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Traditional norms versus Weberian forms

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Schizophrenia of Corrupt Behavior

Traditional norms versus Weberian forms^α

Mason C. Hoadley & Neelambar Hatti^β

Abstract

Elements of traditional public behavior tend to fall precariously close to what in Western/Weberian terms are perceived as corrupt practices. More specifically, the paper focuses on a number of themes borrowed from our earlier works on corruption in India and Indonesia. To counter possible interpretations that developing countries are per se corrupt, we draw upon the anthropological observations concerning traditional behavior in Indian villages and Robert Neild's historical summaries of developing European countries in order to fulfil demands inherent of social science. The essay closes by postulating issues for further research.

Keywords: Corruption, sleaze, Weberian/Western bureaucracy, traditional/local institutions, public behaviour

Introduction

More a state of the arts essay than a substantive contribution, this paper opens with the obvious, with help from our previous articles, proceeds to the more concrete, and ends with speculation on future studies of corruption. At the outset, we need to recognize that studies of corruption at present constitute a 'soft science'. Definitions of the phenomena lack the necessary precision to differentiate corruption from culpable acts such as bribery, nepotism, extortion, deception, etc, as well as from sleaze. The latter embrace the grey area of acts not condoned by the rules prevailing at the time and place under consideration, but are insufficiently serious to warrant attention by the authorities. This by no means detracts from corruption's pernicious effects on society or the commitment to come to grips with them.¹

^α We would like to thank Professors Benny Carlsson, Lars Pettersson, and Arild Ruud for their valuable comments.

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¹ In practical terms, the subject ranges from criminal justice as defined by enforceable rules of the state to folk custom based on behavior dictated by traditions hallowed by time and usage

There seems to be considerable disparity in what constitutes ‘corruption’. Definitions of its negative aspects are numerous,² but few for ‘not corrupt’. Stand-ins tend to be all-encompassing terms as ‘clean’, ‘honest’, and a whole host of adjectives, including circular reasoning which comes the full circle to ‘**non**-corruption’. Lack of specific content is replaced by moralistic overtones stemming from modern Western European society. From this it is all-too-easy to slip into a, albeit implicit, judgement that corrupt countries, however defined, should be more like us. Like who? Prominent public figures from the so-called less or non-corrupt countries of the West, which provide negative images rather than those to emulate, can be easily identified.

By default, guidelines for non-corruption, i.e., ‘clean government’ or the like, that most readily come to mind are the administrative procedures as described by Max Weber. Generally, the term ‘Weberian’ is applied to what is considered non-corrupt.³ More accurately, ‘non-corrupt’ is the Western manner of public demeanor and, strictly speaking, is only Weberian when referring to administrative or bureaucratic practice. Added to this are a number of fundamental, but seldom specified, moralistic concepts for public behavior in a sphere that can be seen as roughly political in nature. More specifically, they relate to public positions of an executive nature in which the incumbent is responsible to some public sector rather than a hierarchically formed bureau charged with specific governmental tasks. Both are fertile sources of corruption, whatever that may be.

Weberian model

At the basis of virtually all accepted versions of non-corrupt practices lies a prejudice towards a legal-rational bureaucracy as formulated by Max Weber, consisting of six points.

Characteristics of Modern Bureaucracy;

I. There is the principle of official *jurisdictional areas*, which are generally ordered by rules, that is, by laws or administrative regulations...

II. The principles of *office hierarchy* and of channels of appeal (*Instanzenzug*) stipulate a clearly established system of super- and sub-ordinations in which there is a supervision of the lower offices by the higher ones/...

² There is extensive literature on the definition and meaning of corruption, exploring the nuances between bribery, nepotism, extortion, draft, and so on and reflecting the relationship between people and bureaucracies. See, Elizabeth Harrison, ‘Corruption’, *Development in Practice*, Vol. 17. No. 4/5 (Aug 2007), Harrison (August 2007). Most definitions of corruption take little account of the socio-economic or cultural differences across time, space and context as discussed in Haller and Shore, (2005), *Corruption; Anthropological Perspectives*, London; Pluto Press.

³ Harrison, *op. cit*, p. 674ff.

III. The management of the modern office is based upon written documents (the ‘files’), which are preserved in their original or draft form, and upon a staff of subaltern officials and scribes of all sorts...

IV. Office management, at least all specialized office management – and such management is distinctly modern – usually presupposes thorough training in a field of specialization/...

V. When the office is fully developed, official activity demands the *full working capacity* of the official...

VI. The management of the office follows *general rules*, which are more or less stable, more or less exhaustive, and which can be learned/...⁴

‘Political arena’ expectations

More complicated are a number of unspoken characteristics, which nevertheless dominate Western thinking on appropriate public behaviour. These include honesty, fair play, openness, and such. To escape the conundrum, recourse is taken to legal definitions of acts considered as culpable under the rules and regulations of the national state. This means that corruption is defined not only as neglecting to follow Weberian principles in the administration of public assets but also as deviating from statutory norms. Differences in national laws as well as their interpretation in day-to-day affairs make it less concrete.. Further confusion comes from the existence of special tribunals for ‘trying’ corruption cases, as those of Indonesia, which create a rivalry between the regular judiciary and specialized corruption courts and related activities.⁵

In this relative context, an appropriate rule-of-thumb definition of corruption is ‘the abuse of public office from private gain’. Robert Neild defines it as follows:

...the breaking by public persons, for the sake of private financial or political gain, of the rules of conduct in public affairs prevailing in a society in the period under consideration.⁶

⁴ Max Weber, *Economy and Society*, vol. 2, Guenther Roth and Claus Wittich (Eds), Berkeley: University of California Press, 1978, Chapter XI, ‘Bureaucracy’, p. 956ff. Harrison reminds us that ‘...the notion of rational-legal bureaucratic organization is an ideal type with ‘cannot be found empirically anywhere in reality,’ (Weber 1949:90).

⁵ Matthew C. Stephenson and Sofie A. Schütte, ‘Specialised anti-corruption courts. A Comparative Mapping,’ *U4, Anti-Corruption Resource Centre*, December 2016, No. 7, pp. 1-31.

