a helpful conceptual tool because it reminds us that corruption can be both legally and socially defined. It sensitizes us, moreover, to the fact that corruption has been linked since antiquity to the abuse of public power and public interest as well as that, in order to establish the meaning of such abuse, the broader political, cultural, intellectual and economic context has to be scrutinized thoroughly.³ The contributors to this volume subscribe to such a flexible approach that holds that anticorruption, as with corruption, can mean a variety of things and is context-dependent, although patterns and recurrent features in the understanding, discourse and treatment of anticorruption are not neglected.

Debates about modernity and corruption are at the heart of the second historiographical approach that we consider here. In the first decades after the Second World War, "modernization studies" drew a distinction between the supposedly well-developed corruption-free modern societies of the West and the relatively corrupt traditional societies to be found in the non-Western world. Traditional societies were characterized by nepotism, bribery and clientelism because they lacked a well-functioning Weberian-style bureaucracy and a market economy. Or, as Samuel Huntington put it in a famous article in 1968, "[t]he differences in the level of corruption which may exist between modernized and the politically developed societies of the Atlantic World and those of Latin America, Africa and Asia in large part reflect their differences in political modernization and political development."⁴ But there was hope: developmental projects funded by Western NGOs and governments, it was believed, would bring non-Western institutions up to speed including, in the long run, an elimination of corruption. The emphasis on economic liberalization as a means to curb corruption during the period of the "Washington consensus" (1980s and 1990s), belongs to the same branch of approaches. Although classic modernization theories as well as (neo)liberal policies

gradually lost much of their appeal, recent years have seen a rebirth in scholarly interest in the relationship between modernity and corruption. It is possible to distinguish between two types of studies here. The first is comparable to classic modernization theory, albeit in opposite form. Rather than mainly concentrating on the problems (i.e. corruption) in supposedly traditional and corrupt societies, researchers have instead turned to explaining how relatively non-corrupt countries (by modern Euro-American standards), such as Sweden and Denmark, ably limited corruption in the past—the underlying assumption being that the general principles of efficient anticorruption may be drawn from their success stories. The period of transition (usually equated with modernization) that these countries experienced between the end of the early modern era and the beginning of modernity, roughly the period 1700–1900, has attracted particular attention.

This “historical turn” in anticorruption research was, in effect, a very policy-orientated endeavor. It was influenced by the growing interest throughout the 1990s in the themes of good governance and democratization, which broadened the scope of what was considered to be part of an effective anticorruption culture, as well as by influential studies such as those written by the developmental economist Lant Pritchett and World Bank advisor Michael Woolcock, who explicitly sought to trace a “path to Denmark.”⁵ The topic was picked up by scholars who were broadly interested in global political development, such as Francis Fukuyama, Daron Acemoglu and James Robinson, and by those dealing specifically with corruption, like Alina Mungiu-Pippidi, Bo Rothstein and Michael Johnston.⁶ In their studies, anticorruption and good government tended to be equated with the historical development of democracy, accountability, transparency in public affairs, Weberian-style bureaucracy and the rule of law, all emblematic aspects of countries that are consistently ranked among the least corrupt in the world. While it is easy to see why it should appeal to policy makers, this hypothesis has struck most historians involved in this volume as either circular or at least overly teleological, resting as it does on a view of capitalist, democratic nation-states as the epitome of history, and thus engaged in a selective, frequently anachronistic interpretation of often complex and ambiguous data.⁷

The aforementioned scholarly contributions are of course far richer in scope and methodology than their popular application as regards fighting corruption might suggest. Yet collectively they promote a misleadingly simple recipe for bringing about the decline of corruption and strongly suggest that applying it, at least anywhere in Europe, is possible, despite an immense diversity of political cultures, economic circumstances, social organization, language, religion and so forth.

By contrast, the second way corruption and modernity have been re-debated in recent years comes closer to our contextual approach. Historians of early modern and modern Europe in particular have historicized and problematized the idea of a pre/modern divide. They continue to debate whether or not there was a decisive break by the late eighteenth century in the way corruption was understood and fought. Some see the “long nineteenth century” as a special moment when old privileges and practices, especially patronage, were deemed as corrupt and a demise took place of ancient and premodern interpretations of corruption, generally

understood as the moral degeneration of an individual's virtue or that of an entire society. These came to be replaced by a new limited notion of corruption that centered on the misuse of public power for private gain according to formal-legal rules—a form of political deviance that was itself premised on a sharper distinction between the private and public spheres. They have, however, also stressed that, although differences between early modern and modern societies can be established, concepts such as “traditional,” “early modern” and “modern” when viewed in relation to corruption should be treated with care: more than historical reality, they reflect interpretations, ideals and perceptions of how contemporaries appreciated and legitimized their society and disapproved and delegitimized that of (non-Western) foreigners or their ancestors. Finally, and related to this, modernity and modernization, whether understood as the rise of an interpretative intellectual discourse or as a set of processes and practices, should not be treated as a linear development. In other words, many countries did not change from being thoroughly corrupt early modern societies into entirely corruption-free ones. In fact, corruption control existed in early modern society and the modern era saw the creation of new and serious forms of corruption.⁸

