

(Draft —Discussion Paper Only)

Democracy Against Corruption

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A consensus is emerging among anti-corruption professionals that techniques based on policing and oversight are insufficient to control corruption. It is essential, they argue, for citizens to participate in anti-corruption efforts, largely through civil society groups. In addition, there has been marked tendency to include within the battery of anti-corruption devices the classical institutions of constitutional democracies, including the separation of powers, independent judiciaries, free and fair elections, and an independent media.¹ Nor are these moves toward democratic institutions surprising: the goals most often mentioned in association with anti-corruption techniques—accountability, openness, and transparency—map roughly onto the democratic ideal that the central forces in political decision-making should be accountable representation and public justification. Moreover, there is a striking correlation between more democracy and less corruption: of the 20 least corrupt countries in Transparency International's most recent *Corruption Perception Index*, 18 are developed democracies, the exceptions being Singapore and Hong Kong.²

Yet the role of democratic participation in controlling corruption is ambiguous at best. A cross-national study by Daniel Treisman suggests that the current degree of *electoral* democracy is not correlated with low corruption at all. "Long exposure to democracy" predicts lower corruption, although the corruption-lowering impact was less than a number of other factors, including histories of Protestantism and British rule with its common law tradition, levels of economic development, levels of imports, and non-federal governmental structures."³ Theoretical reasons for such findings are not hard to see: as corruption control devices, the key mechanisms of democratic participation are ambiguous at best. At worst, they often seem to be causes rather than solution. Transparency International's *TI Sourcebook* notes that "vertical accountability"—that is, citizens using the powers of the vote—generally fail as a means of controlling corruption. In contrast, "horizontal accountability"—that is, oversight and monitoring within the state by those who have incentives to do so—is more likely to succeed.⁴ Likewise, Mark Philp makes the case that historically "access" and "accountability" have tended to trade off. Corruption control in democracies, he writes, "is never going to rely heavily on democratic participation—such participation itself can threaten corruption when it is used to seek access, and it is an implausible resource for ensuring accountability."⁵

Several theoretical considerations back up these observations:

¹ Jeremy Pope, *TI Sourcebook 2000: Confronting Corruption: Elements of a National Integrity System* (Washington, D.C.: Transparency International, 2000); see also Susan Rose-Ackerman, *Corruption and Government: Causes, Consequences, and Reform* (Cambridge: Cambridge University Press, 1999), chap. 9; Daniel Kaufmann, "Myths and Realities of Governance and Corruption," *Finance and Development* (Washington, DC: International Monetary Fund, September 2005)

² Transparency International, *Corruption Perceptions Index 2005*. See also Kaufmann, "Myths and Realities," p. 90, and Eric Uslaner, "The Bulging Pocket and the Rule of Law: Corruption, Inequality, and Trust," presented to the Quality of Government Conference, Göteborg University, November 17-19, 2005. <http://www.transparency.org/cpi/2003/cpi2003.en.html>

³ Daniel Treisman, "The Causes of Corruption: A Cross-National Study," *Journal of Public Economics* 76 (2000): 399-457, 433-435.

⁴ Pope, *TI Sourcebook 2000*, pp. 24-26; see also Rose-Ackerman, *Corruption and Government*, chap. 8.

⁵ Mark Philp, 2001. "Access, Accountability and Authority: Corruption and the Democratic Process." *Crime, Law & Social Change* 36:4(2001): 357-377, 375; see also J. Moran, "Democratic Transitions and Forms of Corruption." *Crime, Law, and Social Change*: 36 (2001): 379-393.

- With respect to incentives, groups often see access to government as a means of improving their condition relative to other groups; corrupt access is simply one avenue among many.⁶
- Where citizens resent or resist corruption, they face a public goods problem: no citizen has sufficient interest in combating corruption to make the investment in doing so.⁷
- Where citizens manage to organize anyway, elections are insufficient to empower them to combat corruption, especially when all parties are, or appear to be, implicated in a corrupt system.⁸
- Because corruption is secretive, citizens are unlikely to have the knowledge they need to combat corruption.

So it is certainly not surprising that there is scepticism in the literature as to whether institutions that increase citizen participation and power reduce corruption.

Observations such as these, however, do feed into a particular theory of democracy, one in which governments are trustees of the people, but not controlled by the people. In some versions—particularly those focused on administration as public service—the theory is accompanied by a guardianship ethic: government officials hold a public trust, and institutions should encompass an ethos that makes government trustworthy.⁹ The more political versions, especially those influenced by economic theory, emphasize structuring incentives for trustworthiness into institutions. The latter approach looks very much like a pluralist-elite theory of democracy, supplemented with Madisonian account of institutional incentives which, as Philp puts it, “create a situation in which the public service is highly professional and in which the institutions which scrutinize the activities of government are involved in a competitive market for integrity.”¹⁰ Citizens, on this view, “are rarely in a position to establish the trustworthiness of their governments and administration, or of the procedures within which they participate and from which issues the policies and practices which subsequently affect their lives. They must take these things largely on trust, but that trust cannot itself be engendered by participation. Instead, citizens rely on other institutions to signal the reliability and impartiality of the processes by which they are governed.”¹¹

Granting the dependence of citizens upon and indeed their vulnerability to political elites, and granting their limited resources for monitoring those to whom they are subject, the

⁶ James Scott, *Comparative Political Corruption* (Englewood Cliffs, NJ: Prentice-Hall, 1972), chap. 2.

⁷ Philp, “Access, Accountability and Authority,” 371; Michael Johnston and Sahr J. Kpundeh, “Building a Claim Machine: Anti-Corruption Coalitions and Sustainable Reform,” World Bank Policy Research Working Paper 3466, Washington DC: World Bank, December 2004, 6.

⁸ Pope, *TI Sourcebook 2000*, p. 24; Dennis F. Thompson, *Ethics in Congress: From Individual to Institutional Corruption* (Washington: The Brookings Institution, 1995).

⁹ Mark E. Warren, “Democracy and Deceit: Regulating Appearances of Corruption,” *American Journal of Political Science* 50:1 (2006): 160-74.

¹⁰ Philp, “Access, Accountability and Authority,” 374.

