# CORRUPTION FUNCTIONALITY FRAMEWORK

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# BIOGRAPHY

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# INTRODUCTION:

## WHY A CORRUPTION FUNCTIONALITY FRAMEWORK?

This short framework aims to help people who are designing anti-corruption interventions, or people who are working on something that's being hindered by corruption, to think differently and to develop approaches that are more likely to be effective and more sustainable. It builds on a range of evidence, much of which is cited throughout the paper, but at its heart is a unique lens: a way to better understand corruption's underlying functionality.

*By 'corruption functionality' we mean: the ways in which corruption provides solutions to the everyday problems people face, particularly in resource-scarce environments, problems that often have deep social, structural, economic and political roots* (Marquette & Peiffer, 2018: 500; Marquette & Peiffer, 2019; Peiffer, Armytage, Marquette & Gumisiriza, 2020). Obadare (2019) also calls this the 'necessity of everyday corruption', the idea that people use corruption to fix problems they face in their day-to-day lives. While this is sometimes referred to as 'need' corruption (as opposed to 'greed'; see Bauhr, 2017), the 'need' vs. 'greed' dichotomy doesn't really capture either the complexity of people's lived experiences or the deep social, economic and political conditions that affect the ways in which decisions to engage in corruption occur in real life as strategies to mitigate vulnerability and risk.

*A corruption functionality approach helps to explain why corruption persists in a way that other approaches often fall short.* Whether the amounts of money involved are big or small (or if there's no money involved at all), people engage in corruption because they believe that it will work for them in satisfying a need or solving a problem. A parent in a high-income country may buy a special gift for their child's teacher in the hope that a teacher may mark their child's work more favourably, for example, while politicians in low-income countries may maintain political stability through 'off-budget' redistribution measures because low levels of taxable income means that the fiscal space in the budget is usually very limited for within-budget redistribution (Marquette & Peiffer, 2018: 506; see also, Chabal & Daloz, 1999; Englebert, 2000; Ghura, 1998; Herbst, 2000; Khan, 2004, 2006; Stotsky & WoldeMariam, 1997). While the amounts of money involved here are very different, in both cases corruption serves functions that are important for the people involved. People can – and do – justify their behaviours based on real or perceived 'need'; this is why corruption persists. The key, though, for anti-corruption reformers is better understanding how corruption functionality works and – importantly - which functions really do need to be filled, and which ones don't.

The following four examples help to show what corruption functionality looks like in real life and why functionality matters. More specifically, they show two main reasons for this:

- The first is **effectiveness**, designing better anti-corruption interventions that are more likely to deliver successful, sustainable results because they work with the real-life challenges people face.

- The second, which is just as important if not more so, is **avoiding harm**. Anti-corruption interventions that are *effective* but don't take functionality into account, may leave people even more vulnerable and could be worse than not tackling corruption at all (Peiffer, Armytage, Marquette & Gumisiriza , 2020)

## EXAMPLE 1:
### BRIBERY IN HEALTH SERVICES IN UGANDA



Research showed that almost half of all people who made contact with the health sector in Uganda in 2010 paid a bribe, but by 2015 this rate was just 25% - an almost unprecedented reduction, especially in such a short time frame (Peiffer, Armytage, Marquette & Gumisiriza, forthcoming). Much of the credit for this decrease goes to the Health Monitoring Unit (HMU) which was launched in 2009.

The HMU is a highly visible institution with wide ranging powers to monitor and evaluate the performance of health facilities, investigate and arrest corrupt health workers and audit Uganda's health procurement and supply system. It also works with the courts to prosecute health-care related crimes. Its most high-profile work involves carrying out unannounced investigations in health facilities, often to investigate bribery complaints.

The HMU's approach, which includes public 'naming and shaming' of frontline health workers for engaging in corruption, clearly worked, but with serious questions about sustainability and unintended consequences, both linked to corruption functionality. As early as 2010, the unit's work – described as 'militaristic' (Baez Camargo & Kamujuni, 2011) - was said to be humiliating health workers and negatively affecting staff morale. By late 2017, members of the Uganda Medical Association went on an unprecedented nationwide strike that lasted over a month and brought the already weak health system to its knees. The health workers cited the unit as one of the key causes of the strike.

The question then is: what was the HMU's actual goal? Was it reducing bribery, or was it improving service delivery and health outcomes? The HMU's approach didn't take into account the everyday reality that bribery supplements very low wages in the public health sector. Despite humiliation and fear, health workers simply could not survive on their wages, alone. Our research found evidence that bribery patterns re-emerged with different patterns, a trend observed by others as well (Baez Camargo & Koechlin, 2018). Simply put: without dealing with the underlying functions, an anti-corruption intervention isn't likely to work (for long) and could undermine the real objective.

