WHY DO STATES ADOPT INEFFICIENT INSTITUTIONS?: EXPLAINING THE EMERGENCE OF THE INTERNATIONAL ANTI-CORRUPTION REGIME

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ABSTRACT

Since the mid-1990s, corruption began to be understood as a global problem. In this context, an international regime oriented towards curbing corruption emerged, which led to a large number of countries to adopt its prescriptions, namely: anti-corruption legislation and agencies focused on the public sector. This article proposes a constructivist explanation to this phenomenon, arguing that an anti-corruption culture was strengthen by a set of international bureaucracies, which reproduced and legitimized a discourse against corruption through epistemic communities which linked corruption and underdevelopment. Thus, these bureaucracies fixed the meaning of corruption and diffused a series of specific policies, despite the fact that their efficiency had not yet been proven.

Keywords: Corruption, Constructivism, International Bureaucracies, Epistemic Communities.

¿POR QUÉ LOS ESTADOS ADOPTAN INSTITUCIONES INEFICIENTES? EXPLICANDO EL ORIGEN DEL RÉGIMEN ANTI-CORRUPCIÓN INTERNACIONAL

RESUMEN

Desde mediados de la década de 1990 la corrupción comenzó a entenderse como un problema global. En este contexto, surgió un régimen internacional orientado a combatir la corrupción, que llevó a un gran número de países a adoptar las propuestas desarrolladas por éste: legislación y agencias anti-corrupción enfocadas al sector público. El presente artículo propone una explicación constructivista a este fenómeno, argumentado que una cultura anti-corrupción se vio fortalecida por un conjunto de burocracias internacionales, las que reprodujeron y legitimaron un discurso contra la corrupción a través de comunidades epistémicas que vincularon la corrupción con la falta de desarrollo económico. Así, estas burocracias fijaron el significado de la corrupción y difundieron un conjunto de políticas, a pesar de que su eficacia no había sido demostrada.

Palabras clave: Corrupción, Constructivismo, Burocracias Internacionales, Comunidades Epistémicas.

INTRODUCTION

During the 1990s the idea of curbing corruption emerged as one of the most pressing problems in the global arena (Kennedy 1999, Wolf and Schmidt-Pfister 2010). As a consequence, most international organizations adopted anti-corruption institutions, which have proliferated in the last decades. Particularly significant has been the adoption of the United Nations Convention Against Corruption (UNCAC), which has been recognized as the most extensive anti-corruption initiative of an emerging international regime. The United Nations (UN) adopted UNCAC in October 2003, and as September 2013, 168 states became parties by signing and ratifying it. The convention not only involved states but also international private actors, international institutions, and civil society organizations, reflecting a global consensus around the procedures to reduce corruption.

UNCAC is unique not only in its worldwide coverage but also in the extent of its provisions, recognizing the importance of international cooperation and the establishment of preventive and punitive measures (U4 2010). Unlike previous international agreements, the convention comprises several initiatives regarding different global dimensions to coordinate policies against corruption. The most important initiatives refer to matters of corruption prevention (chapter II); criminalization and law enforcement (chapter III); international cooperation (chapter IV); asset recovery (chapter V); and technical assistance and information exchange (chapter VI). Some of the most innovative elements of the convention are those related to the internationally coordinated efforts to curb corruption, such as the obligation of state parties to provide technical assistance to each other, mandatory cooperation in criminal matters, and the recovery of stolen public assets beyond national borders. It is important to note that although UNCAC includes both mandatory and optional provisions, the former are concentrated almost exclusively on the public sector. In this context, UNCAC -as the most important institution of the anti-corruption regime- has fostered the worldwide creation of domestic anti-corruption agencies[1] by establishing that "each state will ensure the existence of a specific anti-corruption body or bodies in order to enforce policies and practices against corruption" (UNCAC, Article 6)[2].

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1   Following Meagher (2004: 1), I define anti-corruption agencies as "permanent agencies whose primary function is to provide centralized leadership in one or more of the core areas of anti-corruption activity –including policy, analysis and technical assistance in prevention, public outreach and information, monitoring, investigation, and prosecution".

2   It is interesting to note that although UNCAC does not include an explicit definition of corruption, offering instead many definitions of corrupt acts, including those involving the private sector, practically most of the convention refers to the

What explains the emergence and content of this anti-corruption regime in the mid-1990s? The answer is not evident, as for many decades corruption was not considered an international problem (Bukovansky 2006). As a matter of fact, the regime emerged well after the United States of America (U.S.) attempted, and failed to implement an anti-corruption norm in the 1970s. In addition, the content of the regime is in and of itself puzzling, as the policies boosted the creation of anti-corruption agencies in corrupt and non-corrupt countries alike, in spite of the lack of certainty about their efficiency. Indeed, recent research has shown that, in most countries, the implementation of anticorruption legislation, and agencies did not reduce corruption in the public sector (Heilbrunn 2004). Furthermore, there is evidence that the establishment of anticorruption agencies can even worsen the situation[3] (Pope and Vogl 2000, Shah and Schacter 2004).