¹¹ Philp, “Access, Accountability and Authority,” 375.

underlying democratic theory remains unsatisfying. So strong is the correlation between democracy and good governance—both historically and comparatively—that we should suspect that the dichotomies between horizontal and vertical accountability, and between access and accountability, are incomplete. Their incompleteness is reflected in the thin democratic theories that accompany them, theories that are increasingly inadequate to the complex, multi-venued political ecologies that the developed democracies have become.¹²

I shall suggest an alternative conception of corruption based on an intrinsic link between corruption and harms to democratic political process. I refer to this conception as *corruption as duplicitous exclusion*. On the basis of this conception, I assess several of the avenues of participation in contemporary democracies—voting, engaging in public discourse and judgments, organizing and joining within civil society organizations, and decentralized/deconcentrated political power—by looking at whether they serve to empower citizens to resist the harms imposed by corruption. At the most abstract level, I hope to show that there is an intrinsic link between democratic ways of organizing institutions and good governance. The intrinsic link, however, is complex and dialectical: corruption is one of the key ways in which democracy “goes bad”—evidence, perhaps, that the overt political resources of violence and coercion have been tamed, driven underground to reappear as corruption. Not surprisingly, participatory venues that fail to provide effective means of democratic empowerment are also likely to coexist with or reinforce political corruption. In a democracy, I conclude, anti-corruption reforms should be understood as means—direct and indirect—of democratic empowerment. Democratic empowerments—carefully designed—may function to contain corruption.

Limits of the office-based conception of political corruption

If corruption professionals look upon democracy as an ambiguous force at best, one reason may be found in our received conception of political corruption—*the abuse of public office for private gain*. This office-based conception of corruption evolved with the consolidation of the modern nation-state and the professionalization of administration. This conception is by no means irrelevant, not least because of the enormous weight of administration within modern democracies. Moreover, this conception has enabled anti-corruption institutional engineering that is effective and will continue to be so in the future.¹³ At the same time, because the modern conception focuses on the extent to which individual behaviour comports with office-defining rules and norms, it is better suited to administrative and bureaucratic contexts, where offices have well-defined purposes and norms of conduct.¹⁴ For this reason, the modern conception marginalizes the *political* dimensions of corruption—in particular, corruption of the processes of contestation through which common purposes, norms, rules are created; the institutional patterns that support and justify corruption; and the political cultures within which actions, institutions, and even speech might be judged corrupt.

¹² See, e.g., Bruce E. Cain, Russell J. Dalton, and Susan E. Scarrow, *Democracy Transformed: Expanding Political Opportunities in Advanced Industrial Democracies* (Oxford: Oxford University Press, 2004).

¹³ Pope, *TI Source Book 2000*; Organization for Economic Co-operation and Development, *Trust in Government: Ethics Measures in OECD Countries* (Paris: OECD Publications, 2000).

¹⁴ See, e.g., Pope, *TI Sourcebook 2000*, p. 2: “The Source Book concentrates on administrative rather than political corruption per se, focusing on the activities of individuals who, in their positions as public officials—as policymakers or as administrators—control various activities or decisions.”

Lacking these political dimensions, the received concept of corruption has also lacked an interface with political theory in general, and democratic theory in particular.¹⁵

From the perspective of conceptual history, this is not surprising: our received conception did not develop from democratic norms and expectations at all, but rather from early modern liberal ones. It developed in response to liberal concerns with defining, rationalizing, and limiting public duties and responsibilities against the background of what had come to be seen as pervasive corruption within absolutist regimes, especially in England and France.¹⁶ The early liberal project had to do with securing the dividing lines between state and society, public and private, and it did so in part through the definition, specification, and rationalization of public *office*, a purpose and approach that is different from one focused on the *integrity of democratic processes*. The concept we have inherited, still bearing the marks of these origins, has been moulded, *ex post* and with a certain clumsiness, to democratic politics and institutions. It is, then, no accident that the conceptions of democracy we find within the literature on corruption are remarkably thin.¹⁷

Political corruption as duplicitous exclusion

A conception of political corruption focused on the integrity of democratic process would, of course, be based on the enabling features of democratic processes that corruption erodes. Because “democracy” in today’s societies is a complex ecology of institutions, organizations, and cultures, what counts as “democratic” will be any feature of the ecology that contributes to realizing the defining norm of democracy—rather than, say, a particular democratic institution such as elections. The defining norm of democracy is a second-order process norm: a political system should maximize rule by and for the people. In the tradition of liberal democracy, this second-order, process norm is based on the first-order ethical norm that the individuals constituting “the people” are of equal moral worth, such that each is entitled to benefit from and participate in collective self-rule. The norm of democratic political equality follows: democracy requires that *every individual potentially affected by a collective decision should have an opportunity to affect the decision, proportionally to his or her stake in the outcome*. The corollary action norm is that *collective actions should reflect the purposes decided under inclusive processes*. In short, the basic norm of democracy is *empowered inclusion of those affected in collective decisions and actions*.¹⁸

¹⁵ For similar points, see J. Peter Euben, “Corruption,” in *Political Innovation and Conceptual Change*, edited by Terence Ball, James Farr, and Russell L. Hansen (Cambridge: Cambridge University Press, 1989), pp. 220-246”; Mark Philp, “Conceptualizing Political Corruption.” In *Political Corruption: Concepts and Contexts*, eds. Arnold J. Heidenheimer and Michael Johnston (New Brunswick, NJ: Transaction Publishers, 2002), pp. 41-57.

¹⁶ Hannah Arendt, *On Revolution* (New York: Viking Press, 1965), pp.100-102; Carl Friedrich, “Corruption Concepts in Historical Perspective,” in *Political Corruption: A Handbook*, edited by Arnold J. Heidenheimer, Michael Johnston, and Victor T. Levine (New Brunswick, NJ: Transaction Publishers, 1989), pp. 15-24.

¹⁷ Exceptions include Dennis Thompson, *Ethics in Congress: From Individual to Institutional Corruption* (Washington, DC: The Brookings Institution, 1995), and Peter Euben, “Corruption.”

¹⁸ Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: MIT Press, 1996), chap. 3; Iris Marion Young, *Inclusion and Democracy* (Oxford: Oxford University Press, 2000), pp. 5-6.