The authors of the present volume, both individually and collectively, are exponents of these differences in approach, but they are also in conscious dialogue with this historiography, as they pose the question of how we should frame processes of modernization and their impact on the history of anticorruption, especially in the absence of a developed historiography on premodern anticorruption. Some contributors concentrate on the watershed in the way corruption was defined and understood sometime from around 1800, as illustrated by Jens Ivo Engels' contribution to this volume. Others emphasize the presence of a much earlier awareness of corruption as well as programs to curb it (an approach that informs most of the contributions of Sections I–III). A third group of authors, represented in this volume by James Kennedy's and Ronald Kroeze's chapter, has emphasized change across early modernity and modernity, but has also pointed out that ostensibly ancient and premodern views of corruption survived well into modern times and even played an important role in contemporary debates.

Beyond promoting a contextual approach and engaging in the ongoing debate on modernity and (the supposed absence of) corruption, this volume adopts a longitudinal approach to the history of anticorruption, assembling contributions from different historiographical and geographical traditions; from Great Britain, France and Germany to the Low Countries, Scandinavia, Southern and Eastern Europe and the Middle East. It is decidedly not an exhaustive overview, but we do hope that it may help facilitate a new kind of conversation between historians working within their different fields and chronological boundaries and other scholars, especially in government studies, economics and the political sciences, who may—we as editors think—have a skewed understanding of their country's or region's history, which may set unrealistic or irrelevant normative benchmarks for achieving success or signaling failure. The latter often results in a misrepresentation of historical developments either by ignoring or by under- or over-emphasizing certain factors that shaped it.

That is why we want to underline some other insights that have inspired us during our historical research and that, now that the volume is finished, can also be read as an evaluation of some of the existing historiographical considerations. As mentioned, European debates about corruption and how to confront it consciously straddle and thereby challenge an imagined pre/modern divide. However obvious this observation may seem, it serves to underscore two points we want to stress here. First, historical societies with a corrupt reputation in modern Euro-American historiography—for instance, the “decadent” empires of the Romans and the Ottomans—are often neglected but may nonetheless provide insights about anticorruption strategies. Conversely, the history of countries such as Denmark, Sweden, Germany and the Netherlands, that supposedly got rid of serious corruption somewhere in the past, hardly presents itself as a linear and triumphant story of the progressive elimination of corruption. In other words, the various elements that make up the history of corruption are far more complex than some scholars tend to imagine. Hence, we suggest it would be wise to reconsider current ideas about supposedly corrupt as well as non-corrupt historical societies.

The second insight shared by the contributors, and in line with the budding historiography on this topic, is that corruption, regardless of what it meant in practical terms, was routinely presented as a political slur, a negative feature of a ruler, regime, organization or administrator and, as such, was considered a deviation undermining morality. Political leaders past and present usually do not present themselves, or the society, government or organization in which they live and work, *proudly* as corrupt. Corruption is, in other words, usually considered a bad thing, and this has informed the ongoing search for effective anticorruption by different people and societies throughout history.

Thirdly, the word corruption has its origins in Classical Latin and was a synonym for misuse of power, political perversion and loss of integrity. And although it was often used in that sense in later periods as well, it has, over time, also come to be employed in describing a great variety of practices, from sexual misbehavior to patronage, to private enrichment, to something as straightforward as an error in a text or translation. In different periods the emphasis on what constituted corruption varied, but there is no clear trajectory in this variation, whereby a certain understanding of corruption would dominate in one period and then disappear, only to rise again later on. Furthermore, sometimes practices that were regarded as immoral and contrary to the public good were labeled corrupt in one period but not in another, and their toleration varied according to different historical contexts. The absence, therefore, from the sources of the term “corruption” in association with specific practices does not preclude a historical investigation of those practices and of notions of good government, accountability and attempts to improve it. We can thus research corruption even when the word itself is not used in a particular historical reality (see for instance Maaïke van Berkel’s and Mark Knights’ chapters).

A fourth insight that has informed our approach, and which can also be derived from the contributions, is that corruption is not only a type of malpractice, but also a basic thread of intellectual discussions about ideal forms of good government.

As the contributions show, we find much debate in ancient, medieval and early modern writings about when, how and why good forms of government (monarchy, aristocracy, democracy) degenerated into corrupt ones (tyranny, oligarchy, ochlocracy), in part as a way to promote new and existing anticorruption measures. In later times proponents of different modern ideologies such as socialism, liberalism and communism have argued that their own system was free of corruption and held their opponents' belief system accountable for individual misbehavior and overall decay (see for instance the chapters by James Moore and André Steiner).