The article engages with theories of international relations, which offer a wide set of theoretical tools to explain the emergence of the anti-corruption regime. The fact that states adopt inefficient anti-corruption institutions, and the failed attempts of the U.S. to implement an anti-corruption regime, poses a serious challenge for realism and neo-liberal institutionalism, the theories that have shaped the debate in the field. Although there are deep and sharp differences between these theories of international politics, both share a rationalist and materialist ontology (Ruggie 1998). As a consequence, both of them are poorly suited to explain the emergence and content of the anti-corruption regime, as its adoption cannot be seen as a power-politics bargain or an interest maximizing strategy by rational states.

To make sense of this puzzle, I use a constructivist approach to explain the timing, content, and widespread acceptance of the anti-corruption regime. Unlike rationalist and materialist accounts of international politics,

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establishment of anti-corruption institutions for the public sector (Argandoña 2007).

3   The establishment of anticorruption agencies as central pieces of the national integrity systems has been highly driven by Singapore and Hong-Kong's success in curbing corruption in the 1970s. These experiences led many countries to implement this institutional model before the UNCAC signature. Currently there are nearly 40 anticorruption agencies similar to the Singapore and Hong-Kong model, being the most important those located in Tanzania (1974), Zambia (1982), Brunei (1982), Philippines (1987), Uganda (1987), Kenya (1987), New South Wales (Australia) (1988), Tanzania (1991), Macao (China) (1990), Botswana (1994), Sri Lanka (1994), Lithuania (1997), Malaysia (1997), Argentina (1999), Thailand (1999), Nigeria (2000), South Korea (2002), Latvia (2002), Indonesia (2003) and Mongolia (2006). However, with the exception of the Australian state of New South Wales, these agencies have not reduced the levels of corruption in the public sector (Heilbrunn 2004).

constructivists consider that identities and preferences are endogenous to political processes, stressing the constitutive role of collectively held ideas (Wendt 1999). Building upon these insights, I contend that an anti-corruption culture came into being in the mid-1990s, which was later strengthened by several international bureaucracies that reproduced and legitimized a global discourse against corruption. They did so through an epistemic community that linked corruption with economic development (Mauro 1997, Elliot 1997, Tanzi 2002). Consequently, international bureaucracies fixed the meaning of corruption, and diffused a specific set of policies, which were in line with the economic conceptualization of corruption as a rent-seeking behavior in the state apparatus. This fact laid the groundwork for the anti-corruption norm to become a truly global regime.

The article is organized as follows. In the first section, I review the main theories of international relations, and present the most relevant rival hypotheses. In the second part, I develop a constructivist theory stressing the role of global culture, international bureaucracies, and epistemic communities in the making of the anti-corruption regime. The third part illustrates the theory with empirical evidence of the anti-corruption regime. Finally, the fourth section presents the conclusions.

MATERIALIST AND RATIONALIST ACCOUNTS FOR THE ANTI-CORRUPTION REGIME

GRAND THEORIES OF INTERNATIONAL RELATIONS: REALISM, LIBERALISM, AND CONSTRUCTIVISM

Grand Theories have for long been the trademark of International relations. The evolution of the discipline can be framed in terms of the opposition between realism and liberalism, which initiated the theoretical divide about how international actors behave under international anarchy –understood as the lack of an international government. Realism as a theoretical construct is better defined as a collection of theories, which differ on the independent variable that explains international politics, namely: human nature, international anarchy, and effects of domestic institutions (Doyle 1997). While there are differences, all types of realisms share the following set of basic assumptions: groups are the main actor in the international arena, principally states, who act egoistically driven by self-interest; they use force and power to achieve their goals, which turns the international system into one of constant conflict; and anarchy leads states to behave in a self-help manner (Wohlforth 2008). Among realist theories, structural realism is probably the most important strand of theory. Its main goal is to explain how the anarchical international system affects state behavior and,

by so doing, it attempts to explain why wars occur, and cooperation fails (Waltz 1979).

On the other hand, liberalism is also considered a collection of theories (Moravcsik 1997). Nonetheless, the core of liberal theory differs importantly from those premises of realism. First, liberals believe that anarchy can lead both to peace and war. Second, cooperation is not a zero-sum game; rather, states' contest is a positive or negative-sum game (Doyle 1997). In addition, contrary to realism, liberals do not believe that survival and power are the main concerns of states, and they recognize the existence of other actors outside the state. In this line, neoliberal institutionalism –the most salient strand of theory– places particular importance on the role of institutions. Indeed Keohane (1983, 1984) argued against structural realism, claiming that in the context of anarchy, cooperation is possible through the establishment of international regimes, which are defined as "sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations" (Keohane 1984: 57). From this perspective, in an anarchical world, coordination of state policies among self-interested states is possible through institutions that solve market failures. In other words, international institutions help states to overcome collective action problems by reducing transaction costs of exchanges, and solving information problems.