In a democracy, meanings of political corruption gain their normative traction by reference to this basic and abstract norm of democracy. Political corruption in a democracy is a form of *unjustifiable exclusion* or disempowerment, marked by *normative duplicity* on the part of the corrupt. Corruption is marked not only by exclusion—but there are many modes of exclusion—but also by covertness and secrecy, even as inclusive norms are affirmed in public. Stated otherwise, the norm of inclusion is not *denied*, but rather *corrupted*. Corruption within a democracy is thus a specific kind of disempowerment that I shall call *duplicitous exclusion*. Thus, in addition to the *substantive harms* often associated with corruption in democracies—inefficiencies, misdirected public funds, uneven enforcements of rights, etc.—we can think of corruption as damaging *democratic processes*.¹⁹

By relating corruption to the dynamics of inclusion and exclusion, the concept gains not just normative traction, but also the explanatory traction necessary to relate concept to the institutions, practices, and culture of democracy. Inclusion and exclusion are actualized by and within social relationships, which acquire their characteristics within contexts of power (by which I mean control over resources that people need or want) and normative rules. From an ontological perspective, then, the *objects* of corruption are those social relationships that are constitutive of democratic inclusion. From a methodological perspective, democracy-enabling social relationships are the *referents* of the concept of corruption. These linkages relate the concept of corruption not just to the norm of empowered inclusion, but also its meanings according the ways and means through which inclusion is effected. Some of these ways and means are institutionalized, such as representation through voting. Others are less so, such as the public spheres brought into being through public discourse, although many institutions are involved in generating discursive relationships.

In the remainder of this paper, I look at four arenas of democratic inclusion and participation: voting, public discourse and judgments, civil society, and decentralized power. In each case, my aims are to show that:

- Opportunities for political corruption are often intrinsic to democratic mechanisms.
- These opportunities are the consequences not of “democracy”—but rather of failures of the mechanisms to achieve the democratic empowerments that justify them.
- Identifying the kinds of disempowerments suggests that many may be remedied by increasing democracy—that is, redesigning, reforming, or supplementing institutions to empower individuals not only to “push back” against the burdens corruption imposes, but also to gain inclusion in the collective decisions.

In no case am I making original suggestions; rather, my aim is to survey the possibilities for corruption that are intrinsic to common democratic mechanisms. In this way, I hope to identify where and why we should expect more democracy to lead to less corruption.

¹⁹ I develop this conception of corruption in “What Does Corruption Mean in a Democracy?” *American Journal of Political Science* 48 (2004): 327-342.

Voting for representatives

The oldest and often the first indicator of political democracy is the existence of elections for representatives who make and execute the law within the legislative and executive branches of government. Ideally, to paraphrase Dahl, elections provide means of indirectly including of all affected by collective decisions when they are conducted under the conditions of universal franchise, popular control over the agenda, equal ability to make views known, and enlightened understanding.²⁰ Together, according to the standard theory, these elements enable democratic representation by enabling the voters to hold their representatives accountable.

From a theoretical perspective, however, there are a number of ways in which corruption can take up residence within electoral mechanisms. To see why this is the case, it is useful to think of the voter-representative relationship in conventional principal-agent terms, but with two modifications to the standard view that agents represent the interests of principals. First, because *political* representatives must represent and reconcile conflicting interests, they are also entrusted with conditions of judgment by voters, who, in order to judge whether or not their interests are being represented, must also trust that the reasons the representative gives for decisions are actually those that motivate the decision.²¹ Second, representatives are also entrusted with the integrity of the processes through which they make their decisions. The meaning of empowered inclusion, in this case, is that individuals have the power (in the form of the vote) and the knowledge to use the power to ensure that their interests and values are included within the principal-agent relationship.

The object of corruption in these cases is the principal-agent relationship. There are, of course, many factors that can weaken the principal-agent relationship, the most important of which is that representatives broker numerous conflicting interests and values, and it is likely that the interests of those who provided the electoral victory, or who are likely to do so in the future, will be represented. That losers lack representation is a flaw in systems of representation that can be mitigated through design—say, through a system of proportional representation. But we would usually think of these problems as flaws in the system of representation rather than corruption, just because the exclusions are overt and justifiable—say, by the need for governing majorities—rather than covert and duplicitous.

Corruption of representation occurs when those who should be able to enforce the principal-agent relationship under a particular system cannot do so, because (a) their vote is ineffective, or (b) they lack the information necessary to use it to enforce the relationship. The possibilities are represented in Table 1.

²⁰ Robert Dahl, *On Democracy* (New Haven: Yale University Press, 1998), pp. 37–8.

²¹ Warren, “Democracy and Deceit.”

Table 1: Failures of principal-agent relations in electoral representation

Formal power of the vote	Information	
	Low	High
Low	Patronage corruption: Urban machines, patronage-based party systems, clientelism	Universal corruption: all corrupt, leaving no choices
High	Simple exclusion: Formal power of the vote is undermined by duplicity, secrecy	Universal corruption: group segmentation. Corruption is low salience relative to group advancement

Patronage and clientelism

The oldest mechanism is when voters sell their votes in exchange for patronage, as in American urban machine politics, and patronage-based political parties such as the PRI in Mexico (voting power is low, knowledge is low). In these cases, voters sell or trade away their vote-based capacity to enforce the principal-agent relationship.²² On the face of it, vote selling is often defended as a means of inclusion. In the case of urban machines, immigrants with little social organization and poor economic prospects were able to trade their votes for inclusion in city economies.²³ The inclusion, however, occurs on a patron-client basis rather than a democratic basis; patronage replaces representation. Reforms in this case should aim especially at reducing the social and economic vulnerabilities of individuals.

Simple exclusion through secrecy and duplicity

Voters may retain the power of the vote and have a high regard for process but lack the information they need. This is the one of two forms of corruption likely to affect consolidated democracies. Voters do judge their representative's adherence to process, and are likely to punish them for failing to adhere. But their representatives engage in secret, covert dealings, providing public rationales for decisions that are at odds with the forces of money, professional advancement, or ideology that were the principal reasons for their decision. Individual citizens are poorly placed to investigate, whereas power-holders are often well placed to control what the public knows of their dealings.²⁴ Reforms in this case should aim at strengthening conditions of public judgment.

²² Rose-Ackerman, *Corruption and Government*, 137-38.

²³ Scott, *Comparative Political Corruption*, chap. 6.

²⁴ Pope, *TI Sourcebook 2000*, pp. 24-26.