In this sense too corruption comes across as a highly political concept. Although corruption has been used throughout history to describe very different phenomena, it was very often deployed as a rhetorical weapon in political conflicts over power, the rules by which it was exercised and the distribution of resources.⁹ Much like accusations of crime in the social sphere and magic in the religion sphere, charges of corruption in the political sphere were frequently used as a cudgel by rival individuals and factions wishing to undermine the moral standing of their opponents and their claims to legitimate authority. Its political use should be understood in a broad way: corruption played (and plays) a role in legitimizing and in undermining the political legitimacy of those holding public authority. Hence, anticorruption strategies are never neutral and their implementation often involved conflict and negotiation behind the scenes. And it is also in this vein that the diverse sources pertaining to the historical study of such campaigns should be read (see the chapters in this volume by Valentina Arena and Sarah Bond).

In sum, the chapters in this volume address and discuss paradigms and counter-paradigms that are deeply embedded within their authors' respective fields. Taken together, they offer an alternative, contextual approach to the study of corruption and anticorruption, one that is sensitive to existing theories and explanatory models but is firmly grounded in rigorous historical research, based on an extensive knowledge of primary sources and academic literature and on a careful consideration of changing political, economic and cultural circumstances. In this qualitative way, historians can make a unique and valuable contribution to current debates about fighting corruption. The contribution of qualitative studies is amplified when properly placed in a broad comparative context. The basic premise of this book is that the concept of good government (or good rulership) and the efforts to limit those practices that were thought to undermine the moral and political legitimacy of its administrative and judicial structures are not exclusively Western-European—let alone modern—creations. Rather, anticorruption policies and measures, however different across time and geography, were common to numerous civilizations. As a point of departure this allows us to avoid anachronism and teleology and to see anticorruption less as a key element of modernization and more as a regular challenge to social and political order, dependent on historical circumstances and on the interplay between ideas and practical means. It does not privilege the search for watershed moments or seek the origins of certain historical developments, but rather approaches the topic through case-study analyses of the ways in which various stakeholders across the pre/modern divide sought to improve or simply protect the standards by which they were governed, whatever form that government took.

STRUCTURE OF THE VOLUME: THE CHAPTERS

The following chapters germinated in the run-up to a conference held in Amsterdam in September 2015 under the aegis of the ANTICORRP research project, funded by the European Commission.¹⁰ Participants were invited to reflect on a common set of questions when writing their papers, each of which was pre-circulated. Specifically, they were asked to consider: how corruption and especially anticorruption were defined and employed in their primary sources and the historical context they were studying; whether they could inventory anticorruption practices and trace change over time in policy and/or practice; whether practices that we may describe as corruption today were perceived as offering a corrective to the shortcomings of earlier governments, such as unfairness and political disenfranchisement; and how severely agents of corruption were punished.

Differences in approach and the various historical sensibilities and historiographical backgrounds of this book's contributors are apparent. They are the inevitable, and in our view welcome, consequence of bringing together historians working on widely different periods and approaching the question of anticorruption from distinct historical subfields. One author's idea of a crucial development or a key concept may, therefore, differ greatly from another's, as they are both primarily dependent on the specific historical realities of the period under scrutiny. If we take the concept of modernity, for example, which most authors consider with some degree of suspicion, we can see that it is variously construed according to nationally and chronologically bound discourses and historiographical traditions.

On the other hand, contributors to this volume remain informed by the historiographical considerations discussed above and have routinely debated them before, during and after the conference. The chapters that follow are thus the product of intense and collective reflection and of the discussions our original gathering sparked. They also reflect the authors' reactions to two rounds of revisions, one following the conference itself, which included the comments of the participants and conveners, the other based on the very extensive and thoughtful remarks made by the original manuscript's anonymous reviewers. For our part as editors, we decided, and were supported in this decision by the reviewers, to arrange the chapters chronologically in order to simplify access and because that seemed to us the best way to emphasize the permanence of certain problems and the different ways in which they were dealt with under different historical circumstances. Additionally, the five chronological sections also are held together by some specific questions or theses that are of importance for that period. The volume consists, therefore, of twenty chapters chronologically arranged in five sections, each presenting a modicum of geographical, sub-chronological and historiographical diversity.

I Antiquity

Section one comprises three chapters, spanning the traditional length of antiquity, from its Classical Greek origins (fifth to fourth centuries BCE) to the later Roman era (fourth to sixth centuries CE). From a modern perspective, anticorruption in this

long period presents a paradox of sorts. On the one hand, the period fostered political ideas and practices that far outlived their original contexts. On the other hand, these are often seen as either underutilized or outright pretentious when it comes to state-building. Both views are challenged in the opening chapter by Claire Taylor, which examines a major corruption scandal that involved Athens' famous orator Demosthenes and an official of Alexander the Great, accused of bribe taking (and in so doing, of committing an act of treason). As the nexus suggests, fighting corruption was widely seen as a major plank of maintaining social and political order, and as such undergirded the creation and functioning of several procedures and institutions. Beyond the seriousness with which such allegations were levelled, their prosecution recognized rather than ignored tensions between individual and collective decision-making—or, in other words, the existence of potentially rival private and public spheres.