## EXAMPLE 2:
### PRISON GANGS IN THE UNITED STATES



An article in the Economist (2014) argued that the rise of gangs in American prisons can be attributed to institutional failures within the prison systems. Overwhelmed by massive growth in the prison population in the middle of the 20th century, American prison officials became incapable of protecting inmates from violence. In response, inmates started to organise themselves into prison gangs, a phenomenon that had been rare before the 1950s and one that poses significant challenges for prison governance (including corruption levels). The author argues that prison gangs provide a solution to a very real problem that inmates face: gangs 'provide protection in prisons where officials often failed to do so'. The policy implications set out are clear: 'Improve the way prisons are governed and those locked up inside them would become less dependent on the mob-rule provided by gangs. Make prisons less crowded and dangerous, and inmates would require less group protection. Gangs are a logical response to prison conditions; to reduce them, the authorities must improve the state of incarceration' (Economist, 2014; see also Marquette & Peiffer, 2015: 9).

## EXAMPLE 3:
### BUYING STABILITY IN SOMALILAND THROUGH COLLUSION



Research by Phillips (2013) looks at how President Egal 'bought' stability in Somaliland through collusion with wealthy business elites. Somaliland's unrecognised status meant that its government was unable to access official development assistance (ODA), either through grants or loans, and this meant that there was an absence of external actors involved in the peace process demanding certain governance reforms as a condition for support. Instead, the government turned to 'a small circle of wealthy local merchants' who provided large sums of money to fund things like food for the security services, demobilisation, peace conferences, printing the national currency in 1994, servicing debt, covering budgetary shortfalls and provision of some key service. In exchange, the business elites were given generous tax breaks and the ability to make 'extraordinary profits'. She argues: 'Egal combined

Crime fills functions too, like with corruption. Trevor Noah – the South African comedian and award-winning host of *The Daily Show* – provides a useful explanation for crime functionality in his autobiography, *Born a Crime: Stories from a South African Childhood* (2016). He explains why he became involved with crime as a youth living under apartheid: 'The hood made me realize that crime succeeds because crime does the one thing the government doesn't do: crime cares. Crime is grassroots. Crime looks for the young kids who need support and a lifting hand. Crime offers internship programs and summer jobs and opportunities for advancement. Crime gets involved in the community. Crime doesn't discriminate' (Noah, 2016: 209).

> **Box 1: How is corruption like energy?**
>
> In the Uganda health bribery example above we use words like 'corruption patterns', 'displacement' and 're-emerging'. According to McKitrick (1957: 511), corruption acts in many ways like energy: 'In drawing a pattern of corruption (loosely used here as a generic term for a wide variety of things) might it not be possible to trace not only the obvious shifts and transformations but also a pattern of *energy*? What happens when the obstacles are placed in a particular area of corruption? Is the result an alternative pattern?'
>
> Many anti-corruption strategies rely heavily on disruption, such as targeting opportunities to engage in corruption or trying to make the costs of engaging in corruption outweigh the benefits (Rose-Ackerman, 1978; Bardhan, 1997; Klitgaard, 1988). However, a functionality lens shows why disruptive approaches rarely works on their own. In other words, without tackling the underlying needs that corruption often fills, efforts to tackle it through disruption often fail because the 'patterns' regroup and re-emerge. Or, as McKitrick says, a reform or intervention that 'offers nothing as a substitute for functions performed...will find itself very shortly in a state of paralysis' (1957: 508).

In all of these examples, the underlying reason for engaging in bribery, collusion, crime, or joining a gang is that it provides something that the system can't (or won't) provide: safety, security, income, services, opportunity, a way to get ahead. We're not suggesting that these are *good* solutions; what evidence shows, however, is that these are solutions to problems that tackling corruption alone is unlikely to fix. Regardless of how much money was involved, or how much power various actors hold, these examples help to show why interventions aimed at tackling corruption need to start with an understanding of the real problems people are grappling with when they turn to corruption as a solution, so that alternative, more resilient solutions can be found and patterns of behaviour can be truly disrupted rather than simply displaced for a time (Marquette & Peiffer, 2018: 509).[1]

They also show why successful interventions that don't take functionality into account can cause harm: in all four examples, the alternative to belonging to a gang, accepting a bribe or colluding with business elites is for individuals to live without safety and security. This also highlights the political realities of tackling corruption: fixing the underlying problems in these examples wouldn't be easy, or cheap, or quick. Sometimes what looks like a lack of political will can be resignation in the face of intractable problems, as much as it may be collusion or a deliberate decision to leave the system broken.