⁶ Robert Neild, *Public Corruption, The Dark Side of Social Evolution*, London: Anthem Press, 2002, p. 6

The observation helps to place the studies of corruption in India and Indonesia within international and historical perspectives.⁷ Inclusion in international perspectives comes from the fact that Neild's work focuses on historical developments in Western Europe and the United States. That conclusions reached are applicable to areas of the Third World focused upon by the authors indicates a step towards an international validity and with it greater applicability. More importantly, it also counteracts a possible interpretation of our work as biased because nations of the Third World are presented as corrupt.

Equally important are historical perspectives; that is, the practices are deemed corrupt because they go against prevailing rules of public behavior **at that time**. The point is important if only because it argues against the accepted implication that corruption is a deviant condition endemic to Third World countries. A strong counter-argument made by Neild shows that the reforms taking place in British India were decisive in the betterment of general public behavior in Great Britain.⁸ Standards of corruption are not only relative but also variable in time and place, thus emphasizing the contextual nature of judging corruption.

Even so, Neild's observation raises questions. An attempt to answer them will obviously not resolve all the issues at stake, but even partial ones lead to a deeper understanding of the concept. Crucial here is determining what are the 'prevailing...rules of conduct' in societies undergoing forced and rapid change from traditional rules to (historically) new rules of conduct as the dominant 'operative system' for modern Western public institutions such as joint stock companies, stock exchanges, and most of the institutions associated with modern governmental practice. The question becomes even more relevant in trying to sort out the prevailing system of rules in the post-colonial world where the two compete for primacy. While implicitly recognizing cultural relativism, it also expects this to be within reason.

Third World corruption

Judging by their predominance in the bottom two-thirds of Transparency International Index, one could draw the conclusion that the Third World nations are by nature corrupt. From an anthropological point of view, Arild Ruud emphasizes the Euro-centric bias of such a pre-determined standpoint.

⁷ Neelambar Hatti and Mason Hoadley, "Middlemen in the Corruption Bazaar; India and Indonesia", *Artha Vijnana*, vol. LIV (3), September 2010, pp. 329-341. See also, "Notes on Morality and Corruption", *Social Science Spectrum*, December 2015, vol. 1 (4), pp. 316-323. "Rational Choice and Morality of Corruption", *Social Science Spectrum*, vol. 2 (3), September 2016, pp. 164-170.

⁸ *Op.cit*, Chapter 7. 'Britain's Indian Connection,' p79ff.

Corruption has become *salon-fähig* in the development debates. The focus is mostly on countries in the developing world, which are perceived as being more corrupt, and in part this focus constitutes a new way of constructing a defining division of ‘us’ from ‘them’. From a cultural sensitive point of view it can be argued that the focus on corruption as a ‘problem’ in the developing world prevents us from understanding that these practices developed within a fully mature normative system of no less moral validity than any other normative system.⁹

Accepted wisdom decrees that the major criteria separating good governance from that which is less so comes from the dichotomy ‘corrupt’ vs. ‘non-corrupt’ behaviour, supported by numerous proposals to increase the former to the detriment of the latter. In contrast, we see the difference as one between traditional practices sanctioned by time and usage versus alien concepts bequeathed by and expected of their former colonial masters. The former admittedly include elements of what is seen as corrupt, while the latter have not yet been incorporated into general practice. Yet even this moderate departure from orthodoxy remains Eurocentric. The world is to be run by Western, i.e. Weberian based, concepts of non (or even lesser) corruption despite the fact that the First World is becoming corrupt faster than the Third World is becoming less so.¹⁰

In short, two basic assumptions underpin the framing of contemporary governance. As mentioned above, the **first** is the belief – transformed into reality by near universal claims of adherence in theory – that what constitutes ‘good governance’, more specifically effective and honest bureaucracy, is defined solely in terms of Western/Weberian concepts of bureaucracy. The **second** is the undeniable fact that this schema is Western European in origins and application. Studies of, say, South Asia, become the odd man out because a Weberian standard is alien to local traditions. This is despite the fact that for a number of not entirely logical reasons, post-World War II Asian leaders as appropriate for the newly emerging nations chose it.¹¹ These range from those best suited to the equally alien state construction, India minus what would become Pakistan; Indonesia a collection of hundreds of islands minus Malaya, and so on, through continuity with the rules and regulations promulgated by the colonial power in ruling these territories. This is with the exception of the more racially tinted

⁹ Arild Engelsen Ruud, ‘Corruption as Everyday Practice. The Public-Private Divide in Local Indian Society,’ *Forum for Development Studies*, 2002, no. 2, pp. 271-294.

¹⁰ Such are the implications of an article, ‘Corporate graft in Europe. Cleaner Living’, in *The Economist*, May 26th 2018, pp 58-60. A point to note here is that when a Western firm engages in bribery with government officials in the ‘South’, Transparency International counts this as corruption in the South, not in the West.

¹¹ That alternatives were not considered indicates just how much local institutions had been crushed by the colonial order. Both the Indian and Indonesian areas were home to a number of vast empires whose longevity points to the existence of a competent administrative apparatus. Noteworthy is the fact that the British based their colonial system in India on the preceding Mogul one, which thus got a new lease on life, albeit a European one. This raises the question of how the local governments functioned and relatively well to judge by the extent of pre-colonial states in space and time. Surely the choice cannot have been limited to that between a Western/Weberian or corrupt/local system of governance.

aspects. Is this an attempt to prove their equality with their former colonial masters, namely that they were not an inferior race as implied by the very existence of the colonial white only administrative apparatus.

Obviously, the final word is yet to be said on the issue. For present purposes, it suffices to point out that the lands of southern Asia were to be governed by institutions alien not only to a large majority of the population but also, and more important, to those who would lead and administer them. The latter had to learn Western forms later in life after being brought up in accordance with local customs and mores during their formative period. Under the circumstances, it takes little imagination to understand that those actively running the countries are trapped in what can be seen as a 'schizophrenic state', torn between professional and private life. In the former actors acquire and in theory behave in conformity with the learned foreign concepts; in the latter loyalty to values acquired with their mothers' milk prevails.¹² Judging by examples of the ease and/or necessity of tailoring one's role to fit the circumstances daily experienced by minorities as defined by race, religion, or rural v urban mentality, the phenomenon is not unusual in this part of the world.¹³ In this instance, Western trained professional bureaucrat at the office becomes in the *kampong* (village) a traditional Javanese *priyayi* (bureaucratic elite). The situation has its parallels within the Western world, where rural and urban values and customs often collide.