However, while these two theories focus on different aspects of international politics to develop their explanations, they both use the same rationalist ontology and assumptions; they are rationalist theories, neo-utilitarian as Ruggie dubbed them. That is, both liberalism and realism share the basic assumption that identities and interests are exogenous and given, and derive directly from the material reality (Finnemore 1996, Abdelal 2001). For these approaches, it is not relevant to answer the question of "how interest and identities are acquired". For them, "states and the system of states simply *are:* endowed with the ontological status of being" (Ruggie 1998: 863).

As a response to this rationalist research agenda, constructivism emerged as an alternative approach to understand international phenomena, which focused precisely on the question of how identities emerge. Unlike realism and liberalism, constructivism is about the role of human consciousness, and its main goal is to demonstrate that identities and preferences are socially constructed (Ruggie 1998). Constructivists focus on the role of ideas, norms, knowledge, culture, and argument in politics, stressing in particular the role of collectively held ideas and understandings on social life. Specifically, constructivism is an approach to social analysis that asserts

that human interaction is shaped primarily by ideational factors, which are shared beliefs that construct the interests and identities of purposive actors (Ruggie 1998, Wendt 1999). All constructivist analyses use an ideational ontology and holism in some way (Finnermore and Sikkink 2001). As a result, constructivism –unlike realism and liberalism– recognizes the importance of ideational factors, and rejects theoretical accounts that conceptualize the world as preconstituted and endowed with the ontology of being, instead of becoming (Ruggie 1998: 863).

Rival Hypotheses: Realism, Neoliberal Institutionalism, and Organized Hypocrisy

Realism cannot accurately explain the content and timing of the anti-corruption regime because the evidence is inconsistent with its focus on state centrism and power politics. The evidence shows that in the 1970s the U.S. government attempted to implement an international norm against corruption very unsuccessfully (Wolf and Schmidt-Pfiser 2010). The U.S. initiated a unilateral initiative that applied only to American companies, the Foreign Corrupt Practices Act (FCPA) of 1977, which made illegal for them to pay bribes to foreign officials (Elliot 1997). The U.S. was unable to install corruption on top of the international agenda, and make other countries adopt similar legislations despite the fact that its companies complained that FCPA reduced their competitiveness in the world economy (Elliot 1997: 200). The only evidence that shows the influence of the U.S. in this regard is the 1997 Organization for Economic Co-operation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials, which, while important, was far from laying the groundwork for an anti-corruption regime. Bukovansky (2006: 191) emphasizes that the American pressure "alone cannot explain fully the adoption of the [OECD] convention, if only because if it had been up to the US alone, such a convention would have been adopted much earlier". Hence, realism cannot explain the temporal gap between the enactments of the FCPA and the emergence of the myriad anti-corruption institutions that constitute the core of the regime.

Neoliberal institutionalism has two serious drawbacks to explain the anti-corruption regime. Firstly, under neoliberal premises one should observe states purposively creating a regime to coordinate their policies in order to reduce the cost of corruption in international transactions, which is in fact constantly invoked in the international anti-corruption conventions (Heineman Jr. and Heimann 2006, Bukovansky 2006). Nevertheless, the anti-corruption regime was not boosted by states, but by international organizations and non-state actors, which acted as autonomous agents and not simply as passive bystanders without agendas

(Kennedy 1999, Bukovansky 2006). As a matter of fact, states signed conventions advanced by international bureaucracies such as the World Bank (WB), the International Monetary Fund (IMF), and the UN, and Non-Governmental Organizations (NGOs) such as Transparency International (TI). This fact illustrates the limits of the rationalist and materialist ontology, as liberals do not endow institutions with any form of agency (Barnett and Finnemore 2004). Secondly, since neoliberal institutionalism understands institutions as mechanisms to solve market failures, the application of the theory results problematic because states implemented anti-corruption institutions which have proved inefficient prior to the emergence of the regime (Pope and Vogl 2000, Heilbrunn 2004). As a result, the inefficiency of anti-corruption legislation and agencies contradicts the underlying rational assumptions of liberalism, as interest-maximizer states picked up institutions that had not solved their coordination problems.

The strongest rival hypothesis from the rationalist perspective is probably Organized Hypocrisy: national leaders may join these conventions because it allows them to costlessly signal that they are not corrupt, regardless of the subsequent problems of implementation they may have, and the maintenance of corrupt practices domestically. Krasner (1999), one of the main proponents of organized hypocrisy, focuses on how rulers adopt norms, but violate them in practice. Regarding conventions, the author gives them a more nuanced treatment, especially for a realist scholar. Directing his attention to human rights conventions, Krasner (1999: 106) claims that rulers adopted them because "they were part of a cognitive script that defined appropriate behavior for a modern state in the late twentieth century. Signing, however, was decoupled from actual practice". Moreover, the author claims that this decoupling will be easier when the conventions lack monitoring and enforcement provisions, and the there is weak domestic support for them. Hence, this suggests that states would not easily sign conventions that have strong oversight mechanisms.

