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CORRUPTION, GENDER EQUALITY AND FEMINIST STRATEGIES

BO ROTHSTEIN

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ABSTRACT

The following arguments are presented. 1) Corruption in its various forms is a serious social ill. 2) Democracy is not a safe cure against corruption. 3) Increased gender equality seems to be one important factor behind getting corruption under control. 4) Impartiality in the exercise of public power, not least, when it "translates" into meritocratic recruitment and promotion in the public administration, has a powerful effect on lowering corruption. 5) While some aspects of impartiality are central for gender equality, research results are mixed. Some show that impartial principles promotes gender equality, others show that gender bias exists also in many processes designed to be impartial. Going from these results to policy recommendation is thus fraught with many difficulties. One is how to handle problems of legitimacy in the implementation process for various forms of preferential treatment of discriminated groups. Since these problems are impossible to handle, we may be in for a "Churchillian" argument. Like representative democracy, meritocracy may be a far from ideal solution for lowering corruption and thereby promoting human well-being, but it may be the least bad of existing alternatives.

Bo Rothstein
Blatvatnik School of Government
Nuffield College
University of Oxford
bo.rothstein@bsg.ox.ac.uk

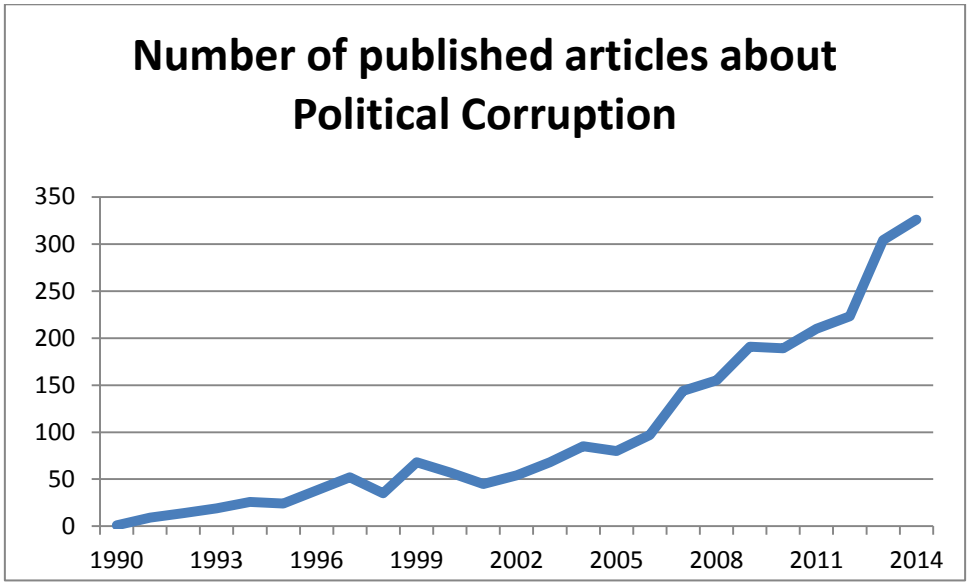
Introduction

In an article titled "Medical Care in Romania Comes at an Extra Cost", *New York Times* (March 9, 2009) reported the following story: "Alina Lungu, 30, said she did everything necessary to ensure a healthy pregnancy in Romania: she ate organic food, swam daily and bribed her gynecologist with an extra $255 in cash, paid in monthly instalments handed over discreetly in white envelopes. She paid a nurse about $32 extra to guarantee an epidural and even gave about $13 to the orderly to make sure he did not drop the stretcher. But on the day of her delivery, she said, her gynecologist never arrived. Twelve hours into labor, she was left alone in her room for an hour. A doctor finally appeared and found that the umbilical cord was wrapped twice around her baby's neck and had nearly suffocated him. He was born blind and deaf and is severely brain damaged….. Alina and her husband, Ionut, despair that the bribes they paid were not enough to prevent the negligence that they say harmed their son, Sebastian. "Doctors are so used to getting bribes in Romania that you now have to pay more in order to even get their attention," she said."[1]

This story is just one of what is an almost endless stream of media coverage of how corruption affects the life of people around the world (cf. WorldBank 2010). Using more "hard" measures, there is by now overwhelming support for stating that corruption, in its many forms, has massive negative effects on human well-being. This includes but is not limited to economic prosperity, all standard measures population health, subjective well-being, (a.k.a. "happiness"), social trust, social mobility, poverty, economic inequality and political legitimacy. There are now also studies showing that corruption has a causal effect on the outburst of civil strife, civil wars and interstate wars (for references see Rothstein and Tannenberg 2015). It is also the case that from being largely an ignored issue in research and policy well into the late 1990s, the problem of corruption has received increased attention during the last fifteen or so years. In academic research this can be seen in the stark increase in the number of scholarly articles published that deals with corruption. A search in the Thompson's Web of Science database for scholarly articles that include the term "political corruption" as a key word, illustrates the relative novelty of the field and the very recent surge in interest in corruption research.

[1] http://www.nytimes.com/2009/03/09/world/europe/09bribery.html?pagewanted=all

FIGURE 1, ARTICLES PUBLISHED ON POLITICAL CORRUPTION (THOMSON WEB OF SCIENCE, 2015)



In public policy this increasing attention is evident from the many international as well as national development and aid organizations that have become engaged this problem. In addition, a number of NGOs and civil society organizations have put corruption as a central issue on their agendas. The current President of the World Bank, Jim Yong Kim, stated in his speech of 19th December 2013, that "in the developing world, corruption is public enemy No. 1". As reported by Reuters[2], this announcement showed how much this world leading development organization had changed since the 1990s when the issue was taboo in the Bank because it should not interfere in the internal politics of the member states. This quite dramatic and recent change of focus of what is important for increasing human well-being (or avoiding human misery) is not confined to the academic and policy elites. According to a BBC poll in 2010, surveying 13,353 respondents in 26 countries, corruption is the most talked about issue globally, surpassing issues such as climate change, poverty and unemployment (Katzarova 2011).

This attention and reorientation of focus in research and policy has also resulted in a massive increase in programs launched by international and national organizations for alleviating the corruption problem. Under the euphemism of "good governance", such programs have become central

[2] http://www.reuters.com/article/us-worldbank-corruption-idUSBRE9BI11P20131219

for many developing countries as well. However, it is important to underscore that the corruption problem is not confined to the developing world. Several analyses if the economic problems in Greece and also of the collapse of the financial markets in 2008 have pointed at corruption as a main factor (Johnson 2009; Kaplanoglou and Rapanos 2013; Kaufmann 2008).