These arise when the two worlds clash in the formulation of specific acts. To what extent can or should one help one's extended family to obtain positions, contracts, or even contacts in one's professional sphere; can one accept payments or gratuities from clients well-served by one's own office; to what extent should/can one contribute to organizations, clubs, or charities sponsored by superiors; and so on. On the other side of the coin, Weberian ethics or procedures applied to purely village affairs seldom end well for either party.

It is not our contention here that such a duality within each bureaucrat automatically leads to out and out corruption. Yet, it helps to explain the ease with which many of the characteristics of corruption find their way into the actions of public and private actors who, in theory, are wedded to Western/Weberian behavior. Our argument centres on the observation that many traditional practices foster behavior, which can be interpreted as 'corrupt.' Historically, many of them are recognizable from behavior in pre-modern Europe. Traditional behavior is not a monopoly of the Third World; it

¹² Eventual moral aspects of corruption should be seen in this context of values such as caste, community, loyalty, hierarchy and other factors that embody a traditional society; the broader social system of maintaining good relations between people makes the moral economy multi-various and differentiated. (See, Alpa Shah, "Morality, Corruption and The State", *The Journal of Development Studies*, vol. 45 (3), pp. 295-313, 2009).

¹³ Sino-Thai officials commute regularly between courtly Thai behavior at court, Chinese custom at home, and European norms in dealing with *farangi* (big-nosed barbarians).

is the First World that is out of step. A number of examples from the First World can be cited to show that corruption is becoming as much a problem as in 'developing countries'.¹⁴ They are thus at odds with their high rating as 'clean' by Transparency International's Index, as well as the general perception of corruption. The issue here is whether different standards apply for different regions. If the claim of social science is to be a value free, neutral, and universal discipline it should not be the case. As a result, in an attempt to counter the glibly accepted postulates on the prevalence of corruption in the Third World as exemplified by India and Indonesia, a number of criteria of corruption have been gleaned from our previous works. These are applied to some of the more striking examples of counterproductive public behavior related to tradition in order to set them into perspective.

An approach to corruption

At least on a theoretical level one of the assertions of the current essay is that traditional values – how things are generally done in southern Asia – are close to a type of behavior out of step with Western/Weberian expectations. More important they can be seen as easily sliding from acceptable, albeit traditional, to non-acceptable or even criminal, i.e., corrupt, behavior. This says less about the continuity of traditional behavior, which is recognizable from roughly similar behavioral patterns during most of European history, than the artificiality of demands made by the constructed set of work ethics generally accepted as standard operational procedure. They are characterized by a large dose of 'what ought to be' rather than what actually is practiced. In contrast to showing how things are conducted in Asia, Africa, South America, or even Europe of the past, the Western/Weberian ideal grew out of recent European aims of producing an efficient and economical manner of administering society's public and private affairs.¹⁵ Thus for southern Asia the issue is not corruption or non-corruption, but about continuity of local values versus learned alien values.

Here one must leave aside the issue of why leaders of the newly independent states of southern Asia choose to model the administration that would serve the nascent state on the functioning of institutions that had for so long enslaved them. Regardless of motivation or virtues, the decision had

¹⁴ A convenient set of examples is provided by Neild, Appendix B. 'Three cases of apparent conflict of interest in the conduct of officials,' pp. 217-22, focusing about corruption and self-serving by high-ranking governmental officials. Here there is no question of incomplete absorption of modern western expectations of public officials but out and out preference of private gain over public responsibility.

¹⁵ According to among others Neild, this was mainly to ensure military superiority over one's neighbors. It also illustrates Marx's observation that ideas have a life span in which they are positive, but at a certain point change over to being obstacles.

far-reaching consequences for the new nations governing over old societies.¹⁶ By choosing an administrative forms foreign to most of those who would be those applying them the cards were stacked against complete, or anything near complete, realization of the model from its European homeland. To the enormous challenge of training a large number of local officials in the principles employed to man institutions based on alien rules and praxis came a second, in some ways more challenging, issue. This was to ensure that civil and military officials followed them in the day-to-day demands of their respective areas of responsibility. There can be few administrators unaware of the principles of Western/Weberian manner of doing things.¹⁷ Universal education is one the more impressive achievements of southern Asia's newly emerging states. Ignorance of the Weberian-inspired rules and regulations is hardly a believable excuse in our times. This is with the possible exceptions of isolated communities, 'back to the *desa* (village)' movements, or ultra-conservative fundamentalists, whose aim is to deny the present.

Arguably, widespread corruption is motivated by conscious choice to depart from the prevailing norms of conduct. At the same time one must recognize that it is exacerbated by the weight of a 'culture of corruption' that demands conformity to traditional patterns of behavior as nepotism, favoritism to one's group (caste, class, etc.), strengthened by the threat of social ostracism if one does not. Choice is intensified by the dichotomy between nurtured social/cultural values as loyalty to one's family, ethnic group, religion, caste, etc, preference of doing business through middlemen,¹⁸ payment of inducements (sweeteners), consciously constructed networks to gain one's own ends, etc, which, under the Weberian moral world view, would comprise acts seen as a gateway to corruption or even criminality. Such a limit is set artificially by the watchdogs of new public morality.

Seen in hindsight much of our work has focused upon various responses to the schizophrenic¹⁹ circumstances of the Third World administrators. The aim of the present essay is to reconsider various facets of corruption in light of the two sides of the schizophrenic dichotomy instead of the, for Western scholars, more normal approach using the Western/Weber model. We hasten to point out that this

¹⁶ Clifford Geertz (ed.), *Old Societies and New States: the Quest for Modernity in Asian and Africa*, Glencoe Free Press, 1964, pp., viii-310. Geertz in his own contribution entitled, "Primordial Sentiments and Civil Politics in the New States", pp. 105-155, uses the terms primordial and civil to describe what which we see as traditional/local and Weberian/Western. See also, John Hooker, "Corruption from a Cross-Cultural Perspective", *Cross Cultural Management*, vol. 16(3), July 2009, pp. 251-267 and Robert Klitgaard, "On Culture and Corruption", BSG Working Paper Series 2017/020, pp.1-35.