Put simply: tackling corruption is hard, and successful, sustainable anti-corruption interventions are unlikely to be those that promise simple solutions to often complex, deeply-entrenched social, economic and political problems. But where corruption fills functions that *have* to be filled, 'doing nothing might be less harmful than effectively tackling corruption, if such attempts do not also address the underlying functions that corruption fulfils' (Marquette & Peiffer, 2018: 509). As Obadare (2019: 9) also explains:

> ...when we fight corruption, corruption, as I have shown elsewhere, always fights back. What this means is that, as the anti-corruption crusader soon discovers, corruption is in fact the lubricant of a vast and intricate system of patronage, and to assail it (especially without proffering any alternative framework of political access or economic redistribution) is to endanger the livelihood of millions of people, including those who otherwise denounce corruption stridently and insist that no economic progress is possible without its total eradication.

While this Corruption Functionality Framework won't fix these challenges, it aims to help provide users with a systematic way of working through problems like these in order to develop better, more sustainable and resilient solutions. It also complements other political analysis frameworks by making more visible some of the challenges that might help or hinder effective reforms.

[1] Herbert and Marquette (forthcoming) define resilience as 'the capacities – the attributes, abilities and resources - of individuals, households, communities, regions, states and systems to absorb, adapt and/or transform when confronted with shocks and stresses' (see also, Herbert, Haider, Lenhardt & Maguire, forthcoming).

# THE FRAMEWORK STRUCTURE
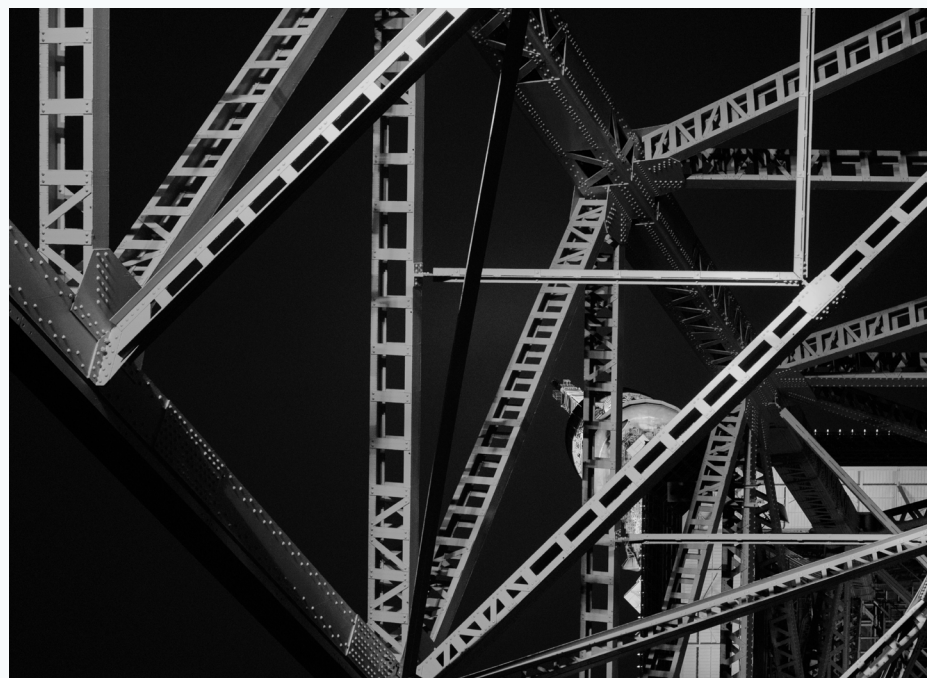
This Corruption Functionality Framework is designed to be used flexibly and can be used by politicians, bureaucrats, donors, NGOs, community groups and individual activists or analysts. It is designed to help people ask different questions and to provide a structure for thinking, discussion and strategy.