From research to policy

The not so good news is that the results of the many efforts to increase quality of government and get corruption under control have so far been surprisingly meagre. In a recent much acclaimed book, Francis Fukuyama writes that the international development and aid community "would like to turn Afghanistan, Somalia, Libya and Haiti into idealized places like 'Denmark' but it doesn't have to slightest idea of how to bring this about" (Fukuyama 2014, 25). In an even more recent book *The Quest of Good Governance*, Alina Mungiu-Pippidi states: "By and large, the evaluations piling up after the first fifteen years of anti-corruption work showed great expectations and humble results" (2015, 178). In a recent report to the OECD, Robert Klitgaard (2015) shows that the international aid and development community cannot show one single country/case where a donor led good governance or anti-corruption program have resulted in a sustained improvement. This is not to say that there are no countries that have improved their control of corruption but these changes have not been achieved through any international aid and development policy. In any case, considering the money and policy energy that has gone into the "good governance" agenda from the international aid and development regime, we are facing nothing less than a massive policy failure. This is, however, not the place for trying to explain this grand scale policy failure (but see Rothstein and Tannenberg 2015). Instead, the focus will be on the political and policy strategies that should be drawn from the recent result, namely that gender equality has a positive effect for lowering corruption. One reason for this focus on policy is that the step from research results to policy is a complicated one and that it is neither self-evident nor non-normative to make this step.[3] Research results do not automatically translate into policy recommendations since the latter must consider a

[3] One day, the biologists come out from their labs and say to the world: We have now found the gene and we can with confidence say that homosexuality is genetically/biologically determined. Depending on our normative orientations, two completely different policies can follow. One is of course that homosexuality is completely "natural", like being red-haired and we have therefore absolutely no reason for discriminating people with this sexual orientation. However, it is also possible to take the position that we should spend tons of money to find a medical treatment for this behavior. The same reasoning would follow if or colleagues in biology would come out from their labs and say that they have now evidence that there is no genetic or biological factor that can explain homosexuality so this sexual orientation must be a somehow "socially constructed". Depending on our normative orientation, we can either say that in a liberal democracy, people have the right to "construct" themselves as they please. Or one can say that this is a behavior that is "chosen" and therefore the ones that make this choice have to take the consequences, including being discriminated (adapted from Brown 2001).

number of issues related both to normative problems of legitimacy (what should the state do) and empirical issues related to possible problems that can occur in the implementation process. I will leave the normative issues for now since I have dealt with them extensively elsewhere (see Rothstein and Varraich 2016). Instead, I would like to underline that neglecting possible problems in the implementation process may result in the creating of "bureaucratic nightmares" that can seriously undermine the legitimacy of the policy in question leading to a political "backlash" against the policy.

Another reason for taking the issue of how to move from research results to policy seriously is of course that we are not dealing with just a theoretical/conceptual issue but with a "real life" problem as people around the world are literally "dying of corruption" (Holmberg and Rothstein 2011). Given the massive policy failure and the huge lack of knowledge of how to get societies to break out of systemic corruption, we are in desperate need of "institutional devices" that we as scholars with some confidence can present to the policy community. However, it is important that we do not present institutional solutions that are not possible to implement or that would create a backlash in terms of legitimacy (Rothstein 2016). If we make mistakes in how we recommend that the move from research results to policy should be done, the costs in terms of human well-being will be huge.

The problem of paying attention to legitimacy in the policy implementation is well illustrated in Theda Skocpol's "modern classic" *Promoting Soldiers and Mothers*. As Skocpol shows, the social insurance sector in the U.S. was quite large during the late 19th century. A central part of this was the pension system for war veterans who participated in the Civil War and their dependent family members, a program that during the decades after the end of the war became a huge operation both in terms of finances and the number of people that were supported. The problem, however, was that the system for deciding eligibility was complicated and entailed a large portion of administrative discretion. It is not difficult to imagine the kind of health issues that should count as resulting from combat or military service in general. However, to determine the issues that are due to the general bodily fragilities that come with aging is a delicate and complicated problem to solve in each and every case. The result was that "the statutes quickly became so bewildering complex that there was much room for interpretation of cases" (Skocpol 1992, 121). What happened was that the war veteran pension administration became a source for political patronage and corruption:

Because the very successes of Civil War pensions were so closely tied to the workings of patronage democracy, these successes set the stage for negative feedbacks that profoundly affected the future direction of U.S. social provisions. During the Progressive Era, the precedent of Civil War pensions was constantly invoked by many American elites as a reason for opposing or delaying any move toward more general old-age pensions.... Moreover, the party-based "corruption" that many U.S. reformers associated with the implementation of Civil War pensions prompted them to argue that the United States could not administer any new social spending programs efficiently or honestly (Skocpol 1992, 59)

The point Skocpol makes is that the reason for why the United States of today has a comparatively small, targeted and not very redistributive welfare state cannot be explained only by the lack of a Social Democratic type of labour movement or with references to normative ideals about the population being devoted to a "rugged individualism". On the contrary, the U.S. welfare state was comparatively well developed at the beginning of the 20th century. But it was thereafter politically delegitimized due to what was generally perceived of as its low quality of government. Or in other words, the Civil War pension system had turned into an "administrative nightmare" that severely de-legitimated the policy and thereby also served as an obstacle to getting support for future expansion of social policies.

More recently, Stefan Svallfors (2013) has analysed this issue using the 2010 European Social Survey for 29 European countries, which includes questions about the fairness and competence of public authorities (health sector and tax authorities), as well as questions about ideological leanings and policy preferences. His results show that citizens that state that they have a preference for more economic equality but that live in a country where they perceive that the quality of government institutions is low, will in the same survey indicate that they prefer lower taxes and less social spending. However, the same "ideological type" of respondent who happens to live in a European country where he or she believes that the authorities that implement policies are basically just and fair, will answer that he or she is willing to pay higher taxes for more social spending. Thus, perceptions about the quality of implementation process play a large role for achieving broad based political support for policies for increased social justice, in which gender equality should certainly be included (see also Dahlström, Lindvall and Rothstein 2013; Rothstein, Samanni and Teorell 2012).