¹⁷ See Ruud 2000, pp. 282-284, 'The puzzle of inconsistent condemnation', i.e., simultaneously condemning corruption while actively participating in its advantages.

¹⁸ See, Hatti and Hoadley (September 2012), op. cit, pp. 329-341.

¹⁹ We have used the term deliberately since it suggests not only a division, a bifurcation of ideas, but a struggle between these ideals.

is not just a rehashing of past observations, but an attempt to put things on a more Asian-centric basis. In order to do so, we have chosen a number of issues to illustrate our thesis.²⁰

<i>Non-Weberian</i>		<i>Weberian</i>
Traditional	Corrupt	
<u>Loyalty</u> to peer groups, i.e. family, clan, caste, etc	Maximise exploitation of position for gain for individual and peers	Loyalty to organizations' rules, (test with whistle-blowers)
Preference for using known <u>go-betweens</u> to avoid confrontation	Use of go-betweens for secrecy and spread blame	Directness a virtue. Impersonal relations, since nothing is hidden
<u>Bazaar</u> model where price and quality are negotiated	Skewed market model with limited competition and/or access to information	Known prices and fixed obligations
No difference between <u>public and private</u> assets with subordinates as they are surrogates of the ruler	Public assets unofficially tapped for private use.	Division is basic. Official is manager of organisation's assets under stringent audit rules
<u>Enforcement and political will.</u> Position in hierarchy determines rules, thus none apply to apex	Blind eye to breaching of rules inherent in position	Existence of rules and regulations, belief that they will be enforced
No apparent <u>limits to corruption</u> , except by tradition	---	Reasonable extent of corruption through types of 'gentleman's' agreements

Although the half-dozen themes chosen here are by no means complete, they provide a reasonable body of material with which to work. Moreover since they are present in pre-modern European society, they tend to confirm our thesis that much of the corruption issue is one between local traditions in time and space versus alien Western/Weberian ones in which the latter has not yet become standard operation procedure. The large element of traditional lore within modern socio-economic institutions tends to explain the prominence of Third World countries at the bottom of Transparency International's 'Corruption Perception Index'.²¹ Thus, we are prepared to argue that Third World countries are not by nature hopelessly corrupt. Rather many of the actors, especially at the lower levels, are caught in the prevailing net of a culture of corruption in which those higher up on the status/power

²⁰ To these themes comes the self-explanatory one of 'rational choice.' As argued elsewhere, it is entirely reasonable to follow the prevailing norms of the time and place, i.e., 'When in Rome...' Hoadley and Hatti, (September 2016), op. cit, pp. 164-170. Hatti & Hoadley (December 2015), op. cit, pp. 316-323.

²¹ See Harrison, 2007, p. 674, for a succinct summary of the pros and cons of relying on the Index in evaluating corruption in specific countries.

levels profit most. As a result, they are unlikely to become the cutting edge of anti-corruption movements.

Loyalty

A common guide to behavior comes from priorities of loyalty. Those living in southern Asia more often than not find support from and are bound, in various degrees to peer groups, such as family, relatives, co-religionists, caste or class, etc. Hence, giving members of one's group priority over all others is a rational response within accepted norms. Not to do so would constitute an enormous breach in social mores, ones which could cost the 'heretic' dearly materially, spiritually, or socially. Behaviour that Western values consider as immoral and illegal in many areas is a binding socio-religious obligation. In theory, such is understandable. Yet in practice, it obviously causes tensions between 'traditional' values and the learned Western/Weberian modes of behavior. Under what circumstances does one take priority over the other?

By way of making the argument more concrete, some earlier examples are cited showing the conflict between traditional and modern Western demands of behaviour. Choosing to follow Western expectations is a senior IAS²² officer, known for his moral principles in a Weberian sense. This was not valued by everyone, especially his subordinates and colleagues, who frequently exercised their 'desire to acquire' by more flexible means. Regardless of whether this was for personal gain or that of their peer group, it was against prevalent rules of the office. Here the IAS officer clearly held the moral high ground among his colleagues. Yet this was in face of opposite views held by traditional reference groups, which undoubtedly lowered the status obtainable by accumulation of wealth. He could even be seen as 'standoffish' or immoral by traditional standards for not providing opportunities for family and relatives.²³ In this particular case, the bureaucrat was powerful enough to weather the storm. But how many lower ranking bureaucrats or employees are secure enough to challenge the more or less forced commitment to a form of nepotism? It is almost unnecessary to point out that in both earlier European society, as well as many contemporaneous ones, such behaviour was more the standard than the exception.

²² Indian Administrative Service, IAS, is the premier administrative civil service of the Government of India as well as the state governments. IAS officers hold key and strategic positions in the bureaucracy. Mason C. Hoadley and Neelambar Hatti, 'Notes on Corruption and Morality,' *Social Science Spectrum*, vol. I, No. 4 (December 2015), pp. 316-323.

²³ Besides being 'unpopular' with his relatives, the officer had also been subjected to some 'bad postings', due to his honesty and integrity and his unwillingness to accommodate political biddings.