Corruption was also seen as a major factor in the collapse of republican Rome, as Valentina Arena's subsequent contribution argues. It was in reaction to this perception of the Republic's political fortunes that an array of offices, laws and procedures were established and continually reformed to prevent a relapse. As in Greece, a public sphere and public interest were certainly recognized, also in terms of their problematic relationship with the private sphere. Moreover, it is difficult to defend the existence of a major disjuncture between moralistic discourses and legal-political institutions designed to patrol the public/private divide: both were part of the same discourse and strategy to curb corruption and improve government.

A similarly complex view emerges from the last chapter in this section, by Sarah Bond. Focusing on a period that has often been described in terms of a moral and institutional decline, Bond interrogates both legal and literary sources pertaining to imperial Roman administration and asks to what extent do they offer evidence of increasing corruption or merely greater awareness of its debilitating effects. She argues, moreover, that the rhetoric of corruption itself can be seen as an anti-corruption tactic on the part of some elites, with the power to shape norms outside the formal remit of the law.

II The Middle Ages

Spanning five centuries and a broad geographical arc, the four chapters on medieval history offer a multilayered account of anticorruption efforts that engages with several of the transversal themes mentioned earlier. The Middle Ages (both in Europe and the Middle East) are widely recognized as the cradle of numerous modern institutions, from banks to hospitals to states, the long gestation of which can be also explained by a widespread leniency towards malpractice in the private and public spheres, or else by an incapacity to fight it. As the contributions in this section illustrate, however, both at the normative and practical levels the picture emerging from the sources is far more complex, with significant implications for the prevailing image of the pre/modern divide.

Working from a mass of historiographical and literary sources (survival of archival materials being extremely low), Maaïke van Berkel argues that understandings of

corruption and anticorruption measures (petition and response procedures, administrative discharge procedures, audits of office) remained largely stable throughout Abbasid, Buyid and Seljuq rule, between the ninth and the eleventh centuries. There was a gap, however, between the anticorruption measures themselves and their enforcement—in other words, between prevention and punishment—and the perception of corruption as an urgent matter waxed and waned according to political circumstances.

How politics and private interest affected the anticorruption apparatus gradually put in place by French, English and Portuguese kings between 1250 and 1500 is a central theme in André Vitória's chapter. That apparatus was a combination of judicial prosecution and procedures for appointing and replacing officials, rules defining the duties and duration of office, improved record-keeping and accounting practices and mechanisms for administrative supervision. These measures notwithstanding, Vitória argues that these royal regimes were structurally incapable of punishing and restraining corruption effectively and in a sustained manner, essentially because they could not control political society directly and because political constraints, especially their dependence on informal service, often made a strict approach to corruption injudicious. These forms of late medieval government, therefore, were confronted with the dilemma of having to fight corruption with inadequate means and without unduly disturbing the social and political equilibrium on which their authority depended, a question that is further explored in George Bernard's contribution.

At the heart of this dilemma was the "problem of the personal," which is the object of John Watts' chapter on England between 1250 and 1500. Watts starts by linking corruption with what he calls the "grey areas of public life" (or the ambiguity between public and private resulting from power-sharing and the competition of personal interests) and by explaining why they were complicated by the growth of royal government and the rules it produced. He then describes the two main types of corruption in the period and examines the measures used to address them and how they changed over time. Watts argues that corruption crises and the anticorruption measures they engendered were a simplification, at once a reflection of the deep malfunction of the political system and an opportunity to relieve the tensions that threatened political order.

Auditing practices for public officials existed in all the regions being considered, but they had nowhere as prominent a place or better surviving records as in the Italian city-states studied in Guy Geltner's chapter. Geltner shows that the regulation of *sindacato*—an end-of-term audit for urban officials—is of a piece with normative and literary discourses about accountability, good government and the common good, but argues that these cannot be seen in isolation from documentary evidence. Based on a detailed analysis of the rich judicial and administrative records from fourteenth-century Perugia, he shows that the connection between accountability of office and political legitimacy implicit in the *sindacato* is less straightforward than commonly thought. Rather than a marker of transparent, participatory politics, the *sindacato* was a complex, inherently biased, often slow and ineffectual mechanism, which could conceal as much as it revealed about the administration of the city.

As such, this chapter echoes John Watts' question regarding our ability to evaluate the actual scale of corruption and the ability of existing mechanisms to detect and fight it.

III Early Modernity

Continuing the reflection initiated in the previous section, the main thread running through the three chapters in this section is the connection between anticorruption measures and politics. The structure and dynamics of political society—the weight and social function of patronage, the modes of access to wealth, the prevalence of informal service, the practical constraints of government—shaped attitudes to corruption as well as government's response to it. Both of these may seem to our modern eyes indulgent or half-hearted. But as the three chapters here show, anti-corruption measures filled the space and purpose that politics allowed them, which explains their scope and intensity as well as their use for political ends: for instance, as the rationale for political purges and regeneration in times of crisis, or as a means of asserting the administrative and judicial authority of government.