Quality of Government versus Quality of Democracy

The quality of government (henceforth QoG) approach differs from established perspectives in political science in that it puts an emphasis on the output side of the political system over the input side (Rothstein 2011b; Rothstein and Teorell 2008; Rothstein and Varraich 2016). This can also be conceptualized as a distinction between the *access* to and the *exercise* of political power, the latter being the central focus for the QoG approach. Democracy is in this context confined to the "input" side of the political system and consists of "free and fair" elections and a set of political and civil rights. Quality of democracy can thus be understood as a combination of how "free and fair" the elections are and how well civil and political rights are protected. Quality of Government (i.e., output side) consists of things like the rule of law, the quality of the civil service and the effectiveness of government agencies responsible for implementing public policies. The relevance of this approach can be seen from the two graphs below. They are built from an index constructed by Holmberg and Rothstein (2015) called the "Good Society Index" (GSI). Following the principle of Ockham's razor it is deliberately made simple. The reason for this is analytical, namely that variables that can *explain the variation* in the GSI should not be included in the index. The GSI consists of only three types of data and covers 149 countries. The index combines WHO data on infant mortality and life expectancy and United Nations' and Gallup's data on people´s subjective feeling of personal happiness. In a good society, one may argue, newborns should survive and people should grow old before they die. And in between birth and death, people should state that they are satisfied with their lives (Holmberg and Rothstein, 2015). The first figure below shows the simple correlation between this index and one of the standard measures of QoG, namely the World Bank's measure of Government Effectiveness. The second graph shows the GSI index correlation with a widely used measure of the level of democracy.[4]

[4] Level of democracy scale ranges from 0-10 where 0 is least democratic and 10 most democratic. The measure is composed by Hadenius and Teorell (2005:95) and consists of an average of *Freedom House* measures of civil and political liberties and the measures from *Polity* of electoral participation and competitiveness, as well as constraints on the executive. Hadenius & Teorell (2005) show that this average index performs better both in terms of validity and reliability than its constituent parts.

FIGURE 2, GOVERNMENT EFFECTIVENESS AND THE GOOD SOCIETY INDEX

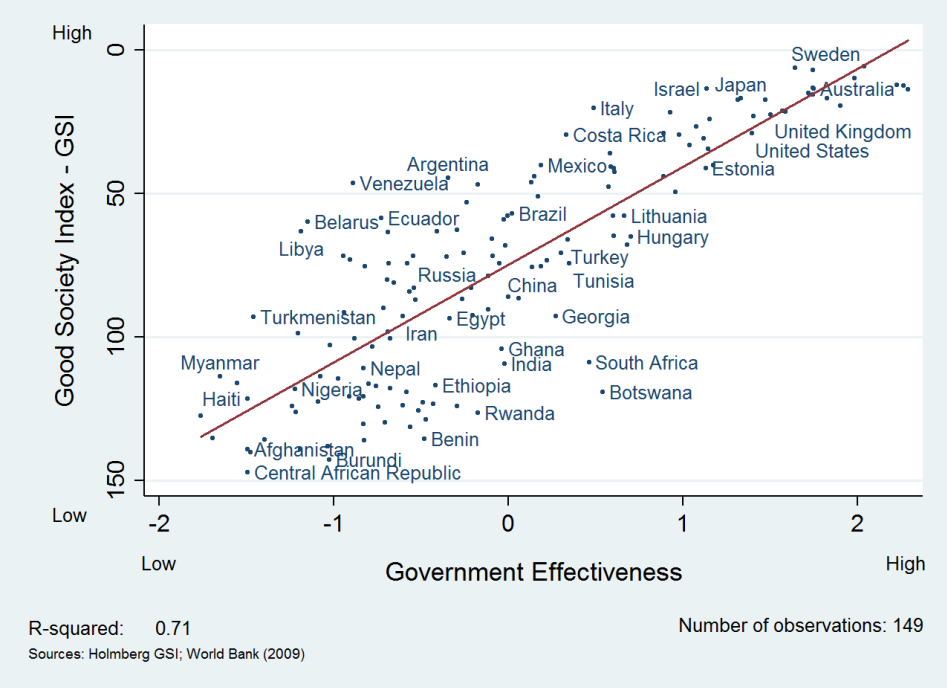
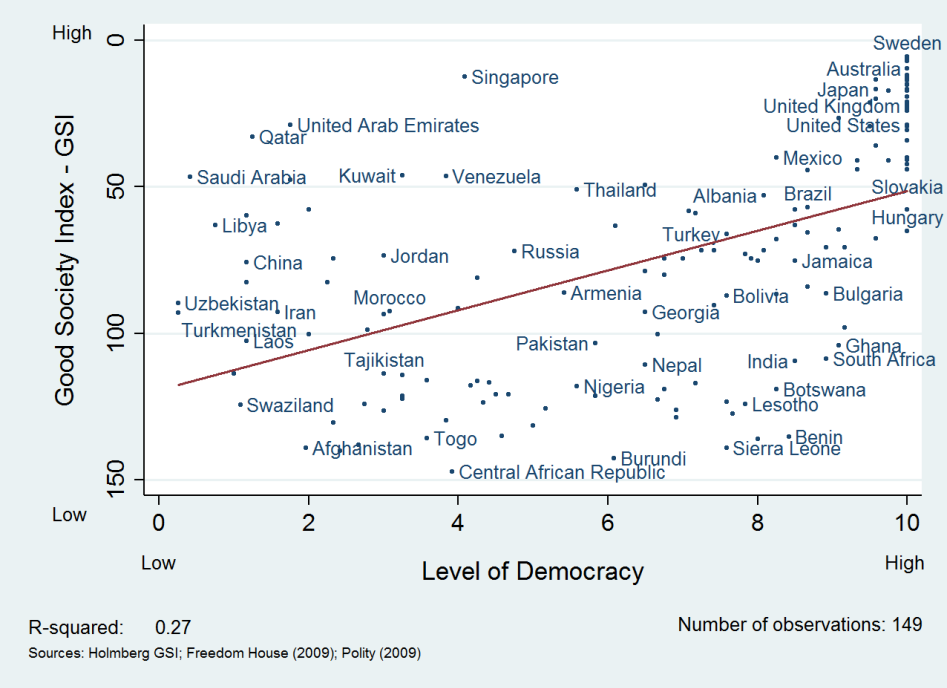


FIGURE 3, LEVEL OF DEMOCRACY AND THE GOOD SOCIETY INDEX



As can be readily seen, while the correlation between this measure of QoG and the GSI is quite impressive, the opposite is the case for the correlation with the level of democracy. Thus, if human well-being is the goal, more attention to what takes place at the "output" side of the political system is needed (cf. Rothstein and Tannenberg 2015).

Gender equality and corruption

Research on the relationship between gender and corruption took off in early 2000s, after two World Bank connected research groups showed that countries with a high percentage of women in decision-making positions generally had lower levels of corruption, even when controlling for the level of democracy, economic development, and a number of additional factors (Dollar, Fisman and Gatti 2001; Swamy et al. 2001). While some critique was brought forward on the grounds of the relationship being spurious, i.e. a well-functioning state both curbs corruption and promotes gender equality, others, in particular feminist scholars, critiqued how women's participation in political life was portrayed as a tool to combat corruption and not a goal in of itself. This school of thought turned the focus around and began studying how male networks shut women out from the inner sphere of political power, where a sizable share of corrupt transactions takes place. It is also argued that women in many countries are tied to the family and private sphere to a larger extent than men are and therefore have fewer opportunities to engage in corruption. It should be noted that this does not explain why women would contribute to lower corruption once faced with these opportunities. A third alternative theory suggests that the effects are sprung from women's and men's social roles, where women are socialized into avoiding risks and caring for others, thus making their behavior less detrimental then men's.