A striking contrast was the attitude of his subordinate. He was quite open about choosing a career with the IAS instead of a lucrative position offered by a foreign software company. The attraction to the IAS came from the fact that it offered possibilities of rewards far surpassing those of the civil service. These are not measured in purely monetary terms, but included considerably higher status for him, his family, and kin. In this, he was not purely selfish in choosing expectations of the community over the rules inherent in this office. The former was a moral duty, which took priority over the learned Western/Weberian values.²⁴

Not surprisingly, if we follow Neild's observation quoted above, the issue becomes rather relative. The first IAS bureaucrat acceded to the high priority of Western bureaucratic values instead of the traditional ones followed by his extended family. This could be seen from the latter's perspective as 'corrupt'. After all, he consciously broke the rules prevailing in that sector of society. Since the majority of modern institutions are expected to be run on Western/Weberian terms, its reversal becomes no more than a heuristic device or contra-factual argument. It does however emphasize the worldwide dominance, at least on paper, of these principles; anything else is as corruption.²⁵

Middlemen/Go-betweeners

A second example of cultural divergence is the question of how contacts and contracts come about. There exists an undeniable tendency for the region's population to avoid direct interpersonal tensions in social contacts connected with affairs of a sensitive nature. A common example is found the negotiations preceding and ultimately leading up to arranged marriages. In order to avoid such sensitive contacts and, more important, to avoid loss of face by a refusal, recourse is made to a go-between or middleman/woman. Quite naturally these middlemen are known personally to the initiator. The sensitive nature of the affair necessitates some degree of discretion. While much of this is innocent, if personal, it takes little imagination to see how this could easily glide over to activities of a less salubrious nature.

In larger perspectives, what is at issue is contrasting conceptions of trust. Under traditional circumstances, trust is personal and under Western/Weberian ones it is abstract. Neither is less binding on the actors. One does not employ just anyone as a go-between, but one with whom there is a

²⁴ *Ibid.*

²⁵ It is important here to note the difference between pure nepotism, i.e., persons enjoying special relationships and thereby privileges from the powers that be, which are given positions for which they lack qualifications, experience, or merits and what seems to be a grey zone. This is exemplified by couples who move to a new town or location to further one's career. Finding a position for the partner often requires some 'fixing' necessary for economic survival. Such can be seen as nepotism-like behaviour or, even more destructive, accusations in that direction. More complicated when such favouritism is extended to larger groups than the family, which many times is dysfunctional in that it releases a backfire of local hostility toward that group.

personal tie. Commonly this is as a member of the same peer group. The go-between is acquainted with the circumstances and understands what is at stake from a social context. Possibly more important, his/her group bounds provide a degree of guarantee or surety of the correctness of the activities of go-betweens, who are to become even more intimately involved in one's private affairs. The threat of social sanctions minimizes the chances such confidences are breached.

Trust in a Western/Weberian system stands in sharp contrast. Middlemen such as lawyers, bankers, realtors, etc are impersonal. One is out for the best deal in terms of value for services rendered, quality, confidentiality, as well as personal reputation and recommendations by peers. Surety for correct behaviour, obviously defined in legal terms, is left to the relevant state apparatus. In other words, the clients' trust is vested in the social apparatus for whatever control one has over this stranger to whom personal data have been surrendered. These take the form of lawyers' associations, bank inspections, authorisation of brokers, etc. Being remiss in these responsibilities can endanger continuation in this capacity, fines for misconduct, or suits by dissatisfied clients.

Again it takes little imagination to see how a personal client go-between relation could take a turn to corrupt forms. The Trump administration provides a text book example of the road to corruption. A personally known go-between with close ties to the more important client – especially if they are in competition as Trump and Putin – the go-between or his/her client can play both sides against the middle. Much of the present day discussion of the Washington Swamp turns on the propriety of such go-betweens as Manafort, Flynn, and countless others. Circumstances are made more complicated by the fact that the respective clients have the power to pardon the go-between if the regulatory bodies find evidence of overstepping formal rules governing such relationships. This of course depends upon the political will to interpret and, more important, enforce the recognized rules of the game.

Bazaar

As a near universal institution for the exchange of goods and services the traditional market (*pasar tradisional* in Indonesian) as opposed to the indoor market halls and supermarkets, is arguably the most open and least corrupt of local economic institutions. As the vehicle for bringing together buyers and sellers it is 'open' in the meaning that for a nominal fee virtually anyone can sell her/his wares, including consumables, material goods, and services. While the price is asked by the seller, the ultimate exchange is the product of negotiation (or haggling), each side endeavouring to get a suitable reward. Although not obligatory, transactions can be repeated as buyers find their favourite seller/sellers on the condition that the customer/s are satisfied with the price and quality of the goods. However, getting a couple of rotten eggs from Mrs. Anu would most certainly result in seeking an

alternative source. Thus the perspective customer has the possibility of obtaining a relative complete information on the goods on offer and, at the same time if necessary, alternative sources.

The flip side of the bazaar model is what we have termed 'The Corruption Bazaar'.²⁶ Linguistically and semiotically the term originates from the well-known institution of the traditional market, but has been skewed in the modern version to become an instrument for corruption. Thus, the example stands in contrast to sliding into corrupt practices from traditional ones. The culture of corruption has created a parody the traditional model.

... a number of features of the corruption bazaar contrast sharply with a usual market model. It is not so much motivation per se – the maximization of utilities, including status and power – but the manner in which it operates that argues for a variant of the market model. The bazaar system has several mechanisms at hand for obtaining its goals, such as a sliding price system, fragmentation of transactions, linkage, and 'clientelization'. The purpose of most of them is to reduce risk and uncertainty in a market where transactions are not transparent and in which neither quantity, nor quality, nor prices of goods are easily determined. One of the major strategies is to avoid putting all one's eggs in a single basket. One attempts to establish alternative avenues of access, either directly to the government and its administration, or indirectly via local brokers or power holders. Through linkages established by relations of debt-credit, patron-client, broker-speculator, and various bonds of loyalty one attempts to overcome the 'pure' bazaar model's lack of transparency. The mechanisms are aimed at reducing uncertainty for both the person needing a favor and the person (official or politician) in a position to grant it in return for suitable remuneration. To add to the complexities, there are many levels of and relationships within corrupt transactions. The purveyor of favours today is the mendicant of tomorrow and vice versa. In such a market the major outlay is the cost of information concerning heterogeneous products and their supply, as well as the availability and cost of 'credit'.²⁷

As with a number of aspects of 'corruption', we are at a loss to explain exactly how a well-functioning traditional system came to be a formidable instrument of corruption. The issue obviously calls for further research. What we intend here is to provide a heuristic model or type case illustrating the workings of corruption from the perspective of a business model with its similarities and differences

²⁶ Neelambar Hatti, Mason C. Hoadley and James Heimann, 'The Corruption Bazaar: A Conceptual Discussion,' *Sociological Bulletin* 59 (2) 2010, pp. 217-234.