Taking as its point of departure the career and legacy of the early Tudor courtier Sir William Compton (1482–1528), George Bernard's chapter reflects on royal favor, gift-giving and patronage in sixteenth- and early-seventeenth-century England, and on the appropriateness of studying a socio-political reality structured around those practices from the perspective of corruption and anticorruption. Bernard argues, in fact, that in the early Tudor period, when private and public interests were deeply enmeshed, corruption was not a primary concern and anti-corruption measures were therefore scarce. Embezzlement and theft were certainly condemned, but informal fees and annuities, which were widespread and widely accepted, cannot be readily interpreted as corruption because they were not intended to secure special favor. They were rather a conventional element of sociability, which provided unsalaried or poorly salaried officials with an additional source of income, thereby saving royal government from having to support them directly. Moreover, the fact that royal officials and courtier-administrators sought to extract a personal benefit from their offices and from royal favor, did not necessarily detract from their competence as administrators, nor did the prevalence of patronage. Bernard points out that much of the momentum of patronage actually came from below and that patronage was seen more as an opportunity than as a problem. Seen in this light, the heightened but short-lived concern with corruption in James I's reign was less the result of a change in perception than the by-product of a political and economic crisis.

The connection between anticorruption measures and power politics is at the heart of the contribution by Francisco Andújar Castillo, Antonio Feros and Pilar Ponce Leiva, who see in the resistance of Spanish elites—the same elites whom the king relied on to keep kingdom and empire together—the main reason why anticorruption measures in sixteenth- and early-seventeenth-century Spain were ultimately ineffective. Spanish kings were reluctant to antagonize these elites, for fear of creating more serious and damaging political problems. However, the lively

debate about corruption that ensued could also be seen as an attempt to better understand and control it: corruption scandals could lead to the fall of officials and specific anticorruption measures were deployed. Of the various administrative mechanisms available to control royal ministers and administrators, the authors pay particular attention to the so-called *visitas* and *residencias*—audits of institutions or individuals conducted during or at the end of their terms of office. Anticorruption measures were occasionally adopted in response to moments of political crisis and public criticism of officials and ministers, but their effect was blunted by the relative mildness of penalties and fines and by the possibility of negotiating their reduction. Echoing the realities studied by Maaïke van Berkel and Guy Geltner, corruption crises in early modern Spain appear to have been more about broader political challenges than about an intrinsic concern with corruption.

Finally, based on the analysis of several case studies from the southern French province of Languedoc between the mid-seventeenth and the end of the eighteenth century, Stéphane Durand shows that the way in which corruption was dealt with at the level of provincial administration depended on how it was uncovered and on the choice of individual plaintiffs between the ordinary courts of the kingdom (*justice déléguée*) and the king's *justice retenue*. Promising swiftness and harshness in tackling administrative misconduct, the latter, which was represented in the provinces by the *intendant*, gradually encroached on the business of the ordinary courts. Durand shows that royal government associated the effectiveness of royal prosecution of corruption with avoiding jurisdictional competition and concentrating judicial proceedings in the *intendant's* hands. Although the latter's judicial duties thrust him into the thick of local politics and local rivalries, the investigations hardly ever tried to follow the political ramifications of corruption cases. The messiness on the ground contrasts vividly with the trust government placed in normative clarity. Royal and provincial government in Bourbon France legislated profusely on corruption and established a severe penal framework for it. Yet Durand argues that they were animated less by the devotion to public good typical of the political discourse of the Enlightenment than by a Cartesian fascination with formal, rational systems.

IV From Early Modern to Modern Times

The fourth section is dedicated to the debate, already mentioned above, about whether a transition from an early modern to a modern understanding of corruption and anticorruption actually took place. A crucial feature of this presumed transition is the implementation of uniquely modern reforms: the introduction of the rule of law and a clear formal-legal separation between public and private spheres as well as democratization and Weberian-style bureaucratization of society and politics. Considered today as inherently reducing corruption, these long-term historical developments supposedly typify the period stretching from the early-seventeenth to the late-nineteenth century.¹¹

Introducing a detailed discussion of this modernization or transition thesis, this section starts with a provocative chapter by Jens Ivo Engels, in which he argues

that the understanding of anticorruption did indeed change dramatically around 1800. Revolutionaries declared war on corruption and deemed practices that had been common during the *Ancien Régime*, especially patronage and the use of public positions for private gain, as corrupt. The consequences of this for anticorruption were far-reaching: the public and the private were more sharply separated, and all "old" practices (or recent ones construed as such) were attacked with "new" anti-corruption rules. The belief grew that corruption could be eliminated. However, Engels' contribution is also a pessimistic story: the essential ambivalence of modernization meant that all anticorruption efforts created new forms of corruption, a fate likely to befall present-day campaigns as well. The following chapters explicitly and implicitly refer to the modernization thesis.