Researchers at the Quality of Government Institute in Gothenburg have developed an alternative theory that focus more on rationality and where women's choice of action is active. An underlying assumption is that women as a group not only have less power than men but also less economic resources. Refraining from corruption becomes rational in order to save scarce resources to pay for food, welfare of the children etc., which are seen as the women's responsibility. Wängnerud (2012; 2015) emphasizes that women who reach political positions often have a different background from their male colleagues. In Mexico, female politicians have typically started their careers within civil society organizations, and thus built their power base there (Grimes and Wangnerud 2010). Because corruption tends to undermine the relationship to the civil society, female politicians have

a rational incentive to refrain from corruption in order not to alienate their supporters and jeopardize their political careers. Grimes and Wängnerud (2010) show that sub-national regions with high levels of female politicians exhibit lower levels of corruption than other regions. Moreover, regions with large shares of female politicians saw the perceived levels of corruption reduced from 2001 to 2010, indicating that female politicians not only contribute to containing corruption levels but may also help break the sub optimal corruption equilibrium. Wängnerud argues that a high level of female politicians, in particular in developing countries, is often a result of pressure both from domestic and international organizations, and when coinciding with a public debate on combating corruption, this may provide a window of opportunity for change.

In many, if not most, countries in the world that are plagued by systemic corruption, a determined policy for increased gender equality can possibly be a "big bang" type of change that will upset a corrupt equilibrium (Rothstein 2011a). The starting point is of course that gender based discrimination in politics has been (and to a large extent still is) massive in most countries and significant change in this area is in itself a "big bang". Secondly, moving from male-dominated politics to increased female representation introduces new players, who can induce elite competition and control, i.e. a form of checks and balance. Thirdly, a significant increase of women representatives also sends a signal throughout society that there is a "new game in town" that typically receives a lot of media attention. To this one can add that most corruption is illegal and, as is well known from criminology, men are grossly overrepresented when it comes to committing serious crimes. The standard figure is that more than ninety percent of persons convicted of serious crimes are men (Maguire, Morgan and Reiner 2007). If this is a result of socially constructed templates for gendered behavior or if it is caused by some other more biological/genetic factors is not an issue that political scientists in general (and certainly not this author) have the competence to solve. However, following this quite extreme difference in gendered behavior, it should not come as a surprise that, if women are given more positions of power in a political system, corruption would become less common, since most forms of corruption are illegal. From a policy perspective, one may take inspiration from the Swedish health care law in this matter. According to this law, a treatment or drug can be prescribed on two grounds. The first is "scientific evidence" which implies that scientific knowledge has been established for how the causality works. The second ground according to the low is "known experience" which implies that scientific knowledge about how the causality between the treatment in question and the health of the patient does not exist. Still, experience shows that the treatment/drug improves the health of patient and this makes it legal for health care per-

sonnel to prescribe and use the drug/ treatment in question. For a serious problem like systemic corruption, if increased gender equality according to systematic experience results in improved quality of government, as a policy oriented social scientist I can see no reason why I should not recommend this "cure" even if I am not certain about how the micro-level causal mechanism(s) operate.[5] The importance of a factor like gender equality should also be seen in the light of the quite troubling result that the introduction of democracy, contrary to what has often been taken for granted, does not work as a safe cure against corruption (Fukuyama 2014).

What is corruption and what is the opposite of corruption?

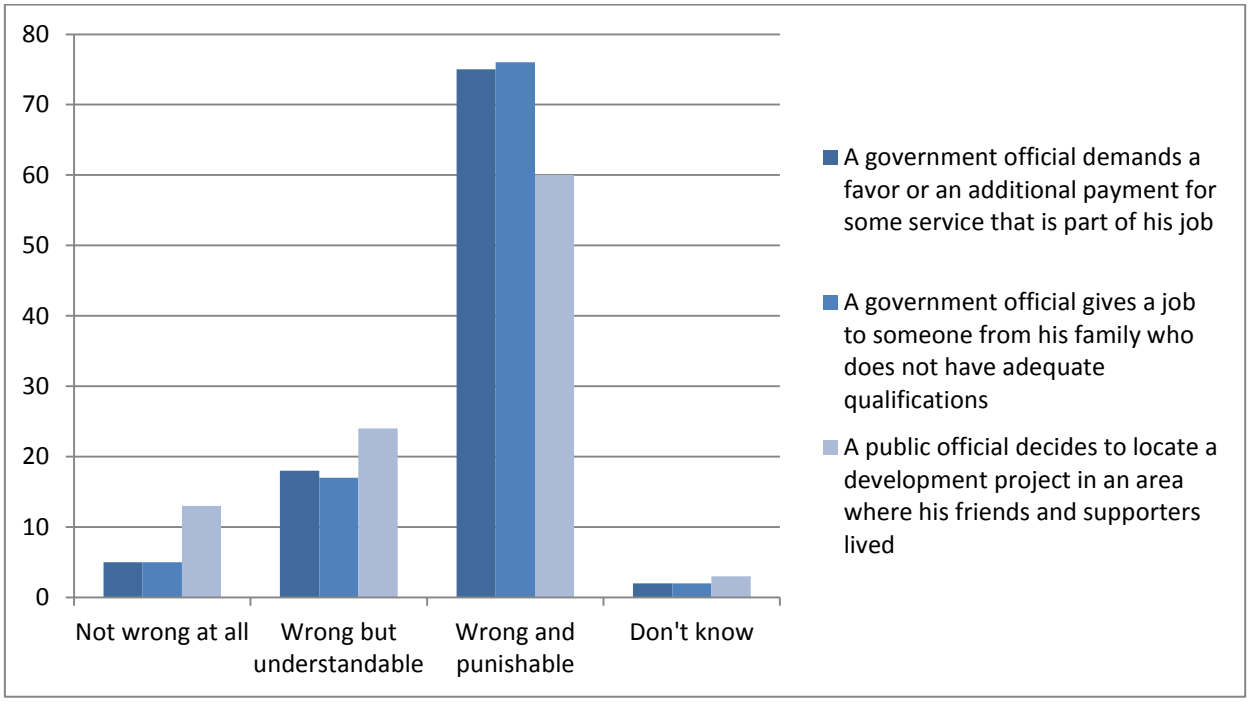
The standard definition of for example corruption has been variations on the theme "misuse of public position for private gain". The problem with this definition is partly that what counts as "abuse" is not specified resulting in a definition that is empty of substantial content. Another problem with this definition is that it invites relativism in the sense that what can be considered "abuse" in one country is not necessarily so in another country. Or in other words, with a definition like this, the ethical norm that is transgressed when we can say that an act is corrupt is unknown.