Universal corruption: system

Voters may have information, but system-level corruption makes it difficult to use the vote to punish the corrupt because all choices are implicated. This was certainly the case in the Italian system (where electoral competition has been credited with increasing corruption²⁵), and one could argue that American voters often face this dilemma, even after McCain-Feingold. Likewise, because elections are periodic, they are not finely-tuned tools of control and accountability; voters cannot, say, vote against an abuse and for a policy preference: they come as a package, and voters are empowered to say “yes” or “no” to the entire package.²⁶ In this case, many of the standard anti-corruption tools are essential to enforce what voters lack the power to do: conflict of interest laws, ethics committees, public campaign financing, and the like. But in addition, some electoral systems may be better than others at enforcing principal-agent relations. A responsible party PR system, for example, may provide voters with more choices than a FPTP system, increasing their ability to use the vote against corruption without sacrificing their interests. I hasten to add that, as far as I know, this claim is purely theoretical.²⁷

Universal corruption: group segmentation

The most difficult case occurs when voters have high knowledge of their representative’s activities and have full use of the power of the vote. But they use it solely to protect or further the interests of their group without regard for democratic processes. In this case, interests are represented, but the representative fails his or her trust with respect to democratic process. This situation reflects collective action problems within context of zero-sum politics. The integrity of democratic decision-making—that it is public and open, not the result of covert and secret deals—is in many ways a public good.²⁸ Relative to their substantive interests—federal money coming into the district, for example—voters may have only a weak interest in the integrity of process. If voters understand politics as a zero-sum game (and are encouraged to do so by political entrepreneurs), they are likely to conclude that a corrupt representative who brings home the bacon is preferable to a clean representative who fails to cut the necessary deals.²⁹ This situation is, one might say, a “democratic” form of clientelism: the representative acts as something of a protector for his or her district, emphasizing personality over ideology, and constituency service over party loyalty. It is under these conditions, in Philp’s terms, that “access” and “accountability” are likely to trade off: voters believe they face a situation in which they will be “suckered” if they place a high priority on process, and so treat voting as a means for getting the resources or favorable rules and regulations from governments. This case is difficult because it is, in part, cultural, occurring especially in situations where generalized trust is low.³⁰ Nonetheless, electoral

²⁵ Donatella della Porta and Alberto Vannucci. *Corrupt Exchanges: Actors, Resources, and Mechanisms of Political Corruption* (New York: Walter de Gruyter, 1999); Miriam A. Golden and Eric C. C. Chang. “Competitive Corruption: Factional Conflict and Political Malfeasance in Postwar Italian Christian Democracy,” *World Politics* 53 (2001): 588-622.

²⁶ Pope, *TI Sourcebook*, pp. 25-26.

²⁷ Golden and Chang, “Competitive Corruption.”

²⁸ Philp, “Access, Accountability and Authority,” 371.

²⁹ Rose-Ackerman, *Corruption and Government*, p. 128

³⁰ Eric Uslander, “Trust and Corruption.” Paper presented at the Conference on Political Scandals Past and Future, University of Salford, 2001; Uslander, “Bulging Pockets”; Martin Bull and James Newells, eds.,

designs exist that provide incentives for plus-sum politics, such as cumulative voting.³¹ Such electoral reforms may induce culture shifts that are favourable to empowered inclusion and unfavourable to corruption.

In sum, the elements of elections that enable “democratic corruption” are, in all but the last case (see below), weaknesses in democratic representation. Anti-corruption reforms should focus on empowerments through strengthening the representative relationship. And, indeed, this is what many reforms do: conflict of interest laws, electoral commissions, public campaign financing, ethics committees, and the like focus on political processes. But when we look at corruption as pointing up weak links in representation, we can also see that the very points in representative relations that enable corruption are also weaknesses in democratic designs.

Public monitoring, deliberation, and judgment

Approaching democracy from the perspective of elected representation should not detract from an equally important and complementary avenue of participation, that of public discourse and judgment. Most democratic theories hold that a people can use their powers of voting to further their interests and values only when they are enlightened about their own interests and values, and can connect them to the decisions representatives make on their behalf. Deliberative democratic theory has gone further, reviving Kant’s view that the people must, through discourse built on civil society associations, constitute themselves as a “public” as a condition for conveying direction to the state.³² From a structural perspective, democratic institutions provide incentives for politics through argument, persuasion, and public demonstration because they limit the effects of coercion, economic power, violence, and other non-discursive resources on public decision-making. Under conditions of conflict, inclusion of all affected will tend to stalemate decision-making processes based on power alone, which, ideally, defaults to deliberative influence—that is, swaying people through persuasion. The creative inertia of democracies—their capacities to settle issues and move on—is in large part owing to the deliberative dynamics encouraged by democratic arrangements of power.

For their part, elected representatives gain their legitimacy by attending to public sphere deliberation, as well as by representing to the public the reasons and arguments that justify their decisions. Deliberation is not just a means of guiding and justifying votes (both of individuals and representatives), although it is that. It is also an influence in its own right, guiding representatives between elections, and enabling representatives to respond to novel political situations.

It is from the perspective of the deliberative core of democratic politics that we can appreciate how deeply corruption cuts into democratic process.³³ By its very nature, corruption is non-public and requires deceit. Exclusion works in large part because it is secret,

Corruption in Contemporary Politics (Hampshire: Palgrave Macmillan 2003), p. 237. See also Edward Banfield, *The Moral Basis of a Backward Society* (New York: The Free Press), 1958.

³¹ Michael Rabinder James, *Deliberative Democracy and the Plural Polity* (Lawrence: University of Kansas Press, 2004), chap. **.

³² Habermas, *Between Facts and Norms*.

³³ Warren, “Democracy and Deceit.”

and it is the secrecy that allows those in corrupt relations to internalize benefits and externalize the harms. Stated otherwise, corruption is the form of exclusion enabled by deceit, which is why I refer to corruption as *duplicitous* exclusion. Corruption, in other words, attacks the core of democratic governance, undermining the incentives provided by democratic distributions of power for the conduct of politics through deliberation.

Information and monitoring the administrative functions of government

In light of these considerations, it is significant that no single set of anti-corruption reforms has a higher profile than those that grouped under the notion of “transparency,” and “openness”—metaphors that feed off the notion that letting light into the shadows where corruption occurs will control corruption by exposing it. These techniques include Freedom of Information Acts, Sunshine Laws, required record keeping, modern financial systems, and audits. When effective, these techniques are backed up by numerous agents, including inspector generals, auditor generals, select committees, oversight committees, financial officers, the judiciary, as well as by the media and watchdog groups.