²⁷ For the specific reasons for a departure from a standard market model the interested reader is referred to our article on 'The Corruption Bazaar'. In short, such reasons come from discussion of the unique nature of the commodities on offer, dependence on an otherwise functional public administration, and the special nature of the interlocking system, pp. 223 ff.

with the normative model. After all, many a mafioso, as well as run of the mill gangsters and professional corruptors have claimed to be just ‘businessmen.’ It is only that the type of goods and services offered that differ. Hence, for the present it suffices to observe the existence of some sort of link between traditional behaviour with corrupt practice within the market sphere.

Public-private

These terms are ethnocentrically Western in the sense that the two are statutorily separate entities. Such is not the case for the Third World both historically and, to a great extent, in the present. For sovereigns in southern Asia, be they *sultan*, *susuhunan*, *raja*, *shah*, or what have you, any distinction between public and private spheres of action was alien. The sovereign was literally the state and thus in theory freely disposed of all its assets. It should be noted here that these assets were not only material but also immaterial. Especially important at the level of petty officials was their control over access to what is today considered public property, namely to libraries, archives, parks, etc. In their function as ‘gatekeepers’ they were in a position to demand payment, both in kind and cash, for those wishing to use the facilities.²⁸ Basically, it was ‘no payment, no access.’

For the ruling class in Southern Asia, this practice was limited only by the countervailing claims of their erstwhile subalterns. The crux of the matter was that they were not professional managers of the state’s assets for which they received compensation befitting their position on the social/power hierarchy. Under traditional circumstances, officials²⁹ were surrogates of the sovereign. That is, they were miniature sovereigns within their own domain with all the rights and privileges thereof, but on a lower level on the political-social pecking order, one commiserate with their position. Thus, the sole difference from the reigning ruler was possession of the position and accoutrements of the highest sovereign. Should one of them acquire these by any available means, they became the sovereign; there was no question of blood, background, etc since they already enjoyed the positions of miniature of the ruler.

Just as the sovereign made no distinction between public and private assets, so too his underlings enjoyed full disposition over all assets. This was limited only by the extent of their holdings. Using state assets and services for his own benefit or that of his peer group was normal for officials. With the imposition of or conversion to the Weberian system this automatically was defined as cor-

²⁸ For details see, Alena Ledeneva et al (Eds.), *Global Encyclopedia of Informality; Towards Understanding Social and Cultural Complexity*, Volume I, UCL Press, 2018. See in particular the chapter, ‘Neither gift nor payment; the sociability of instrumentality’ which deals with vocabulary of informality and local euphemisms in a number of countries.

²⁹ For example, *abdi-Dalem* in Java or *Faujdar/Amildar* in India.

ruption. The act or actions remained the same, it was the system's evaluation that had changed. Continued practice of traditional norms became corruption. To the challenge of receiving and conforming to the new, the Weberian set of norms was the harder form of rejection of traditional practices.³⁰ As a surrogate of the crown the question was not one over public or private ownership, but how much of public assets are allowed to accrue to each level in the sovereign hierarchy.

The modern Western model is almost the exact opposite. As Weber observes:

...official activity demands the *full working capacity of the official*... Formerly the normal state of affairs was the reverse: Official business was discharged as a secondary activity (Weber, p. 958).

Since officials were traditionally not professionals in the sense of full time commitment to the demands of the position, it is natural that there is a good deal of 'moonlighting' done by both private and public administrators. In Indonesia, this reaches gigantic proportions. For example, the national Parliament seldom has more than a quarter of its members present during not only debates on legislation but also on crucial votes for transforming the bills to law. This is not explainable by the often-cited defence that public servants are underpaid and thus must take on several jobs to make ends meet. Even in cases of relatively high-ranking officials, whose salary is not minimal – reaching a certain level of remuneration results in raising the requirements of material life, which in turn makes the salary of the lower level minimal to demands of higher status. This is why raising the salaries of governmental officials rarely curbs the appetite for moonlighting and the related use of official position for personal (or member group) enrichment.

Enforcement and political will

It is often claimed that Third World countries would be better off with more stringent rules and regulations to control the bureaucracy. Yet experience in a number of lands shows that the lack of political will is as great if not a greater hindrance to the smooth working of governmental services. Again, one need look no further than the office of the US President. Rules, regulations, and custom are supposed to prevent common forms of corruption as nepotism and self-interest. Yet the Trump administration counts among its staff the president's daughter and son-in-law, neither of whom possess the requisite experience or merits. Moreover, far from putting his private businesses out of reach though naming an executor, Mr. Trump retains active control of his hotel properties, some of which are used by the White House for official international functions and meetings. In short, the President of the

³⁰ See the issue of public v private traced from the period of Old Java down to the present in Mason C. Hoadley, *Public Administration: Indonesian Norms v Western Forms*, Yogyakarta: Graha Ilmu, 2006.

United States is playing a double role of simultaneously seller and buyer of services for the American government. The rules are in place and are reasonably clear; they are simply not enforced.

A somewhat cynical view of the 'will to enforce' is epitomized in the age-old question of 'what's in it for me?' Why does anyone wish to rock the boat by actively enforcing existing laws, especially if it means attacking a fellow official and, more important, one who up to that time was more powerful than the enforcer? One can list a number of possibilities, which remain to be supplemented by further research; the list must be headed by just the ambition to bring down a rival for one's own advancement. Of course, such an action could be motivated by civil pride, roughly equivalent to that named by Sutherland in the form of the old landed aristocracy (see below). Such individuals certainly exist, but are generally scarce. One may also question whether their activities lead to institutional as contrasted with temporary reform. More normal is that one avoids conflict and evades the issue or provides a smokescreen of nice formulations, but with little action.

A modern example is the on-going sleaze of Washington, D.C. The President is by any reasonable account guilty of nepotism, moonlighting from his job, favouring his own business interests, cronyism, secrete financial dealings and income, etc.³¹ His ministers have followed suit or even surpassed his dismal record in bureaucratic sleaze. The dubious record of the present administration is all the more impressive in view of the fact that there exist clear rules against these actions. Washington simply lacks the political will to enforce them. (How many times has one heard this in connection with corruption in the Third World?) This has led to that newspaper inquiring 'Is he above the law,'³² which it answers as 'yes'. Thus, the concept of man above law, instead of a rule of law, associated with traditional states is not entirely dead.