The development of the international anti-corruption regime since the late 1990s has not been without its critiques. One point that has been stressed in this critique is that the international anti-corruption agenda represents a specific western liberal ideal that is not easily applicable to countries outside that part of the world (Bracking 2007; Bratsis 2003; Bukovansky 2006; de Maria 2010; Hindess 2005; Wedel 2014). There are at least two arguments against this type of relativistic conceptual framework. The first is normative and based on the similar discussion in the areas of universal human rights and the principles of representative democracy. First, the right not to be discriminated by public authorities, the right not to have to pay bribes for what should be free public services and the right to get treated with "equal concern and respect" from the courts are in fact not very distant for what counts as universal human rights. For example, for people that do not get the healthcare they are entitled to because they cannot afford the bribes the doctors' demand, corruption can result in a life-threatening situation. The same can occur for citizens that do not get protection by the police because they do not belong to the "right" group. The second reason against a relativistic definition of corruption is empirical. Although the empirical research in this area is not entirely unambiguous, most of it points to the quite surprising result, that people in very different cultures,

[5] Needless to say, there are of course many other reasons, both intrinsic and instrumental.

seem to have a very similar notion of what should count as corruption. Survey results from regions in India and in Sub-Saharan Africa show that people in these societies take a very clear stand against corruption and views the problem in much the same manner as it is understood in for example Denmark or by organizations such as the World Bank and Transparency International (Afrobarometer 2006; Miller, Grødeland and Koshechkina 2001; Nichols, Siedel and Kasdin 2004; Widmalm 2005; Widmalm 2008)). To illustrate this, respondents to the Afro-barometer's 2006 survey in 18 African countries were asked of their views on the following scenarios where an official: "decides to locate a development project in an area where his friends and supporters live"; "gives a job to someone from his family who does not have adequate qualifications"; and "demands a favor or an additional payment for some service that is part of his job". As can be seen from the figure below, a clear majority of the 25 086 respondents considered all three hypothetical actions of the official as "wrong and punishable", while only a small minority viewed such actions as "not wrong at all". Furthermore, the group that deems these actions "wrong but understandable" is also surprisingly small.

FIGURE 4, UNDERSTANDINGS OF CORRUPTION IN AFRICAN COUNTRIES



Source: Afrobarometer (2006), n = 25 086 for Benin, Botswana, Cape Verde, Ghana, Kenya, Lesotho, Madagascar, Malawi, Mali, Mozambique, Namibia, Nigeria, Senegal, South Africa, Tanzania, Uganda, Zambia, Zimbabwe

Widmalm (2005, 2008) finds similar results in a survey study of villages in India. Widmalm finds that the Weberian civil servant model (impartial treatment of citizens disregarding income, status, class, caste, gender, and religion), although an absent figure in these villages, has surprisingly large support among the village population. In other words, the idea put forward, by among others Heidenheimer (2002)(2002) as well as by most anthropologists (Torsello and Vernand 2016), that the public acceptance of what is commonly understood as corruption varies significantly across cultures, is not finding support in this type of studies.

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

Scandals are numerous, ministers grow rich, their wives doll themselves up, the members of parliament feather their nests and there is not a soul down to the simple policeman or the customs officer who does not join in the great procession of corruption (Fanon 1967, 67).
The reluctance by many scholars in the post-colonial approach to look at corruption as a serious problem for the countries they study is thus difficult to understand. In sum, there are both normative but also strong empirical grounds for opting for a universal understanding of corruption and the opposite of corruption. However, this does not exclude that there are different types of corruption and that the connection between corruption and the political system can differ (Rothstein and Torsello 2014). This is not different from saying that while we can have a universal definition of what constitutes representative democracy, the specific institutional configuration of democracies varies a lot. The Swiss democracy is institutionally very different from the Canadian version, which in turn, is different from what they have in Denmark.

If the issue is lower corruption, we need to know what it is. Moreover, we need to have an idea of what the opposite of corruption is. In a number of publications, I have argued that the opposite to corruption should be equal (high) quality of government and that the basic norm for such a quality is the following: "*When implementing laws and policies, government officials shall not take anything into consider-*

ation about the citizen/case that is not beforehand stipulated in the policy or the law (Rothstein & Teorell 2008, cf. Rothstein 2014, Rothstein and Tannenberg 2015, Rothstein and Varraich 2016). I have argued and showed empirically that such a definition is universal in the sense that it is not bound by culture or history.

One way to think about the logic of impartiality is to make an analogy to sports, for example soccer (football). The football clubs in a national (or regional, or local) football league are in stark competition and they all really want to win the league, almost at all costs. However, the football clubs also want to secure the existence of a functioning and well-organized league that has legitimacy both among their own supporters as well as among supporters in general. If this is going to work, the clubs will have to come together and produce two things. One is a set of rules for the games that all "reasonable" clubs are willing to accept. They also need a set of rules for the organization of the league (how transfers of players should be done, how to handle teams whose supporters interfere with the matches, etc.). For this to work, they need to produce officials (referees and league managers) who are guided by the principle of impartiality. For example, individuals that are "die hard" fans of a specific club in the league will not be accepted as referees. A referees that is willing to favor a team for money will be seen as corrupt and shunned by supporters of all teams. If club A knows that club B has bribed the referee, they will either leave the match or they will start overbidding in bribes and then the league will collapse (as was the case in the famous 2006 football corruption case in the Italian national league, cf. Hill 2008). Also, players usually do not like to play in a team where they can take for granted that some of their team-mates are "on the take" (this is apparently why so many players from South America prefer to play in Europe). It should be noted that the importance of impartiality in the governing a football leagues seems to be universally understood and accepted. The Confederations of African and the South American Football Confederation do not differ in this respect from their European or North American counterparts. Clubs and supporters from these parts of the world do not think of the rulebook produced by the *Fédération Internationale de Football Association* (FIFA) as a Western Imperialist Post-Colonial treaty alien to their cultures. After all, we are talking about the world's most popular sport. As the eminent political philosopher John Rawls has stated: "it is supposed that if institutions are reasonably just, then it is of great importance that the authorities should be impartial and not influenced by personal, monetary, or other irrelevant considerations in their handling of particular cases" (Rawls 1971, 58).

Impersonal or Impartial?