From one perspective, the purposes of these techniques are clear: government (and, indeed, other organizations with power such as corporations and NGOs) should be trustworthy. Transparency and openness provide incentives for government officials to be and remain trustworthy. This “first order” or “public trust” model requires that officials hold their office as a public trust, on behalf of the public interest.³⁴ This model is more adequate in the case of the administrative functions of the state, where offices and their duties are well defined than it is to political processes, where rules, interests, and goals are not yet agreed (see Table 2, column 1). And, indeed, it excludes the political elements of administration, especially rule-making, that have become new venues for participation.³⁵ So in the ideal type of public trust, openness and transparency contribute little to deliberation since the time for deliberation has passed, and decisions have been codified into offices. But openness and transparency do contribute to the occasional monitoring necessary to certify that public trust is warranted.

From a democratic perspective, however, is nonetheless important to view monitoring of the administrative functions of the state as an important form of participation and empowerment, especially since the modern state functions as a monopoly provider many services to its citizens. Indeed, some public discourses have struggled with the problem of accountability by identifying citizens as “customers” and government as a kind of “business.”³⁶ The mechanisms of accountability that work in competitive markets, however, mostly fail to work in administrative arenas, as the power of exit to other providers is weak.³⁷

³⁴ I develop the distinction between “first order” trust in interest alignment and “second order” trust in process in Warren, “Democracy and Deceit.”

³⁵ Christopher Ansell and Jane Gingrich, “Trends in Decentralization,” in *Democracy Transformed: Expanding Political Opportunities in Advanced Industrial Democracies*, edited by Bruce E. Cain, Russell J. Dalton, and Susan E. Scarrow (Oxford: Oxford University Press, 2004), pp. 140-163; Carmen Sirianni and Lewis Friedland, *Civic Innovation in America: Community Empowerment, Public Policy, and the Movement for Civic Renewal* (Berkeley: University of California Press, 2001)..

³⁶ Ansell and Gingrich, “Trends in Decentralization.”

³⁷ Local governments, however, are sensitive to the inflow and outflow of residents. Some school systems have modified “choice” opportunities that produce in a competitive market among providers.

Table 2: Anti-corruption techniques relating to enabling public trust, deliberation

Techniques	Domain	
	First-order, public trust (administrative, based on occasional monitoring)	Second-order trust (political, ensuring conditions of deliberative influence)
Direct, horizontal, non-participatory, passive inclusion	Auditing, oversight, modern financial systems	Disclosure, conflict of interest regulations, ethics committees, horizontal markets in integrity
Indirect, vertical, participatory, active inclusion	Record-keeping, FOI legislation, whistleblower laws, rights of speech and association, class action standing in civil law.	Open meetings, public hearings, vertical markets in integrity

So “voice” is remains the key means of monitoring, and it is worth asking about its conditions. Generally speaking, however, individuals are poorly placed to monitor—that is, to decide when public trust is being upheld.³⁸ They may know when they are being poorly served, but lack the power to penetrate the inner workings of administration. Thus many of the information-based techniques for combating corruption are, as Jeremy Pope puts it, those of “horizontal accountability”—that is, institutions check and oversee one another using techniques such as auditing, oversight, and modern financial systems.³⁹ When these devices are in place, they help to certify public trust, and individuals are *passively* included in administrative functions. Officials serve, literally, as guardians of the public interest.

But even in the administrative arena there are key avenues of “vertical” participation in monitoring. Many effective anti-corruption devices associated with openness and transparency function to constitute, as it were, citizen-agents, usually in the form of watchdog groups and the media, but also as individuals. Thus, FOI legislation, and requirements that agencies keep and make public records in intelligible and convenient forms, have the effect of empowering citizens to engage in monitoring, and thus enable citizen-participants—assuming, of course, they also benefit from the standard rights and protection such as freedom of speech

³⁸ Philp, , “Access, Accountability and Authority,” 372-73.

³⁹ Pope, *TI Sourcebook 2000*, p. 26; Philp, “Access, Accountability and Authority,” pp. 372-73; Rose-Ackerman, *Corruption and Government*, p. 142.

and association.⁴⁰ Citizen advocates such as ombudsmen, as well as the more targeted and strategic protections for whistleblowers, enable individual venues of participation. Whistleblower protections are especially interesting, since they not only enable individuals to resist participation in corrupt dealings when there is pressure to do so, but also increase risks for the corrupt by limiting their capacities to retaliate against a whistleblower. Finally, devices that give citizens standing as class action plaintiffs in civil law can enable them to act as “democratic enforcers” of those public purposes prone to corrupt dealings—as, for example, in the Clean Water Act of 1972. In each case, the techniques can and should be assessed by the kinds of political agents they enable.

Political office and second-order trust

Yet the public trust model—one embedded in the office-based conception of corruption—does not frame the key role of anti-corruption devices in enabling the deliberative dimensions of democracy. In the ideal type of administration (discounting deliberative rule-making) there is little room for deliberative participation: the time for deliberation is usually past, and the results codified into offices. In the case of political offices, however, the relationship with the public is different. Because, typically, political officials are involved in creating, defining, and negotiating “the public interest,” their democratic function is to facilitate inclusion of all affected in these creative political processes. So, as suggested above, the principal-agent relationship in this case is not one in which the principal (the people) entrust representatives with a public purpose, because these purposes are, after all, typically in dispute. Trust is appropriate only where the interests of principal and agent converge, and when they do, all that is necessary for the principal to warrant trust is the knowledge of convergent interests.⁴¹ In the case of political functions, however, people depend upon representatives to provide the reasons for their decisions so they may judge whether, in fact, interests are sufficiently aligned that entrusting their interests is warranted. This “second order” trust is a condition of empowered inclusion within the principal-agent relationship.⁴² If political representatives deceive with regard to their intentions and reasoning—if their decisions are the result of hidden collusions or secret agendas—agents are disempowered. They are unable to judge their representatives and hold them accountable because the information they need is hidden. Moreover, they also lose their persuasive influence both over their representatives and within the public sphere, since representatives are responding to covert influences rather than to persuasive influences.

When we put the problem of transparency and openness in this way, it should be clear that combating corruption is not just a matter of certifying public trust, but also one of empowering inclusion by enabling second-order trust, as represented in of Table 2, column 2. But as is the case in administrative domains, individuals are usually not well placed to certify second-order trust. Thus here too horizontal techniques play a key role in providing the certifications citizens require: ethics committees in legislatures, laws requiring disclosure of

⁴⁰ Bruce E. Cain, Patrick Egan, and Sergio Fabbrini, “Towards More Open Democracies: The Expansion of Freedom of Information Laws,” in *Democracy Transformed: Expanding Political Opportunities in Advanced Industrial Democracies*, edited by Bruce E. Cain, Russell J. Dalton, and Susan E. Scarrow (Oxford: Oxford University Press, 2004), pp. 113-39.