Nonetheless, the evidence suggests that even corrupt governments have made real efforts to implement the policies prescribed by UNCAC, as their perceptions regarding corruption changed. Hechler et al. (2011) analyze the anti-corruption efforts in three of the most corrupt countries in the world, Bangladesh, Indonesia and Kenya. The authors found that, while there are problems of implementation, these countries have made serious efforts to implement UNCAC's provisions, despite the problems they have encountered to do so. In fact, Bangladesh has gone well beyond UNCAC's prescriptions. The Anti-Corruption Commission (ACC) was seen as a key tool to promote development, which is the reason why the structure was

strengthened. As a result, in 2007 the ACC was already investigating a long list of top political and business figures, and the country incorporated in the national legislation some optional UNCAC requirements as mandatory (Hechler et al. 2011: 41-43).

Furthermore, most international initiatives feature special monitoring bodies to evaluate compliance with international anti-corruption hard and soft law (Wolf and Schmidt-Pfsier 2010). International bureaucracies' will to make these monitoring mechanisms strong became evident when the responsibility for UNCAC was assigned to the UN Office on Drugs and Crime, which received this duty because of its good reputation for professionalism (Heineman Jr. and Heimann 2006). Indeed, in 2004 the frustration with the weak enforcement functions of KACC, Kenya's Anti-Corruption Commission, led the then director to suggest a systematic assessment of Kenya's compliance with UNCAC. A structured analysis was initiated at the first Conference of states parties to UNCAC in Jordan in December 2006 (Hechler et al. 2011: 69). In addition, states agreed in the Third Conference of state parties held in Doha, Qatar (2009) to set up a multi-staged peer review mechanism involving the review of each state by two peers in order to evaluate the process of UNCAC's implementation (U4 2010). This evinces not only that countries are committed to reducing corruption at the national level, but also that they are using the enforcement mechanisms stipulated in the UNCAC framework to better implement its policies at home. While some states did not fully comply with UNCAC's dispositions, this was a surprisingly low number, which tended to prove the rule. Thus, the majority of states did not engage in decoupling, which renders the theory of organized hypocrisy unsatisfying to explain the adoption of the anti-corruption regime. Neither does it explain the content of the regime. To account for the emergence and adoption, as well as the content of the regime, I turn to a constructivist explanation.

IDEATIONAL FACTORS? A CONSTRUCTIVIST EXPLANATION

As stated above, constructivism deals with the ways in which social facts affect actors' behavior. In this sense, constructivist analysts use an ideational ontology to make sense of different phenomena (Finnemore and Sikkink 2001). Following this line, this section studies the emergence of an anti-corruption regime using a constructivist perspective, which mostly emphasizes norms and the actors who spread them and legitimize them. What is useful about the constructivist approach, as applied to the anti-corruption regime, is that it is not entirely focused on state actors (Hurd 2008: 306), and hence it is compatible with a variety of actors other than states, which are fundamental to understand the puzzle presented in this paper. Specifically, constructivism can shed light on the emergence and

legitimization of the anti-corruption norm mainly through two reinforcing approaches derived from sociological institutionalism, namely: the world polity model and global bureaucracies. I distinguish these two approaches as separate arguments partly for analytical clarity. In empirical terms they are more intertwined, as I will show when discussing the emergence and evolution of the anti-corruption regime.

Global Polity: Structures and Agents in the Making of World Politics

Global polity can be understood as a synonym of world culture, social structure or, a set of global norms. The idea of a global polity is taken from sociological institutionalism, which argues that the social structure is ontologically prior and generative of agents. In other words, the structure through its norms and values constitutes all the relevant actors of international politics, including states, firms, bureaucracies, and individuals, and defines legitimate goals for them to pursue (Finnemore 1996, Dobbin, Simmons, and Garrett 2007). World cultural norms also produce organizational and behavioral similarities across the globe. So, it provides a systemic level framework that predicts similarities in behavior caused by common global culture, where realism or liberalism would expect differences in behavior by differently situated actors with different interests (Finnemore 1996: 326).

The basic argument of sociological institutionalism is that it is the external cultural legitimization rather than task demands and functional needs what explains most of organizational behavior. So, bureaucracies proliferate and have a given form not because they are efficient but they are legitimated by the social structure (Finnemore 1996: 330, Dobbin, Simmons, and Garrett 2007: 451).