Mark Knights also takes the pre/modern divide, which is framed in English historiography as the end of "Old Corruption," as the starting point for a long-term overview of anticorruption in Britain and its colonies. Focusing on anticorruption movements, he adds another dimension to the paradox of modernization by showing that although a transition took place in the period between the late-sixteenth century and the nineteenth century, it was by no means a linear one; in fact, anticorruption reforms carried out in the late-seventeenth century could quite easily be abandoned a few decades later only to be reintroduced when the same old practices resurfaced. While Knights' chapter dialogues with many of the contributions to this volume, it complements George Bernard's chapter on sixteenth- and seventeenth-century England particularly well in arguing that there is a relationship between late sixteenth-century Reformation and eighteenth-century reforms, both of which involved an attack on corruption.

Since the transition thesis is largely based on the history of Great Britain and France, this section also features countries that are less often mentioned in the historiography: Denmark, the Netherlands, Sweden, Romania and the Ottoman Empire. This group of "periphery-countries" is itself often divided into those countries that are perceived as having made a "successful" transition, and are therefore worth studying with a view to understanding "effective" anticorruption—Denmark, the Netherlands, Sweden—and those that have been comparatively less "successful"—Romania and the Ottoman Empire. What constitutes corruption and success in fighting it is often taken for granted in the existing literature, which is why the chapters in this section not only explore but also critique existing narratives.

Mette Frisk Jensen discusses Denmark's unique path of anticorruption, a case that has recently attracted much attention from social scientists and policy advisors. She provides a revised historical explanation of how Denmark came to be ranked at the top of the Corruption Perception Index, arguing that the roots of the process must be sought, strikingly, in the efforts of the absolutist monarchical regime to secure its power and legitimacy, for example by introducing the oath of office and by visibly responding to citizens' requests. Frisk Jensen's story, however, is also very much an illustration of how certain institutions that current political science literature sees as the key to the country's low levels of corruption developed outside the context of a conscious struggle against corruption (on this, see Michael Johnston's Afterword as well). The chapter therefore explicitly raises concerns about how far the Danish example can be stretched as a model for other countries.

James Kennedy and Ronald Kroeze take as starting point the contemporary idea that the Netherlands is one of the least corrupt countries in the world, an idea that they date back to the late-nineteenth and early-twentieth centuries. They explain how corruption was controlled in the Netherlands against the background of the rise and fall of the Dutch Republic, modern state-building and liberal politics. In a situation comparable to that described by George Bernard for seventeenth-century England, networks and patronage played an important role in the functioning of the republic in the same period. The Dutch revolutionaries very radically (at least rhetorically) attacked patronage networks during a series of struggles at the end of the eighteenth century, which seems to confirm Jens Ivo Engels's argument that 1800 marked a turning point. However, the Dutch case also presents a paradox: first, the decrease in some forms of corruption was not due to early democratization or bureaucratization, but was rather a side effect of elite patronage-politics; second, although some early modern forms of corruption disappeared around this period, new forms also emerged.

Andreas Bågenholm challenges common historiographical claims about the Swedish transition of circa 1800. He concludes, based on a novel reading of key primary sources, that there is only weak evidence that Sweden was a thoroughly corrupt state before 1800 or that corruption was the most important political problem at that time (and was therefore actively and effectively combated in the first decades of the nineteenth century). However, he does see evidence that many efforts were taken to reform the administration quite early on and argues (while being aware of the conceptual problems involved) that these reforms show many similarities with Weberian-style bureaucratization.

Ovidiu Olar evaluates the changes that have been held responsible for the emergence of a modern, historically informed interpretation of corruption, by analyzing three case studies that are exemplary of the practices of and debates about corruption and anticorruption in the Romanian Principalities from the seventeenth until the nineteenth centuries. In a way similar to the chapters by John Watts, George Bernard and James Kennedy and Ronald Kroeze, the term corruption is reinterpreted in terms of its relation to networks of patronage, solidarity and trust. He discusses whether a transition took place in this period, and concludes that no decisive break can be established based on the sources available, arguing instead that the change was slow and convoluted.

Finally, Iris Agmon employs the nexus of state and family as a lens for examining the question of anticorruption in the later Ottoman Empire. By exploring the methods used by the government for preventing corruption at the recently created state institution for handling property inherited by orphans, she discusses the involvement of the state in the private sphere of the family. While stressing the global nature of the modernization undergone by the Ottoman state in the nineteenth century, Agmon demonstrates the unique features of a political culture that shaped these processes as well. On the one hand, she emphasizes the fact that the reforms transformed the empire into a modern centralized state and that preventing corruption was a major issue on the reformers' agenda. But she claims, on the other hand, that anticorruption measures were also an important matter in earlier periods, albeit embedded in different historical circumstances. Her chapter

critically discusses the methodological problems concerning the historiography on anticorruption and the challenges Eurocentric depictions of the Ottoman Empire have posed to historians, and concludes that continuity was a major feature of the profound change the Ottoman state underwent in the nineteenth century.