⁴¹ Mark E. Warren, “Democratic Theory and Trust,” in *Democracy and Trust*, edited by Mark E. Warren. (Cambridge: Cambridge University Press, 1999), pp. 310-45,

⁴² Warren, “Democracy and Deceit.”

interests and regulating conflicts of interest. Disclosure of interests and regulations of conflicts of interest in particular get at the problem of representatives' motivations: they tend to force interests into the open, where they can be seen, debated, and justified—that is, they become a legitimate part of democratic discourse. Ethics committees within legislatures can function to monitor members' compliance with legislative ethics.⁴³ In addition, devices such as these help to produce what Philp calls “markets in integrity,” and Thompson calls the “symbolic power” based on reputation.⁴⁴ The force of persuasion depends, in part, on the integrity of the speaker, and so political figures who seek to become influential within, say, a legislative body, will find they have an incentive to cultivate a reputation for integrity.

These “horizontal” techniques—elites checking elites—are often portrayed as surrogates or substitutes for democratic participation. I think it is better, however, to understand them as techniques that constitute a political environment within which deliberative participation can be effective. In addition, some kinds of techniques directly enable deliberative participation, such as sunshine laws that open meetings and increasing uses of public hearings.⁴⁵ But perhaps most important here are “vertical” markets in integrity. From a negative perspective, the investigative activities of the media, and the increasing ability of political competitors and groups to find information, tend to make corrupt activities less attractive and more risky. From a positive perspective, when integrity becomes a resource, then representatives have an incentive to develop their reputations for integrity. Reputation can function to certify second-order trustworthiness, the assurance that deliberation can and does function as an influence in politics that individuals require as deliberative participants.

In this domain of deliberative influence, then, techniques and reforms that are focused primarily on first-order “public trust” fail the “second-order” trust required for democratic but competitive political processes.

Civil society

I have been arguing that anti-corruption institutions, techniques, and devices can and do constitute and empower citizen participants, which in turn provide citizens with “push back” against corruption. Theoretically, I am suggesting, these devices might be thought of as addressing weak points in the institutionalization of democracy. Sometimes citizens are empowered as individual participants: say, as voters or whistleblowers within an organization. But more often, they are constituted as organized groups—civil society organizations or associations which function as the connective tissue between society, market, and the formal institutions of government.⁴⁶

While the anti-corruption literature increasingly views civil society as a “participant” in anti-corruption campaigns, there is also widespread confusion about how to theorize the

⁴³ Thompson, *Ethics in Congress*.

⁴⁴ Philp, “Access, Accountability and Authority,” 374, John Thompson, *Political Scandal: Power and Visibility in the Media Age* (Cambridge: Polity Press, 2000), 246-248.

⁴⁵ Ansell and Gingrich, “Trends in Decentralization.”

⁴⁶ Mark E. Warren, *Democracy and Association* (Princeton: Princeton University Press, 2001); Johnston and Kpundeh, “Building a Clean Machine.”

contributions. The confusion is not surprising, given the huge variety of associations and organizations loaded into the civil society concept, as well as the fact that many civil society groups are themselves either corrupt, or serve as conduits of corruption.⁴⁷ The *TI Sourcebook* is typical of the confusion: civil society is “the sum total of those organizations and networks which lie outside the formal state apparatus. It includes the whole gamut of organizations that are traditionally labelled ‘interest groups’—not just NGOs, but also labour unions, professional associations, chambers of commerce, religions, student groups, cultural societies, sports clubs and informal community groups.”⁴⁸ Yet the *Sourcebook* also defines civil society normatively, as consisting of those groups that promote the public interest rather than narrow self-interest. It would appear, then, that the problem of corruption within civil society is ruled out by definition.⁴⁹

From the perspective of descriptive adequacy, the concept of civil society ought to include all associations that are formed and maintained through the purposes of members rather than through state powers or markets.⁵⁰ From a normative perspective, the problem is not just that civil society groups may be complicit with corruption, but also that their potential contributions to stemming corruption may have little to do with their manifest purposes.⁵¹ While a complete theory of the relationship between civil society and corruption is beyond reach here, any theory should take account of three sets of factors. Taken together, the factors won’t tell us whether an organization is corrupt or facilitates corruption, but they will help to distinguish organizations that might gain from corruption from those with incentives to fight corruption.⁵²

First, do the organizations control resources that might make corrupt exchanges attractive? That is, do they have something with which to engage in covert exchanges? Those with access to either money or power will have such capacities. These are organizations that borrow, as it were, power from the state (as do quasi-regulatory organizations like the ABA and unions), or which are located within favourable economic flows, usually because members have favourable market locations (as do business interest groups). Organizations that lack these capacities will have to make do with the democratic resources of persuasion, organizing votes, and the voluntary labour and energies of their members. The potentials for contributing to corruption are low where money and power resources are low, while the potential contributions to democracy are high where organizations must work their will through persuasion and mustering the time of volunteers. Moreover, low money/power organizations have an incentive to combat the covert influences of money and power, and to flush them out into the open.

⁴⁷ Pope, *TI Sourcebook*, pp. 28-29; Philp, “Access, Accountability and Authority,” pp. 371-72.

⁴⁸ Pope, *TI Sourcebook*, p. 130.

⁴⁹ Pope, *TI Sourcebook*, p. 132.

⁵⁰ Warren, *Democracy and Association*, 56-59.

⁵¹ Warren, *Democracy and Association*, 37-38; Mark E. Warren, “The Nature and Logic of Bad Social Capital,” in *The Oxford Handbook of Social Capital*, edited by Dario Castiglione and Jan Van Deth (Oxford University Press, forthcoming).

⁵² Johnston and Kpundeh, “Building a Clean Machine.”