Limits to Corruption?

In an earlier work, we have noted that in India corruption apparently has few limits and advanced some possible explanations.³³ This has resulted in mega-corruption. Again, Neild comes to the rescue with a quote from Lucy Sutherland concerning the situation in India in the late nineteenth century.

To make a comfortable fortune in the public service and to establish those dependent on him in situations of profit was the major and (to contemporaries) the legitimate ambition of the ordinary politician. Such a man's obligations to his patron, his loyalty to his friends, and his duty to himself

³¹ See, editorial, *The Economist*, 9 April 2018.

³² *Ibid.*, August 25, 2018, p. 7.

³³ 'The Corruption Bazaar; A Conceptual Discussion', *op. cit.*, pp. 227-228. See also, James Crabtree, *The Billionaire Raj; A Journey Through India's New Gilded Age*, New York; The Duggan Books, 2018.

made up the main tenets of his political creed. But the results of this attitude...were not as disintegrating as might have been expected. This was chiefly because the ambitions of such men were kept within the bounds of moderation by the dominance of a wealthy aristocracy whose main sources of riches remained outside the sphere of politics and by the traditions of a governing class, which (though sympathetic to such views if pursued in moderation) in the last resort felt some responsibility for, and interest in, the maintenance of the king's government and in the prosperity and prestige of the country...

...within the [East India] Company, as within the State, a certain conventional balance between public and private interests (though an even more precarious one) had grown up...A man should if he survived (as many of course did not) make a considerable fortune in the Company's service, but only if he had worked his twelve or fifteen years through the ranks and given the Company the benefit of his industry and acquired experience. While making his fortune through the recognized channels of perquisite, private trade, and money-lending, he need not reject presents from wealthy and important Indians, but he ought to do so in return he had to sacrifice his employer's pecuniary interests, and he must not permit his private concerns to monopolize his attention to the detriment of his public duties. If these conditions were fulfilled his colleagues and he considered that he had served the Company loyally.³⁴

In earlier times, then, the newly rich *nabobs* were kept under some restraint by a combination of the existence of an overriding, autonomous elite in whose interest it was to guarantee that the nation was well served and a sort of gentleman's agreement that enough was enough, assuming one had served the Company or State well. Even here, as seen in the removeable of Thomas Stamford Raffles from his position as Lt. Governor of Java and his recall to England for reaching too far during the British occupation of Java 1811-15 the threat of disciplinary action was not absent.³⁵ In short, conventional morality of the privileged class (and those aspiring thereto) was in the final analysis backed up by boundaries set by law.

³⁴ Robert Neild, p.76 quoting Lucy S. Sutherland, *The East India Company in Eighteenth-Century Politics*, 1952, p. 51-53.

³⁵ See Nadia Wright, 'Sir Stamford Raffles – A Manufactured Hero,' unpublished paper presented to the 17th Biennial Conference of the Asian Studies Association of Australia in Melbourne 1-2 July, downloaded 18 August 2018. Wright cites H.F. Pearson's *The Other India: A Biography of Sir Stamford Raffles*, Singapore: Eastern Universities Press, 1957, virtually the only biography to question the myth. Even the *Encyclopaedia Britannica* suggests that all was not well since Raffles was fired and recalled in 1816,, a trust which was never recovered despite Raffles being knighted that same year. The death of his patron, Lord Minto, obviously played a key role in this business. See also, "Raffles, Thomas Stanford", in *Wikisource*, derived from *The Dictionary of National Biography*, 1885-1900, volume 47 by John Andrew Hamilton.

Constraints to corruption stemming from a form of *noblesse oblige* – backed by or the possibility of employing violence against aspiring corruptors given by that status – are obviously out of the question in modern times. One can only note that while examples of the extent and unimaginable size of gains from corruption characterizing India,³⁶ and to a lesser extent, Indonesia, are a contrast with the situation in the West. Why? Excluding the shibboleth of innate Western honesty, two possibilities come to mind. The first is that aspiring Horatio Algiers or ‘Robber Barons’ tended to work within the framework of accepted behaviour. Their success came from exploiting new means of acquiring gains – often unforeseen or unforeseeable by the prevailing rules system or even more often on the border of legality – rather than simply pillaging the till, even though they might have the means of doing so.

Investing gains, however acquired, to make even more profits is encouraged by the second possible explanation, namely the existence of an effective and powerful taxation system. Windfalls and sudden inexplicable riches attract the attention of revenue authorities. The latter’s interest is not entirely based on ideals of ‘good governance’. On the contrary, it is motivated by a survival instinct. Any means of collecting revenue provides the wherewithal for financing governmental expenditures, a large part of which touched on areas of crucial concern to citizens/subjects. Greatly simplified for the sake of argument, Western governments need to be able to provide public services to its citizens as voters whose favour ultimately sealed its fate, or at least that of those currently in power. An active revenue collection system is the pillar of the government upon which these services rest. In short, adequate taxation is one of the main concerns of the state in order to stay in business. Its concern, manifested in the services of treasure officials working hand-in-glove with the authority of police and similar powers, is to collect as much revenue as possible.³⁷ Hence, riches as the product of unlimited corruption, like those of criminal activities or even excessively successful legitimate ventures, are fair game for taxation and eventual expropriation.

Although this remains a relative speculative explanation, it also suggests a means of fighting mega corruption. After all, many of the U.S. most famous alumnae of Alcatraz as America’s highest security prison, such as Al Capone, Meyer ‘Mickey’ Cohen, and others, were incarcerated not for their violent deeds, but for not declaring their profits to the appropriate authorities. The latter was for obvious reasons, namely that the origin of the gains would have to be specified. It seems likely that if India or Indonesia had a taxation system which was stringently implemented, the state would be considerably richer and the number of mega-corrupt individuals fewer. This does not apply to the

³⁶ James Crabtree, *The Billionaire Raj; A Journey through India's new Gilded Age*, London; One World Publications, 2018 and cited references.