Fukuyama (2014) as well as North et al. (2009) use the term "impersonal" instead of the term suggest here ("impartial"). This is in all likelihood by these authors seen merely as a terminological and not a conceptual difference. However, in dictionaries, *impersonal* is defined as "*having or showing no interest in individual people or their feelings: lacking emotional warmth*"[6], or as "*lacking friendly human feelings or atmosphere; making you feel unimportant*"[7]. In contrast, "impartial" is typically defined as "*not supporting one person or group more than another*"[8], or as "*not prejudiced towards or against any particular side or party; fair; unbiased*"[9]

The reasons for why we should prefer "impartial" to "impersonal" is based on the notion that states, when producing public goods/services, do not only or even for the most part rely on personnel that have legal training or orientation (Fukuyama 2014, 95). Fukuyama also argues that this type of bureaucratic rigidity, when policies are implemented with "*no interest in individual people or their feelings",* is what people usually despise about the state apparatus. Instead, both western and developing states use a number of professions or semi-professions, such as, doctors, teachers, school principals, nurses, urban planners, architects, engineers, social workers, etc. when implementing public policies. For many of these professions, the idea that they would be working according to the "rule of law" in the sense that they implement rules in an "impersonal" manner makes little sense. They do of course follow the laws, but as is well-known from the literature about policy implementation, the laws that are supposed to guide what these professions do have to be quite general and thereby they do not entail precise information of how to handle each and every case (Hill and Hupe 2002; Winter 2003). Instead, what is important for these groups when implementing public services, is the standards, knowledge and ethics that are established by their professions. Moreover, we do not want nurses, teachers, people that work in elderly care or doctors to have "*no interest in individual people or their feelings"* or to be *"lacking emotional warmth"* when they do their job. On the contrary, we want them (and they usually also want) to be personally engaged in and committed to their job (Brante 2014, 124-132). Some feminist scholars have presented this "modus operandi"

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[6] Merriam-Webster, http://www.merriam-webster.com/dictionary/impersonal

[7] Oxford Dictionaries, http://www.oxforddictionaries.com/definition/learner/impersonal

[8] Oxford Dictionaries, http://www.oxforddictionaries.com/definition/learner/impartial

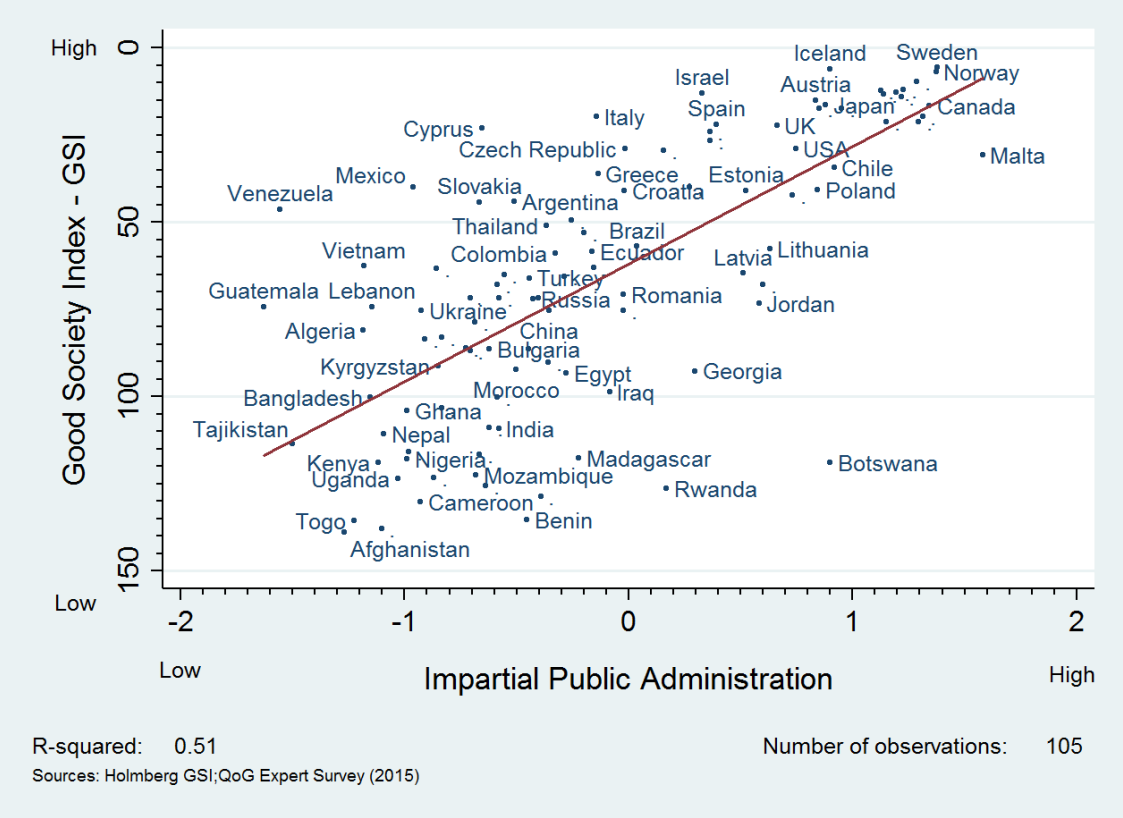
[9] Collins Dictionaries, http://www.collinsdictionary.com/dictionary/english/impartial

as a special *logic of care* as opposed to for example an economic logic of rational self-interest or a bureaucratic logic as strict rule-following (Stensöta 2010; Stensöta 2015; Tronto 2013). For example, parents at the typical Danish public pre-school do not want the pre-school teacher to be "*lacking friendly human feelings"* when teaching and taking care of their children. However, they would be extremely upset if they were to discover that the pre-school teachers had given special favors or treatment to some kids because their parents had paid them money under the table or because they belonged to some ethnic/religious group etc. The only legitimate reason they have for giving some children more attention than others is if this can be motivated by the standards established in the profession of what is good teaching and care for different children (Brante 2014, 124-132). The professional groups in the state are supposed to have some autonomy/discretion in order to use their professional competence and judgement, but this should not be used in a way that can be deemed as giving undue favors. In other words, they should be impartial but not impersonal.

Does Impartiality in Government Work? Empirical Results

The QoG Institute has carried out an expert survey covering 105 countries in order to capture the degree of impartiality in the public administration. A number of questions from this survey have been used to construct an "impartiality index" (Rothstein and Teorell 2012). As shown from the figure below, the correlation between impartiality in the exercise of public power and the "Good Society Index" is substantial.

FIGURE 5, GOOD SOCIETY INDEX AND IMPARTIAL PUBLIC ADMINISTRATION



While it can be argued that "government effectiveness" used in Figure 3 above is conceptually close to the variables in the Good Society Index (GSI), the same cannot be said of impartiality. The correlation between impartiality in the public administration and the GSI is twice as strong as for democracy and GSI (see Figure 2). Moreover, a recent paper by Ahlerup et al (2016), analyzing twenty countries in Sub-Saharan Africa, shows that countries whose governments are perceived as impartial by the population are more likely to experience sustained economic growth. They conclude that "in order to ensure economic development, it is not only important to choose the "right" policies, but also to implement these policies in a fair manner" (2016, 78).