V Modern and Contemporary History

The final section of this book deals with corruption and anticorruption in the history of modern European societies. Reflecting on the modernity thesis, the authors in this section look at societies that were considered to have reached a modern stage and to be therefore free of corruption. James Moore goes deeper into a period that is often seen as one in which early modern "Old Corruption" was finally eliminated in Britain: 1880–1914. He shows how various political measures and developments have been held to account for this change. He then changes perspective and makes clear, based on his own analysis of local politics, that at the local and municipal level corruption remained a problem in Britain, thereby strengthening the argument that the effectiveness of certain ambitious anticorruption laws and the "end of corruption" in modern British society depend on one's perspective.

Ronald Kroeze concentrates on two large political corruption scandals—Lockheed and Flick—in two countries that are commonly seen as relatively corruption-free: the Netherlands and Germany. He argues that these corruption scandals were each taken very seriously, but were handled in different ways from what current anticorruption policies would suggest. The existing law was regarded as inadequate and political elites tried to keep the scandals subdued by balancing refusal of formal prosecution with intense public debate, with the aim of maintaining the stability of the political system in the longer run. In illuminating the overlapping interests of political and financial elites, this chapter reinforces the observations made earlier in this volume by John Watts, Jens Ivo Engels and James Moore regarding the prevalence in some European countries of pragmatic as opposed to morally unbendable approaches to anticorruption.

Finally, André Steiner provides a striking account of corruption in a state that saw itself as free from corruption, the communist German Democratic Republic (GDR), a clear exponent of the modern belief in the end of corruption. He discusses the official ideology and the anticorruption laws that were in place, as well as three distinct types of corruption that were present in the GDR. Steiner shows how the image of anticorruption was maintained by, on the one hand, accommodating to certain privileges and overlooking the clear misconduct of a part of the communist elite and, on the other hand, by concealment of the actual evidence of corruption.

ANTICORRUPTION HISTORY AND POLICY

Before leaving readers to their own devices, we would like to conclude with a few words about the overall, if tentative, ramifications of these contributions to anti-corruption strategies today. First of all, the chapters featured in this work demonstrate

the value of defining and approaching anticorruption in its own socio-political context, rather than assuming either that the concept is absent or that external (often modern, Euro-American) apparatuses are the only—or else superior—alternatives to corruption. Modern theories and definitions of corruption and anticorruption can certainly help identify corrupt practices and anticorruption measures in past times, but the very terms and the practices they denote have a history. Since the usage and the meaning of corruption change over time and across regions, a single definition is unnecessarily limiting. In fact, the history of anticorruption is often the history of how to deal with and restrain a variety of political problems—bribery of officials, nepotism, embezzlement, patronage and so on—and how to develop certain governmental (or para-governmental) structures intended to curb and punish those practices. What is considered the most urgent and severe form of corruption and how to fight and monitor it is context-dependent. The implication of this conclusion for policy makers is that in order to understand corruption it is necessary to hone an emic perspective before developing anticorruption measures that might, for various reasons, collide or lose their sting because of discrepant cultural or religious values or be seen simply as a new form of top-down or colonial intervention. A one-size-fits-all solution to a single problem is neither likely nor desirable, raising concerns about whether the Danish, Swedish or Dutch examples should or indeed could be directly applied to other circumstances, which can sometimes be very far removed from the original contexts in which these countries began what was evidently an important transition.

The second implication is that anticorruption is an inherently political issue, reflecting changing power relations and acute political crises about forms of behavior that are deemed corrupt and that, once discovered, cause public dismay, scandals or even revolution. It means that every accusation of corruption as well as every effort to fight it with anticorruption measures is politically contested: being convinced that a certain problem is an issue of serious corruption or trust in the effectiveness of an anticorruption measure depends on one's socio-economic successes, as well as one's place in society, membership of a faction or party and moral and ideological beliefs. The problem of corruption should therefore be looked at with an eye open for diversity of local perspectives; indeed, the contributions to this volume suggest that conflict between political factions can become the breeding ground for accusations of corruption as well as the beginning of promising agreements between ruling elites about how to stem corruption for pragmatic reasons, how to divide public resources equitably, and how to prevent conflict in the future. Therefore allegations of corruption may help define more clearly what is perceived as more or less acceptable in a given context, even if they provide a weak indicator in general for the prevalence or scarcity of corruption itself.

Third, fighting corruption is difficult to evaluate in terms of success or failure, even (or one could argue, especially) today. The chapters in this volume show that the history of anticorruption cannot be reduced to a positive, linear development, growing steadily stronger with political centralization, Weberian-style bureaucratization, the birth of the nation-state and, ultimately, democracy, a free press and universal suffrage. Nor can we make a clear distinction between a center of successful

countries and a periphery of failures, at least not from a long-term perspective. For all its elegant simplicity, the idea of inexorable progress is inadequate to make sense of the ebb and flow of politics. Weberianism glorifies the successes of the modern bureaucratic state, but is quite at a loss to account for its failures and the historical circumstances that determine them, since bureaucratization is itself a very paradoxical process, as is democratization. Public authorities should recognize that there is no end when it comes to fighting corruption and that anticorruption policies are provisional and in constant need of adjustment. As social, political and economic dynamics change, so new opportunities for corruption are created, and so must anticorruption policies—and indeed our understanding of corruption—adapt to the new realities.