According to Finnemore (1996), the content of the social structure is defined by Western and Weberian elements. This social structure has expanded, bureaucratizing, marketizing, and individuating the world. Furthermore, according to the author, sociological institutionalism has the advantage that, unlike other approaches, it is capable of explaining the content of the world culture. The social structure provides both the appropriate goals actors should aim for, and the adequate means to achieve them (Dobbin, Simmons, and Garrett 2007). Finnemore (1996: 331) contends that the global culture emphasizes two main goals: progress, understood in terms of increase of wealth, and justice defined as equality. Regarding the means to accomplish these objectives, the global culture focuses on bureaucracies and markets. Finally, the author concludes that "claims of efficiency in contributing to increased wealth and progress

legitimize both" (Finnemore 1996: 331).

This approach has been previously applied to areas of international politics other than corruption. For instance, Meyer (1977), one of the best-known proponents of this theory, applied the idea of global norms to the diffusion of educational policies after World War II. The author found that the expansion of mass schooling exponentially increased almost everywhere, but especially in countries that were not only developmentally ready for it, but also had no real economic need for such a policy. Hence, Meyer (1977) explained this phenomenon by resorting to the influence of a global norm that prescribed mass schooling as an intrinsic part of modernity. Therefore, based on the arguments laid out in this section and their previous application to empirical phenomena, I generate the following hypothesis to explain the puzzle posed by the anti-corruption regime.

I contend that corruption has arisen as a serious problem in the international agenda because it threatens the ends of modernity by distorting markets and bureaucracies. Given that the global discourse that informs the anti-corruption regime is embedded in the global culture (Bukovansky 2006), the diffusion of anti-corruption measures embodied in the anti-corruption regime is boosted by the external cultural legitimization of global norms that stigmatize distortions of markets and bureaucracies. Thus, I expect global cultural norms to promote the spread of the adoption of similar anti-corruption measures across countries, regardless of their levels level of corruption.

Global Bureaucracies: Spreading the Global Culture and Fixing Meaning

The previous section analyzed the content of the social structure. However, it is not clear yet how this structure becomes global, that is, who diffuses the global norm. According to Dobbin, Simmons, and Garrett (2007: 452), a key issue for constructivists is understanding how public policies become accepted, which implies knowing the diffusion mechanisms. As some constructivists claim, agents "depend cognitively on stabilizing or simplifying frames to organize information and attention in order to act at all" (Abdelal, Blyth and Parsons 2010: 11). These cognitive constructions become more powerful when they are taken for granted (p. 11).

As observed, in order to become a global culture, this social structure needs to be transported throughout the system by agents that enjoy certain legitimacy. Otherwise, it is unlikely that the social structure will become socially accepted and, hence, global. So far, it seems that the most successful

transmission belts of these norms are international organizations, that is, global bureaucracies. Constructivism has a particular take on global bureaucracies. Scholars in this tradition endow such bureaucracies with more autonomy from state actors than the other international relations paradigms, such as realism, liberalism, and Marxism. Barnett and Finnemore (1999: 703) argue that bureaucracies should be treated as social facts, which means that they respond not only to actors pursuing material interests but also "to normative and cultural forces that shape how bureaucracies see the world and conceptualize their own mission". As a consequence, environments can favor bureaucracies not only due to their supposed efficiency. Rather, bureaucracies may be created and supported because of the values they represent, their legitimacy, or normative concerns.

Barnett and Finnemore (1999; 2004) also explain two crucial issues for the study of international bureaucracies, namely: the origins of their independence, and the ways in which they affect state behavior. First, regarding the sources of organizational independence, the authors claim that two mechanisms help explain why international bureaucracies can act autonomously. On the one hand, the source of independence stems from the legitimacy of the rational-legal authority that they embody, that is, modernity legitimizes rational-legal authority, which is embodied in legalities, procedures, rules, and impersonality. This makes bureaucracies powerful and makes people willing to submit to this kind of authority (p. 707). On the other hand, autonomy derives from specialized technical knowledge, training, and experience that is not immediately available to other actors. At the same time, this type of technical knowledge, gives these bureaucracies the appearance of depoliticized, impersonal agents, which increases their legitimacy (p. 708). These two features of international organizations lead me to think that global bureaucracies is a more appropriate concept to dub them.

Second, global bureaucracies exert power by 1) classifying the world, creating categories of actions and actors; 2) fixing meanings in the social world; and 3) articulating and diffusing new norms, principles, and actors around the world. Finally, other scholars suggest that social acceptance can take three forms. First, leading countries to serve as exemplars; that is, follow the leader. Second, expert groups theorize about a new policy, thereby giving policymakers a rationale to adopt it. Third, specialists define a particular policy's appropriateness, defining it as right in some circumstances (Dobbin, Simmons, and Garrett 2007: 452).

All these arguments point to the direction that global bureaucracies reproduce and create meanings not only because of their efficiency, but

also –and perhaps more importantly– because they embody the logic of appropriateness, that is, what is normatively adequate in light of a particular social structure. In this sense, global bureaucracies spread an appropriate script of state behavior, and more importantly, constitute states interests to fit the global norm. Following this argument, I develop the second hypothesis regarding the anti-corruption regime.