In a number of articles and in a forthcoming book, Dahlström and Lapuente have, together with some colleagues from the Quality of Government Institute at University of Gothenburg, made a strong case for the positive effects on controlling corruption in a meritocratic civil service (Charron et al. 2016; Charron, Dahlstrom and Lapuente 2012; Dahlström and Lapuente 2016; Dahlström, Lapuente and Teorell 2011). They argue that the preferred system is when the power of democrati-

cally elected politicians is balanced by the influence of a meritocratic civil service. The causal mechanism they identify is that these groups have different sources of legitimacy and that they are held accountable to different standards. Politicians in power base their legitimacy on the amount electorate support they can muster and also the support they get from party activists to which they are held accountable. Meritocratic civil servants and experts in government base their legitimacy on respect within their peer-groups to which they are held accountable. Dahlström and Lapuente (2016) argue that when groups with different sources of legitimacy have to work closely together, they will monitor each other and this "pushes both groups away from self-interest towards the common good". Logically, this also implies that "abuse of power will be more common if everyone at the top has the same interest, because no one will stand in the way of corruption and other self-interests". Thus, what determines success or failure in these two groups is very different. This elegant theory is supported by a wealth of both historical and large-n comparative empirical analyses. Empirically, meritocratic recruitment of civil servants, as opposed to political appointment, is found to reduce corruption. This remains true even when controlling for a large set of alternative explanations, such as political, economic, and cultural factors, that previously were seen as important for the functioning of the public sector. The conclusion is that a professional bureaucracy, in which civil servants are recruited strictly on the basis of their qualifications and skills, rather than their loyalty to the politicians, is a very important factor for handling the "fairness" question in the epistemic approach to democracy as it has been operationalized here. One mechanism behind this is that, when faced with corruption or inefficient management of public resources, it is easier for civil servants to protest or act as a whistleblower, than if he or she were dependent on and loyal to the politicians. The chance that someone exposes corruption or other forms of malfeasance is simply larger if the potential exposer is not dependent on those engaged in the corruption.

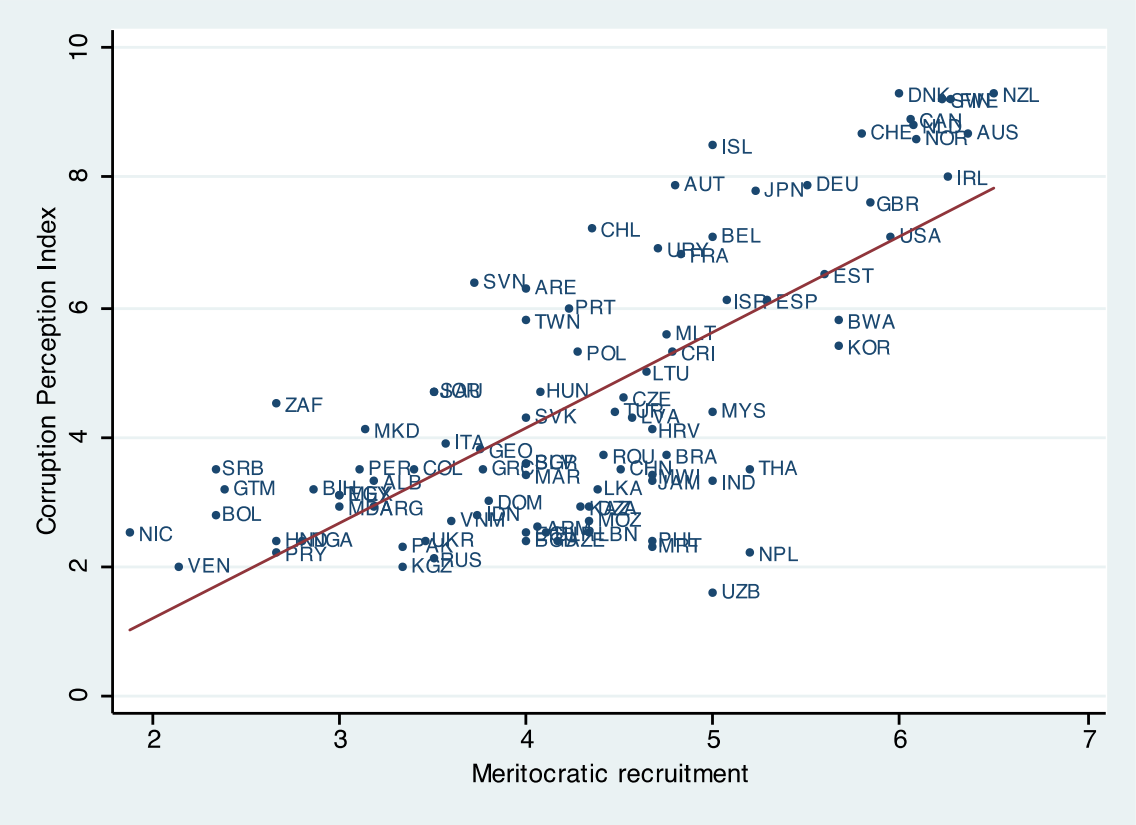
Interestingly enough, Dahlström and Lapuente do not find a positive effect of, what is known as the "closed" Weberian system of public administration with special exams, isolation from the private sector by special employment laws and guaranteed life-long employment.[10] Instead, it is "open" meritocratic system, such as in Australia, Canada and Sweden, where employment in the civil service is open also for applicants from the private sector and where there is not much difference in employment laws between the private and the public sector. The positive effect on controlling corruption comes only from meritocracy and a de-politicized civil service while the traditional

[10] Typical example are Germany and South Korea

Weberian closed bureaucracy fails to deliver. Empirically, the extent to which the civil service is politicized in OECD countries varies enormously. Figures are somewhat uncertain but the lowest seems to be Denmark where only about 25 "ministerial advisors" are exchanged when there is a change of government. In Sweden, it is about 200, in Italy about 1600. In the United States the number of "spoils" appointments are about 3500 and in Mexico about 70.000 civil servants have to leave their positions if there if a national election results in a change of government (Garsten, Rothstein and Svallfors 2015). In most developing, and possibly also in former communist countries, the figures are in all likelihood much higher.

To this one should add that meritocracy, everything else being equal, increases the competence in the public sector and thereby state capacity. Using data from an Expert Survey for the study of the public administration in 126 countries, carried out by the Quality of Government Institute, a positive correlation is found between a measure of impartiality in the civil service and several standard measures of population health including the UNDP measure of human well-being (Rothstein and Holmberg 2015). A study of Peru and Bolivia finds that the implementation of aid programs can be seriously obstructed if there are high turnover rates among public sector employees, especially if they are recruited on a political basis. The reason is that loyalty among politically recruited public officials lies with the appointing political party, rather than with the public institution, and politically recruited officials are therefore often reluctant to take over the implementation of aid programs that have been established under the former government. This is problematic for development agencies, as the implementation timeline of aid programs do not correspond to the term of office of the elected government appointing public sector personnel. The simple correlation between meritocratic recruitment and corruption is, as shown in the figure below, quite impressive.