It is also difficult to evaluate “anticorruption” because it was often the by-product of different processes. In some chapters it becomes clear that apparently contradictory responses to corruption may be quite effective, and therefore rational, in controlling corruption, although they may not be very appealing to us nowadays. The Dutch case, for example, demonstrates that it was not explicit anticorruption laws but the lack of formal-legal rules and the discretionary powers enjoyed by the ruling elite that created a political culture of bargaining among parties over public resources and functions that limited the misuse of public powers by only a few men. But few would probably argue that we should try to reconstitute the Dutch Republic.

The fourth point is that anticorruption mechanisms incorporate both ideas about legitimacy and specific political, economic and judicial practices. The existence of an intense debate about corruption, therefore, is a poor indicator of the real scale of corruption. It can certainly mean that anticorruption is lacking or that the existing system has failed to ensure good government practices. But it can also be a sign of a public discourse sensitive to good government, as well as highlighting growing overall distrust in political institutions and the set of legitimate political ideas on which they are built. And then again we face the very complex question of how, why and when countries or political systems rise and fall. In addition, the chapters of Section V in particular make it clear that the decline in the number of corruption scandals or convictions for corruption in a specific historical context may be merely a case of looking in the wrong place (national instead of local level, political instead of business relations; legal instead of moral discourses). Corruption can even be a perceived problem that has a major impact on definitions of official accountability and anticorruption policies in countries that historically were regarded as stable and prosperous. Thus, anticorruption is not only an effective law or rule that forbids certain malpractices, but also a matter of trust in a governance system and the ideas on which it is founded.

The chapters in this book also underscore the challenge of identifying a clear transition from classical to medieval, to early modern and modern practices of and ideas about anticorruption. A public/private divide, the idea of a public or general interest that could be misused and the merits of a professional bureaucracy have been identified by the authors of this volume not only in modern states but also in classical Greece, in medieval England, France and Portugal and in early Renaissance

Italy, for example. Collectively the chapters demonstrate that an allegedly modern interpretation of corruption, which centered on malfeasance as the misuse of public office that harms the general interest, can in fact be traced back to the various historical cultures under scrutiny. Conceived in this manner, the fight against corruption is not an exclusive attribute of modernity. Indeed, there are important similarities in the way the problem of corruption was understood in different periods and regions.

This explains why efforts to reduce corruption have systematically relied on a recurrent set of measures, from antiquity until our own time, including criminalization of certain corrupt practices, judicial prosecution, rules designed to open offices to the best and most suitable candidates and public campaigns demanding individual soul-searching and the moral regeneration of society. However, the impact of modernity on how societies in the nineteenth, twentieth and twenty-first centuries have dealt with corruption cannot be denied. Western European societies such as Britain and the Netherlands have been portrayed by contemporaries (including historians) as having reached the final, corruption-free stage of modernity thanks to the adoption of liberal constitutions, parliamentary democracy, rule of law, anti-bribery laws and so on.

More than being a truthful account of what was happening, these self-descriptions serve political and intellectual elites in their attempt to legitimize and emphasize the superiority of their ideas, nationally and internationally. Defining corruption and promoting anticorruption policies can thus be a form of identity-politics, used to strengthen and legitimate the power and hegemony of individuals, elites, minorities and nations, as well as ideas and ideologies. This hypothesis has important consequences, in our view. It means that current anticorruption strategies need to be reevaluated so as to determine the extent to which they have been affected by these or other paradoxes of modernity. In particular the dominant, but false, idea that corruption in Western societies disappeared after 1800—which itself has raised the unanswerable question of “How to become Denmark”—has also obscured how certain twenty-first-century privileges, such as arbitrary tax exemptions for the rich and the powerful, can encourage forms of political corruption.¹²

These are the main points that we, as editors and contributors, think are worth taking into consideration when drafting anticorruption policies and strategies. Whether or not any of these insights, much like those developed by our colleagues in other disciplines, may yield a helpful blueprint for ridding a massive range of present-day politics from what they themselves (let alone the World Bank or the IMF) consider to be corruption is however doubtful. As Michael Johnston, the eminent political scientist we invited to conclude this volume, points out, seeking a triumph of anticorruption smacks of rosy self-assessments that situate us at the end of history. The present volume is an attempt to steer away from such an imagined trajectory, seductive though it may be, without in any way detracting from the importance of studying and learning from anticorruption. As Johnston concludes in his Afterword: “We would be well-served if we were to look to the past, as well as to other parts of the world, with the more modest goal of learning how to ask, and seek answers for, better questions.” We could not agree more.