I argue that corruption has become a major issue in the international agenda because global bureaucracies have informed and legitimized the policy prescriptions of the anti-corruption norm. I expect that global bureaucracies such as the IMF, WB, and UN, fix the meaning of corruption as an international problem linked to a specific set of policies and practices that are in line with both the Western ideals and the bureaucrats' shared understandings of what constitutes corruption. Since the bureaucrats of these international organizations were part of a group of economists who carried out a series of studies on corruption, they acted as a transnational epistemic community, which shared a mutual understanding of the causes of corruption. Given that they understood corruption as a problem that affects state, rather than private actors, equivalent to bribery, they prescribed anti-corruption agencies to alter the structure of incentives of public officials as a legitimate and effective solution.

HOW TO BE A GOOD STATE? FIXING THE MEANING OF THE ANTI-CORRUPTION NORM

As I mentioned before, the argument I develop in this paper is divided into two steps. First, an anti-corruption structure constrains and defines international bureaucracies' policies, and second, these bureaucracies spread the norm and construct states' interests in order to fit the logic of appropriateness dictated by the norm. However, my argument is also multi-causal. I do not believe that international bureaucracies are merely intervening variables that only reproduce the social structure. Rather, I argue that international bureaucracies, although working within the boundaries of the social structure, are able to incorporate new elements, usually in the form of technical knowledge, which modify the global norm but that aim to the same original objective dictated by the norm. As I will show below, the anti-corruption norm began with a particular discourse of good governance that was revised by the international bureaucracies –which acted simultaneously as epistemic communities– transforming it into an economic development problem. Although, both discourses pointed to the idea that corruption had to be eliminated, the language used by international bureaucracies became socially accepted because it was legitimized by technical knowledge. Hence, this argument assumes that actors behave under the constraints of the social structure, but criticizes

world polity arguments for dismissing too easily the agency these have to modify –although within the confines of the structure– the global norm.

The Emergence of the Global Norm: The Good Governance Agenda

Until the 1990s, corruption was seen as a domestic issue, and was even tolerated at the international level. Hence, despite the numerous efforts of the U.S. government to bring this issue at the forefront of the international agenda, there were no transnational initiatives to curb corruption. However, at the beginning of the 1990s with the end of the Cold War and the emergence of the good governance agenda, the anti-corruption norm began to take form very primitively (Wolf and Schmidt-Pfister 2010: 15).

The good governance agenda, advocated mostly by the WB and the IMF, was directly linked with the dominant social structure characterized by strengthening democracy and neoliberalism (Bukovansky 2006). At the same time, TI, an international nongovernmental organization, began increasing the salience of corruption as an international issue through its field programs and the publication of a corruption perception index, which ranked states based on a series of indicators (Hindess 2005). In fact, the WB and TI began working together to develop an anti-corruption strategy because the goals of both bureaucracies converged in the good governance agenda (Bukovansky 2006). These institutions promoted high standards of legitimacy, representation, and accountability. These standards were given the label of good governance. Thus, the good governance agenda was mainly concerned with states and their officials. The IMF and the WB have seen this as a way of strengthening the institutional framework of government, which entails strengthening the rule of law and the predictability and impartiality of its enforcement (Woods 2000: 823-825).

Hence, this agenda and the institutions that advanced it contributed to expand the global norm aforementioned, but with a focus on the state, democracy and the rule of law. Part of these efforts was focused on ruling out corruption and rent-seeking activities. Furthermore, the bureaucracies of these organizations understood corruption as the result of the interaction of rational private actors that demand private benefits from rational bureaucrats and politicians, who are willing to obtain rents from their position in the state apparatus (Elliot 1997, Tanzi 2002)[4]. As a result,

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4   Actually, as most of the bureaucrats of these international organizations are economists, the WB and IMF's understanding of corruption was heavily driven by the economic literature. Economists theorize about corruption using principal-agent models, which model corruption as the interaction between rational private actors and public sector employees and politicians, who are willing to obtain rents from

the recurrence of corruption was seen as a function of the size and structure of the state, which determine the structure of incentives public officials face. In fact, the definition of corruption, which became the standard in most reports, was that corruption constitutes the misuse of public power for private benefit (Jain 2001). Based on these conceptions, the solutions these bureaucracies promoted, especially the IMF and WB, sought to either reduce the size of the state apparatus or reform its administration in order to reduce the incentives to engage in corrupt practices (Hopkin 2002: 585).

Overall, the underlying idea was that corruption was against the ends and means of modernity, which according to Bukovansky (2006: 183-184), were taken as given and unproblematic by the international bureaucracies immersed in this social structure. Nonetheless, during this period, international bureaucracies were not devoted to expand the anti-corruption regime, and did not advocate the idea that it should be treated as an international problem (Wolf and Schmidt-Pfister 2010). The next period, beginning in 1995, would see a change in the content of the anti-corruption norm that, nonetheless, still reinforced the social structure of neoliberalism and democracy.