³⁷ “The art of taxation consists in so plucking the goose as to produce largest quantity of feathers with the least possible amount of hissing”, is attributed to Jean-Baptiste Colbert, Finance Minister under Louis XIV, wiki quote downloaded 19 September 2018.

more prevalent cases of petty corruption. The continual struggle to pay bribes for services, which should be available to all citizens, not to mention to avoid unpleasant consequence of petty rule violations, real or falsified, are seen by most of the Third the World countries as far more important in everyday life than the corruption of the distant elite.

Conclusion

The essay has attempted to go beyond the obvious and/or fallacious – the relativeness of the concept of corruption and the corresponding weakness of its opposite, i.e., good governance and the like. In this context, the crux of the issue appears to be local tradition vs. Western modernisation, implicitly based on a form of Weberian administrative rules. This is instead of the accepted dichotomy of corrupt vs. non-corrupt. The terms' ambiguity is balanced by their directness. The admittedly random examples from our previous publications, supplemented by Neild's decidedly non-corruption approach, provide a realistic frame for further discussion. Issues include loyalty, preference for personal networks, a bazaar model, indifference to any distinction between public and private spheres of interest, the dubious faith in the efficacy of rules and regulations without a will for enforcement, and whether there are any limits to the extent of corruption. The latter is particularly relevant given what serious commentators tell us of the incremental increase in corruption even in countries, which until recently placed high on the positive side in Transparency International's ranking.

Somewhat exaggerated, it can be maintained that much of what is normally seen as corruption is the result of continuing traditional behavior in a phase of modernization (Westernisation) in which new modes of behavior are expected. That is, local actors in administration and political life conduct themselves in ways compatible with traditional norms. This creates dysfunctions in attempting to manage alien institutions designed by and stemming from Western/Weberian precepts. Seen from the perspectives of individual local actors this is a reasonable attitude. First, what else can they do in cultures, which demand conformity to traditions? To do so requires schooling in how an alien system is supposed to function in practice. Generally, this is the lesser of the problems facing the newly emerging nations due to increasing awareness of the ideal Western/Weberian operative system through the workings of mass media and public education.

A more problematic hindrance to 'clean government' is the will to change over from traditional to the new operative system. We see this as a simple moral choice to follow the 'straight and narrow' goals of the institution by rejecting all temptations for bribery, exploitation of office, etc, which constitute corruption. Yet for the local actor this entails both knowing in a deeper sense the new system and having the where-with-all to choose it over what is normal for the local culture. Here we return to our observation that being 'honest' in a culture of corruption is as foreign, and probably disliked,

as being corrupt within a Weberian context. What is required is a great deal of trust that the new system will take care of the new converts to the same extent as the old one, which is being rejected. This is at best a shaky proposition. Even in the West the treatment of those who choose to go against the system by embracing its values over actual practice within specific institutions, i.e., whistleblowers, does not encourage trust in governing institutions, be they of public office or private concerns. Despite general reassurance and even usual official policy, whistleblowers are in the best of cases only tolerated. For the overwhelming majority their act of choosing to go public on the basis of commitment to official policy, which puts them in conflict with the powers that be, is ostracism, that is if they are able to continue. More usual is an immediate transfer to a less important position or, worse, termination of employment. In short, loyalty to errant bosses is far more important than to the ideals of the office. What is surprising is that there are any whistleblowers at all!

If the fate of such ‘idealists’ (or traitors depending on one’s view) from the point of official policy in the First World is so bleak, how much more so is it in many of the developing countries where commitment to ideals over bosses is traditionally weak? On the contrary, in the prevailing environment anything goes as long as the boss is happy (*‘asal Bapak senang’*).³⁸ With little capacity or willingness for the official organs to take care of individuals, much less to ensure their future, it is rational to depend upon peer groups as family, caste, class, etc for support, at very least by not alienating them through departing from the norms expected of them.

In the spirit of ‘ours is not to reason who or why...’, it can be noted that the preceding discussion suggests several topics of interest to corruption studies. The first order of business is obviously a more robust definition of non-corruption or even a checklist of key characteristics, ones which constitute a viable juxtaposition to the vague term ‘corruption’. Within such a discussion, we would like to see greater concern with historical developments in both the Third and First Worlds. Current reading of the situation is an evolutionary assumption that the former is becoming ‘more like us’, i.e., non-corrupt, whatever that means. The reverse proposition, that the latter is becoming more like them, i.e., corrupt, is seldom raised. Too often in at least academic exchanges for ‘better mutual understanding between East and West’ or the like the rubric is merely a cover for intellectual and/or bureaucratic imperialism. More important, it ignores the, albeit historic, logical constraint that some hybrid system is the most likely result. The most striking feature of South and Southeast Asian traditional institutions is what has been termed ‘local genius.’³⁹ This is shorthand for the ability to accept foreign influences

³⁸ Hoadley, *Public Administration*, op. cit, pp. 127-129. See also Alena Ledeneva et al (2018), op.cit.

³⁹ The concept was first developed for art history by H. G. Quartich Wales in *The Making of Greater India*, London; B. Quartich, 1961. P. 229 ff. The term has been subsequently applied in various other disciplines under the heading of ‘local knowledge’, ‘localization’, etc.

– Indic, Islamic, Atlantic – and through selective choice and adaptation of their components thereby create something distinctly their own. Why should components from what has been termed Western/Weberian be an exception?

To return to the issue with which we opened, is it possible to make the logically ambiguous, but popular industry of corruption studies into a true discipline? Such an effort would include relatively value-free and neutral methods of analyses, both dependent upon more robust definitions of the subject, which are presently unavailable. Here a great step forward would be finding the means of conceptually separating corruption from sleaze. Corruption is basically a departure from normative rules of institutions. These are accessible and knowable, often explicitly stated. Because these institutions are replicas of those prevailing in the West they are generally skewed. More important, they are foreign to the Third World administrators, with the exception of those who have become Westernised and, thereby split between traditional or alien values, a truly ‘schizophrenic’ state. On the other hand, sleaze is what everyone (in that society at that time) understands as bad (immoral, deplorable, etc) behaviour. The definition is, therefore, highly relative, sort of like pornography or terrorism; it is difficult to define, but easy to spot.