Second, is the organization *vested* in its medium of reproduction? That is, is the organization seeking to reproduce its place and function? Examples of vested organizations would be industry trade groups (money), regulatory groups like the ABA (power), and exclusive clubs (norm/talk based). Or is the organization attempting to change the status quo, or working to alter a system from without? Examples would include unions and direct action organizations (seeking to alter markets), public advocacy groups (seeking alter power), and counter-hegemonic cultural groups such as Gay Pride. *Vested* organizations are more prone to corruption than *nonvested* organizations because they have more capacity to accomplish their missions through established networks, and fewer incentives to “go public” as a way of exercising influence. Nonvested groups have an interest in taking their causes public.⁵³

Third, are the purposes public or private? Not all “private” goods provide incentives for corruption, but some do—such as material goods, sectarian goods (ideological advancement, sectarians gains for groups), and professional advancement. But owing to the need to overcome collective action problems, public goods are difficult to achieve without using public means. These distinctions are combined in Table 3, with some rough guesses as to how they might affect potentials for corruption.

Table 3: Potentials for corrupt influence by organizational characteristics

Resources	Vested		Nonvested	
	Non-public interests	Public good interests	Non-public interests	Public good interests
Money	High	Medium	Medium	Low
Power	High	Medium	Low	Low
Persuasion	Medium	Low	Low	Low

Civil society demobilization of democratic checks on corruption

If these distinctions have any weight, we might also guess that the propensities of civil society to either underwrite corruption or fight corruption will depend upon the kinds and mixes of organizations that constitute civil society. Of course, the existence of groups with a capacity for corruption would not mean that they actually contribute to corruption in any given case. But often groups with these characteristics are part of a generic problem for democracies: states, simply because they control many resources (tax money) and have a monopoly over others (regulations affecting businesses, etc.), bring into existence groups devoted to gaining access to its resources or influencing regulations. When democratic institutions are weak, groups that have resources but lack incentives for inclusion find they can gain access to state resources through bribes, campaign contributions, favours, networks,

⁵³ For a more elaborate account of these distinctions, see Warren, *Democracy and Association*, chap. 5.

patron-client relations—that is, covertly rather than through votes and arguments. Groups may also become unaccountable monopolists over some kinds of public goods, providing the power to operate in corrupt ways, as in the case of the International Olympic Committee. Groups such as these draw on social capital, but function in anti-democratic ways because they serve to exclude: that is, to pull benefits toward their own group and away from others, while externalizing costs and harms.⁵⁴

It is also likely, however, that if democratic institutions are weak, groups that gain covert access to the state will tend to have a demobilizing effect on groups with an interest in fighting corruption, which in turn removes a check that is internal to civil society—a condition described by the lower left and upper right cells of Table 1 above. With respect to the state, perceptions of corruption, insider access, and the like can produce political alienation. For good reasons, those who have fewer resources will have little trust in their government, and they are likely to regard the game of politics as fixed. Their cynicism often prevents them from using votes to further their interests as a group—they may quite understandably judge that there are few ways to do so in any case—and more likely to barter their votes away to patrons who will provide some goods, jobs, or other benefits. Such civil societies may be high in social capital, but the kind that solidifies corruption and depoliticizes democratic procedures.⁵⁵

Civil society mobilization of democratic checks on corruption

When might we expect democracy via civil society to work against corruption? Some civil society organizations are, of course, specifically devoted to fighting corruption, such as Transparency International, The Center for Public Integrity, and many others. Other organizations are devoted to enhancing democratic processes, such as the League of Women Voters and the Kettering Foundation, and still others have a strong interest in controlling bribery in business dealings, such as the International Chamber of Commerce. When anti-corruption professionals refer to “civil society partners” in anti-corruption effects, it is these groups they usually have in mind.⁵⁶ These groups are important, but even where they are strong they represent a very small part of civil society, and are populated mostly by professionals. They are important for democratic process, but less important as conduits of democratic participation.

If we ask, however, how groups *function* in ways that stem corruption (as opposed to focusing only on their purposes), a much broader universe comes into view.⁵⁷ Civil society groups will function to stem corruption if they have incentives to use democratic rather than corrupt means to work their will. Political institutions create some of these incentives: barriers against corruption and protections for free speech and association function to empower democratic means of influence, as do FOI laws, Sunshine laws, and laws providing standing for class action civil suits. When these kinds of institutions restrain covert influences, talking and voting become relatively more effective. This in turn provides incentives for two kinds of

⁵⁴ Warren, “Nature and Logic of Bad Social Capital.”

⁵⁵ The Italian system of corruption exhibited these characteristics. See della Porta and Vannucci. *Corrupt Exchanges*.”

⁵⁶ OECD, “Fighting Corruption,” pp. 8-9.

⁵⁷ Johnston and Kpundeh, “Building a Clean Machine.”

groups to develop. First, under these circumstances, groups with low money and power resources can transform time, effort, organization, and persuasion into political influence. These kinds of groups have an incentive to check groups that have power and money, just because their sole source of influence is of the democratic kind. We should expect these groups, then, to seek to expose covert influences in order to ensure that the democratic resources they possess—persuasion, votes, and the energies of their members—continue to have value. Second, groups devoted to public goods have an inherent incentive to insist on public processes and influences, since public goods can only be attained through the persuasion that overcomes collective action problems. The actions of both kinds of groups are reciprocal: democratic procedures enhance their effectiveness, and enhanced effectiveness enables the groups to fight for their causes in democratic ways.

It is not necessary, then, for civil society groups to have fighting corruption as their mission for them to function to combat corruption. All that is necessary is for civil society to have a sufficient number of groups who do better with *democratic* ways and means of exerting influence that they would do without them. If a civil society contains enough of these kinds of groups, they likely to alter the political culture as well: a group's reputation for fighting within the rules can become a reputational resource, also enhancing the group's effectiveness.⁵⁸ Moreover, if a group is caught out buying access, it can undermine its credibility. Knowing this can provide incentives even for groups with the capacities for corrupt exchanges to behave in democratic ways. Under these circumstances, then, civil society can work systematically against corruption.

Decentralization of power

The final democratic mechanism I shall consider here is decentralization and deconcentration of state power, usually to lower levels of government such as states, regional authorities, and municipalities. From the European Union notion of subsidiarity to American federalism and collaborative policy-making, decentralization of power is often justified as a way of bringing governance closer to the people, especially in areas of local concern. The common argument is that when political units are smaller in size and closer in proximity they are easier for the people to control. Yet, famously, corruption in the U.S. and Europe is greater at the local and regional levels of organization than at higher levels.⁵⁹ And it is interesting that Treisman's cross-national survey suggests that federal states are more prone to corruption.⁶⁰ And where corruption exists, so do exclusions that damage democratic processes.