CRITICAL JUNCTURE: INTERNATIONAL BUREAUCRACIES AND THE CONSTITUTION OF AN GLOBAL ANTI-CORRUPTION NORM

The idea that corruption was a rent-seeking problem was supported only by theoretical arguments due to the lack of empirical research. In the mid-1990s, thanks to the publication of TI's Corruption Perception Index, scholars began to develop a series of empirical analysis, which dramatically boosted the study of the causes of corruption. Most of these studies advanced the hypothesis that corruption was a rent-seeking problem stemming from economic and political distortions (Montinola and Jackman 2002). While this literature did not reach consensus regarding the causes of corruption, they did agree on the consequences of this phenomenon.

A critical juncture took place in the anti-corruption norm with the publication of an empirical study on the consequences of corruption, which dramatically changed the way in which the problem had been conceived so far, namely: Mauro's *Corruption and Growth* (1995). This IMF economist argued that corruption hindered economic development and reduced investments. Most of the literature developed afterwards was

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their position in the state apparatus (Elliot 1997: 181, Rose-Ackerman 1997: 31, Tanzi 2002: 59). From this perspective, corruption emerges whenever public officials have discretionary control over a benefit or cost to be allocated in the private sector (Rose-Ackerman 1978, 1997).

based on this analysis[5], and although the measures and techniques varied, the new consensus showed that corruption negatively affected economic development (Mauro 1995, Tanzi 2002).

This literature was by and large developed by economists working for the WB and the IMF, who acted as a coherent transnational epistemic community. These communities exert power through their technical knowledge, as they are networks "of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain" (Hass 1992: 3). The effects of epistemic communities as knowledge-based networks with the capacity to modify states interests and policy preferences have been widely accredited in the academic literature, and form part of the core of the constructivist agenda (Ruggie 1998: 868, Finnemore and Sikkink 2001: 402). In this specific case, although the existence of an epistemic consensus is a necessary but not sufficient condition to translate epistemic shared ideas into policies (Chwieroth 2010), the fact that many members of the economic epistemic community were based on the WB and IMF implied that their discourse had both academic and institutional manifestations. As a consequence, their studies laid the groundwork for a new international consensus, and their conclusions were not only used in the policymaking sphere but also in universities and research institutions. Indeed, these works on the effects of corruption on economic development unfolded in tandem both in these international bureaucracies and universities, and were published in academic journals and/or institutional publications (Bukovansky 2006).

The new consensus that corruption hindered economic development was at the heart of the social structure's goals, as democracy and neoliberal economies were directly affected by these new findings. At the same time, and this marks the difference with the previous period, the consensus was supported by scholarly work based on empirical data, which gave the good governance agenda the legitimacy it was lacking. Underlying these changes in rules, rhetoric, and awareness, was the growing recognition that bribery and extortion had *demonstrably* deleterious consequences (Heineman Jr. and Heimann 2006: 75; emphasis added). This explains why corruption was catapulted from the margins of the academic and policy discourse to the center stage as one of the most pressing problems facing the developing world (Bukovansky 2006: 181).

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5   As of November of 2011 Mauro is among the 5% most cited economists according to the ideas/repec ranking. This shows the impact this economist, who has laid the groundwork for the study of the effects of corruption and economic growth.

This ideational framework constructed around the consequences of corruption then had the effect of fixing the meaning of corruption as a problem of economic development (*what* corruption entails). This in turn led to another agreement, namely: who and how should take care of the problem. As Barnett and Finnemore (1999, 2004) predicted, the answer was international bureaucracies. According to Bukovansky (2006), this consensus laid the groundwork for instrumental justifications to combat corruption that pointed to the very mission of the international bureaucracies, that is, fostering development and economic growth. This also came to reinforce the good governance agenda and, more importantly, generated a particular international anti-corruption regime in which all international bureaucracies justified the proper policies under the economic development discourse that emphasized the high economic costs of corruption. As Bukovansky (2006: 194) claims "the dominant rationale for the anti-corruption consensus has been economic, and to a lesser extent institutional (deploying a thin conception of institutions as incentive structures), rather than normative: the argument is that corruption hurts economic development either by siphoning off resources and discouraging foreign investment, or because corrupt elites select public financing projects in order to maximize their opportunities for monopoly rents rather than encourage sustainable growth". The next challenge was the implementation of this anti-corruption movement.

Norms Adoption: Changing Interests and Isomorphic Results

As the theoretical construction of corruption determines the preferred policy, the economic idea of corruption diffused by the international consensus conceived criminalization of corruption, jail sanctions, fines, and administrative punishment as the logical response to corruption, understood as rent-seeking behavior (Taylor 2002). This conceptualization overlooked important questions regarding political agency and morality. The anti-corruption consensus, consequently, boosted a series of conventions, which attempted to implement these policies geared towards reforming national legislations and state institutions so as to change the structure of incentives faced by public officials. The nature of anti-corruption commissions responds directly to this economic structure of knowledge in which institutions are considered exogenous incentive structures which social actors are embedded in. Reform was the policy chosen because the empirical studies did not find evidence that the size of the state increased corruption, hence state retrenchment did not become a legitimate option. Moreover, reform was seen as much easier because it allows changing the structure of incentives in the public sphere in a rather rapid way (Elliot

1997: 208).