FIGURE 6, MERITOCRATIC RECRUITMENT AND CORRUPTION



Sources: Meritocratic recruitment is taken from the QoG Institute's Expert Survey (Dahlström et al 2011) and the measure of Corruption is from World Bank Control of Corruption Index 2010.

But Is Impartiality Possible? A "Churchillian" Approach

So far, we have put forward four results. 1) Corruption in its various forms is a serious social ill. 2) Democracy is not a safe cure against corruption. 3) Increased gender equality seems to be one important factor behind getting corruption under control. 4) Impartiality in the exercise of public power, not least, when it "translates" into meritocratic recruitment and promotion in the public administration, has a powerful effect on lowering corruption. There are certainly many different definitions of what should constitute gender equality, but I think it is fair to say that impartiality in the form of not taking a person's gender into account when implementing public policies is one central ingredient.

In this discussion, Fukuyama has argued that acting according to norms such as impartiality does not "come natural" to humans. Instead, if given a position of power, according to Fukuyama (2014, 89) our "natural inclinations" is to use this power to promote our self, our family, our kin, friends, clan, tribe, and one could add political faction or party. Especially nepotism seems to be a strong factor when looked at empirically. The understanding that impartiality in the exercise of public power should take precedence over various forms of self- or group interests is according to Fukuyama something that must be learnt through some form of public ethos.

The problem, however, is that we have at least four quite strong approaches in the social sciences which in an almost axiomatic way deny the possibility of impartiality. Inspired by neo-classical economics, the public choice approach to government starts from the assumption that civil servants are operating according to the "rent-seeking model", where agents are self-interested utility maximizers (Mueller 1997).[11] This is of course an axiom that is anathema to impartiality. The same can be said of most economic analyses built on notions that what dominates human motivation is self-interests (Weingast and Wittman 2006). In Marxism, the state is usually seen as an arena for the exercise of interest-based politics which of course rules out the notion of impartiality (Therborn 2008). In what is known as political economy, various forms of material or positional (power) interests dominate. In addition, several identity-oriented approaches where the idea that a person with identity X could make an impartial evaluation of the merits of a person with identity Y, is seen as impossible (Burke and Stets 2009). Iris Marion Young, for example, states the following: "the ideal of impartiality serves ideological functions. It masks the ways in which the particular perspectives of dominant groups claim universality, and helps justify hierarchical decision making structures" (1990, 97). She also stated that impartiality is an "impossible ideal because the particularities of and affiliation cannot and should not be removed from moral reason" (ibid). In addition, the approach in development studies known as "post-colonialism" understands principles such as impartiality as an expression of Western semi-imperialist ideology (de Maria 2010). In sum, the idea of defining the opposite of corruption based on the notion of impartiality is far from uncontroversial.

Feminist approaches seem to have a more mixed approach to the idea of impartiality. Several feminist scholars have argued that the interests of women are best served if rules are transparent, clear and applied in what I would call an impartial manner (Kittilson). For recruitment to electable posi-

[11] This "Handbook of Public Choice" does not have index entries neither for the term "corruption" nor for "impartiality".

tions in political parties, Bjarnegård (2013) has shown that lack of formal rules is detrimental for gender equality. In recruitment to academic positions, several studies show that systems that includes clear rules and explicit standards tend to be positive for increased gender equality (Brouns 2000; Husu 2000; van den Brink, Brouns and Waslande 2006)[12]. There is also a negative effect of corruption on general intergenerational social mobility. In corrupt or clientelistic systems, families with strong economic resources seem to be able to use their money or contacts/networks to get their comparatively unambiguous and/or untalented children into goods schools and place them at good jobs (Charron and Rothstein 2016)

However, there is no lack of studies, also using methods such as controlled experimental approaches, showing that, for example, student evaluations of academic teachers, teachers' evaluations of and attention to students, and employers' evaluation of job candidates, are prone with gender bias, race/ethnic bias and bias against people with some types of immigrant background (for some recent examples see Bursell 2014; Grohs, Adam and Knill 2016; MacNell, Driscoll and Hunt 2015; Midtboen 2016; Nunley et al. 2015). Some of this bias is intentional and some probably unintended. Be that as it may, the effect is what counts. Acting according to the norm of impartiality seems thus quite difficult. The empirical support for some kind of "inbuilt" propensity for bias when A is going to decide what B is going to get (job, promotion, housing, benefit) seems strong.

How to deal with these results is from a policy perspective not easy of self-evident. One problem is of course how to decide how much preferential treatment a group should have given the existence of systematic bias above. A second problem is the sort of compensatory instruments that should be used (quotas, "soft" affirmative action, monetary compensation or extra resources). A third problem is of course that while members of a group can be victims of discrimination it is not certain that this is the case for all individuals in the group. Various forms of preferential treatment may benefit only the "elite" within the discriminated group leaving the rest maybe even worse of. A forth problem is how many and which groups we should include in various compensatory schemes. In a Scandinavian type of society, to take one example, we have to count social class, gender, sexual orientation, various forms of medical disabilities, a number of religions and ethnicities and maybe

[12] Many thanks to Elin Bjarnegård for her generosity in orienting me in this field of research.

also age. Just to take one example, University of California at Davies now counts seven sexual orientations in their resource center for support to sexual minorities.[13]

In principle, none of these identity groups are mutually exclusive (even if, admittedly, some are probably quite rare). Two "biological" sexes times seven sexual orientations times ten ethnic groups times five religious times five types physical challenges make 3500 possible combinations. Implementing preferential treatment for all these groups in a way that would receive broad based legitimacy is probably impossible since this would, following the Skocpol and Svallfors problems mentioned above, in all likelihood create bureaucratic and administrative "nightmares" including many decisions in the implementation process that would be seen as favoritism and even various forms of corruption. From the perspective of increased social justice (including the feminist perspectives), this is likely to be a hard choice.

One way to think about this "unsolvable" problem could be to adapt a "Churchillian" approach. Like liberal representative democracy, impartiality as quality of government may be very far from a perfect system, but given the empirical results presented above, it may be the best we can come up with since all the alternatives are worse. Another comparison is with political equality as the basic norm for liberal representative democracy a suggestion by noted democracy theorist Robert Dahl (Dahl 1989). Given the very large and usually accumulative differences between citizens in economic resources, human capital and usable networks, every known democracy today must be said to be light years away from anything that comes even close to the realization of political equality. It is not certain that the deviations from the principles of impartiality in the exercise of political power mentioned above are greater than the differences in equal possibilities to influence politics via the system of representative democracy. In both cases, as the political philosophers would state it, we are in for non-ideal theory. If we could find a way to measure how far the two ideals are from reality, I would put my money on the principle of impartiality being closer to the ideal than the principle of political equality.

[13] Lesbian, Gay, Bisexual, Transgender, Queer, Intersexual and A-sexual, see http://lgbtqia.ucdavis.edu/

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