Within democratic theory, it is widely recognized that decentralization and democracy are two quite different matters.⁶¹ When decentralization enables inclusive and informed participation, then we might also think that it empowers those harmed by corruption to fight back. But often decentralization diminishes participation, while enabling duplicitous

⁵⁸ Berry, Jeffrey M. 1999. *The New Liberalism: The Rising Power of Citizen Groups*. Washington, DC: The Brookings Institution.

⁵⁹ Carolyn M. Warner, "The Perverse Link Between Decentralization, Democratization and Corruption." Presented at the Annual Meeting of the American Political Science Association, Philadelphia, 2003.

⁶⁰ Treisman, 2000, 430-433.

⁶¹ Dahl, *On Democracy* 111-13.

exclusions. There are four reasons why it does so, which, in turn, help to identify the conditions under which decentralization enables democracy to fight corruption.

Issue scale

The first reason has to do with the scope of an issue: some issues are of a naturally large scale, such as macro-economic management, labour market policy, environmental issues, refugees, and global security. Other issues, such as urban design and educational policies, can be attended to on a smaller scale because they have few spill-over effects. Units of political decision-making should match the scale of the issues—that is, they should include and empower those affected. A common strategy employed by vested interests, however, is to argue for local control of issues in the name of “democracy.” Reducing the scope of political units enables organizations whose activities have broad effects to avoid responsibility for the harms they externalize onto those left out of the smaller units of organization. Thus, timber and cattle interests will argue for local control of federal lands in the U.S. In such cases, formal political units are disempowered, thus reducing the scope of democratic agency. While this kind of disempowerment damages democracy more generally, the link with corruption is that those who are excluded lack the formal power to protest, expose, or monitor these interests.

Countervailing powers

As second problem is Madisonian in nature: decentralization of power tends toward political units that take in relatively fewer powerful interests. Locales may, in this way, become subject to one or a few dominant interests, which override the weaker ones. Famously, a “states rights” position in favour of “local control” underwrote slavery and Jim Crow laws. But when the size of political unit is increased, dominant interests in one locale are more likely to be checked by those in another locale. As system of countervailing powers is more amenable to democratic checks on corruption.

Transparency and accountability

A third problem is that decentralized power arrangements tend to diffuse accountability, which can then be exploited by those with corrupt intentions. In one corrupt scheme in Grenoble, France, local officials exploited the fact that EU funded projects for less than \$1 million were not subject to centralized reviews. Local contractors and officials split projects into pieces that would fall below the EU review threshold, which enabled both to exploit public works for corrupt ends.⁶² In addition, local officials often lack the expertise to review, manage, and control complex projects, which in turn leaves them ripe for corruption. More generally, Carolyn Warner argues that the Italian system of autonomous regions put into place the decentralization necessary for the now famous Italian system of party corruption.⁶³

Ironically, there are cases in which arrangements designed to increase transparency and accountability have actually enabled more corruption. In Italy, for example, a system of audit boards designed to increase transparency in public works contracting gave politicians the information they needed to extort more money from contractors.⁶⁴ The lesson here is that

⁶² Warner, “The Perverse Link Between Decentralization, Democratization, and Corruption,” pp. 9-11.

⁶³ Warner, “The Perverse Link Between Decentralization, Democratization, and Corruption,” pp. 21.

⁶⁴ Warner, “The Perverse Link Between Decentralization, Democratization, and Corruption,” p. 32.

transparency works if there are political agents with the organization and interests necessary to use the information to stem corruption.

Accountable autonomy and reflexive law

While these examples may seem to suggest that there is a trade-off between centralized agents of the people and power structures decentralized enough to enable participation, what they really indicate is that structures of power should be designed to decentralize input and decision-making and centralize accountability—a model that Archon Fung calls “accountable autonomy,” and which has also gone under the name “reflexive law.”⁶⁵ The logic of the model is that centralized power is used to ensure countervailing powers at the decentralized level. That is, centralized power oversees decentralized process, where substantive issues are decided. Thus, a government can, through law, provide weaker groups with the power it needs to negotiate with stronger groups. Labour law provides this for labour by enabling unions to form and then laying out the procedures of fair collective bargaining. Experiments with this model exist within environmental policy, community health, and occupational health and safety.⁶⁶ In another case, Chicago public school reforms, parent-teacher committees were developed to oversee and make decisions for each public school. Rather than making substantive decisions, the central administration now holds the schools to performances, and ensures that school-based democracy continues to function.⁶⁷ To be sure, the Chicago model does presuppose that centralized oversight institutions have integrity. However, the model benefits from (a) locating substantive decisions in a body with multiple interests in the integrity of the institution; (b) insulating decisions about the uses of money from sources of money. Both features limit the opportunities for corruption by maintaining incentives for democratic processes. In examples such as these, democratic participation is, as it were, backstopped by centralized guarantees and oversight, which in turn enables those who might be harmed by corruption to push back.

Conclusion: an empowerment conception of anti-corruption.

These areas are by no means exhaustive of democratic participation. This survey, however, should be sufficient to make several key points. At the most abstract level, I’ve hoped to show that there is an intrinsic link between democratic ways of organizing institutions and doing politics. The intrinsic link, however, is complex and dialectical: corruption is one of the key ways in which democracy “goes bad”—evidence, perhaps, that the overt political resources of violence and coercion have been tamed, driven underground to reappear as corruption. This is one reason why, no doubt, the so-called transitional democracies provide fertile fields for corruption. At the same time, corruption is a pathology that shows up, in each case, as failures of democratically justifiable empowerments—that is, as incomplete democratization. Indeed, the discourse of corruption in democracies is very often a way of talking about democratic process. Much of the corruption literature has remained deaf to this dialectic, as well as to the practical “immanent critique” corruption represents within democracy—“immanent” because its duplicitous nature pays tribute to the

⁶⁵ Archon Fung, *Empowered Participation: Reinventing Urban Democracy* (Princeton: Princeton University Press, 2004); Gunther Teubner, “Substantive and Reflexive Elements in Modern Law.” *Law and Society Review* 17 (1983): 239-85.

⁶⁶ Sirianni and Friedland, *Civic Innovation in America*; Oregon OSHA implementation.

⁶⁷ Fung, *Empowered Participation*.

democratic ideals it corrodes. In contrast, a political process-based conception—what I have referred to here as *duplicitous exclusion*—would identify the process harms of corruption and lead to a reform agenda that makes use of, reinforces, and is consistent with expanding democratic empowerments.