In this line, the most important convention of the anti-corruption regime was UNCAC signed in 2003. Although the convention has a broad reach with regards to its aims, the content of this norm was basically given by the consensus that corruption was a rent-seeking problem that affected state institutions (Bukovansky 2006). As a matter of fact, although the convention acknowledges that corruption involves transaction with private agents, it does not establish any obligation to make bribery and embezzlement in the private sector a criminal offense (Argandoña 2007: 490). Hence, UNCAC's propositions were oriented at altering the incentives for corruption in the state through the criminalization and enforcement of anti-corruption legislation focused on public officials. At the same time, the implementation of anti-corruption commissions, established in Article 6th of UNCAC, fostered the creation of a body or bodies to prevent corruption and implement anti-corruption policies and practices. These commissions became the legitimate institutional mechanism to enforce the administrative and criminal legislation demanded by the international norm[6] (Hindess 2005).

The fact that UNCAC was built upon a broad international consensus about the meaning of corruption and its negative economic consequences led this convention to become the first truly global framework for combating corruption (Heineman Jr. and Heimann 2006). One of the effects of the shared global framework is that the convention has shaped the state interests and defined the boundaries of legitimate policy making in the fight against corruption. On the one hand, since high levels of corruption are associated to poor economic performance, UNCAC shapes state identities by defining norms and institutions that reduce material losses. On the other hand, UNCAC defines the appropriate state behavior by fixing the identity of what civilized states do, which is constructed as commitment to global cultural norms of prosperity and equality fostered by markets and bureaucracies with low incidence of corruption.

States that do not adhere to UNCAC, then, are constructed both as states unwilling to fight corruption, and to participate in the global enterprise of fostering economic development. Consequently, the anti-corruption norm is not constructed as a politically contestable agenda but as a technical and the moral imperative that states must follow (Kennedy 1999). As a result, UNCAC has been signed and ratified by 168 countries

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6   Here, it is important to note how the international regime fixed a radically different conception of corruption from the one the United States failed to implement under the FCPA, where corruption centered on the bribe-giving actors instead of the bribe-taking public officials.

and the European Union (UNODC 2012), which reflects how states interpreted the consequences of corruption. An interesting point is that the anti-corruption norm has not distinguished among countries according to the different kinds and levels of corruption they hold. On the contrary, the norm has diffused the adoption of the same anti-corruption toolkit for all countries, recommending the adoption of anti-corruption legislation, and agencies for countries as different as Sweden and Pakistan, occupying the 4th and the 143rd places in the TI's Corruption Perception Index of 2010, respectively.

CONCLUSION: THE UNPROBLEMATIC ADOPTION OF GLOBAL CULTURE'S ENDS AND THE INEFFICIENCY OF THE ANTI-CORRUPTION NORM

The adoption of anti-corruption agencies at the national level, the preferred policy option of international bureaucracies, has not demonstrated its efficiency in the fight against corruption. However, UNCAC has been accepted by most countries, corrupt and uncorrupt alike. The problems of rationalist theories to explain this puzzle became evident as exposed at the beginning of this essay. Even organized hypocrisy, the strongest rationalist hypothesis, was unable to explain why corrupt states were not engaging in decoupling when adopting the anti-corruption norm. Rather, states seemed to be doing efforts to implement anti-corruption legislations, and some governments were even willing to go beyond the norm.

To explain this puzzle, I advanced a constructivist approach that emphasizes the importance of a global norm based on the values of democracy and neoliberalism, which influenced the agenda of international bureaucracies, and led them to consider corruption as a good governance problem. Nonetheless, international bureaucracies were not mere subjects in this process. Because economists based on these organizations acted as a transnational epistemic community, the WB and IMF provided their technical knowledge and framed the issue of corruption in a somewhat different manner which was, nonetheless in line –and even more so– with the global culture. International bureaucracies linked corruption to underdevelopment and provided empirical evidence that substantiated their claim. This, in turn, increased the legitimacy of the issue, and led the anti-corruption norm to a global stage, which was widely accepted by almost every country in the world.

Therefore, this constructivist framework can explain the timing of the emergence of an anti-corruption norm, its content, and the reason why their policies became socially accepted to the point where states signed on to it, and implemented its policies even when it was unclear as to whether they

were efficient at fighting corruption. At the same time, this constructivist analysis can help explain why the policies promoted by the convention have been ineffective. The now global anti-corruption norm that stipulates what a good state looks like promotes isomorphic results, a one-size-fits-all type of solution, which are inappropriate for some countries.

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