It can be used by those tasked with designing an anti-corruption intervention, or by those who are trying to achieve something else and whose work is being undermined by corruption.
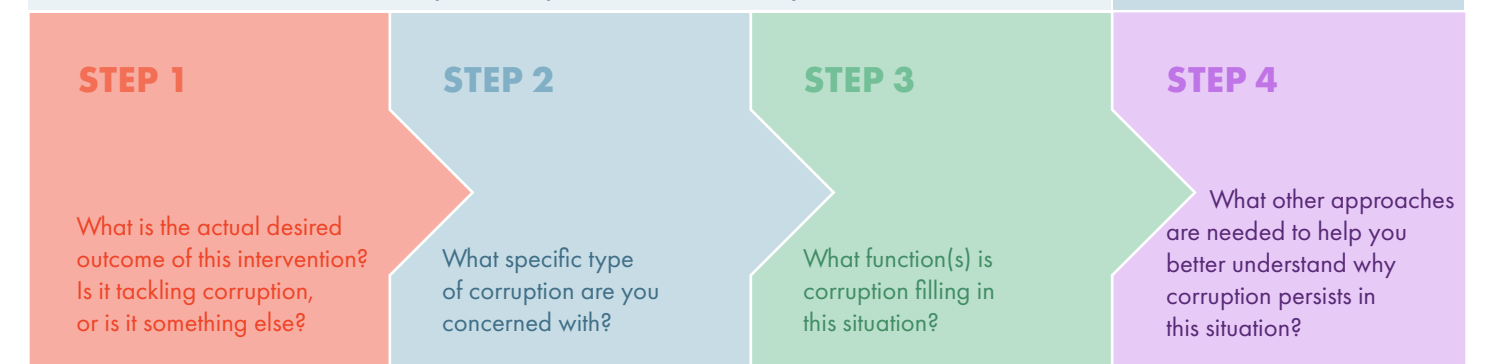
It can be used by teams as the basis for brainstorming discussions, as part of the formal design process for an anti-corruption programme, or by individuals who want a new way to think about the seemingly intractable problems they face.

It can be used to help shape consultation with trusted experts.

While it is primarily designed to be used at the beginning stage of planning an intervention, it can also be used at a mid-point review or in moments where strategy testing is necessary (see also Ladner, 2015). It can also be used as a post hoc learning tool to try to understand why an intervention failed and to identify potential weaknesses to avoid in the future. Because it aims to help people think differently, rather than telling people what to do, it should produce different results each time it's used.

**FIGURE 1:** The Four-Step Corruption Functionality Framework

| STEP 1 | STEP 2 | STEP 3 | STEP 4 |
|---|---|---|---|
| What is the actual desired outcome of this intervention? Is it tackling corruption, or is it something else? | What specific type of corruption are you concerned with? | What function(s) is corruption filling in this situation? | What other approaches are needed to help you better understand why corruption persists in this situation? |

[2] Excellent examples include, for example, an approach to developing a high-level anti-corruption strategy that complements this Framework, though it misses out the functionality lens. This can be found at https://curbingcorruption.com/reform-approaches/. The SOAS Anti-Corruption Evidence research programme has developed an approach at the sectoral level that aims to enable feasible rule enforcement and anti-corruption efforts, particularly around rent-seeking, through four strategies: aligning incentives, designing for difference, building coalitions and resolving rights. Their approach can be found at https://ace.soas.ac.uk/.

There are existing approaches to developing anti-corruption strategies that are excellent, but these can be complex and time-consuming. The Framework is deliberately simple (though not simplistic) and is designed to be used by a wide range of people – specialists and non-specialists alike – in different situations and settings, though it does assume some familiarity with corruption and anti-corruption concepts and practice. We have tried to minimise jargon, though, and to use illustrative examples throughout.

The four steps in the framework are meant to be progressive, meaning that it is important to start with Step One and work through each in order. Each step starts with an explanation of the rationale and the aim followed by a short set of questions to guide thinking/discussion. Typically, there are fewer than five questions, though we do provide suggestions for sub-questions in a few instances where it may be useful.

# STEP 1

# What is the actual desired outcome of this intervention? Is it tackling corruption, or is it something else?

The aim of Step 1 is to help users think through whether or not the primary goal is to fight corruption (for corruption's sake), or if there is instead a desired outcome that corruption is preventing. In other words, is fighting corruption the end, or is it the means?

**Effective anti-corruption interventions are likely to be those that align action with motivation.** The worst motivation, of course, is when 'fighting corruption' is motivated by the need to be seen to be 'doing something' about corruption, whether it's due to political pressure or the demands of external funders (who may themselves be motivated by their own political pressures) and so on. Motivation is really about having a vision for what specifically will be different if corruption is effectively tackled.

**Effective anti-corruption interventions are also those that have the right people in the room.** If the desired outcome is reducing frontline bribery in the health sector, for example, then people in the room would need to include health officials, law enforcement, ombudsmen etc. But what if the actual desired outcome is improving clinic-level health outcomes? This would need patients' representatives and health care unions to be in the room, but probably not law enforcement.

Getting this wrong is common in anti-corruption interventions: **unmotivated actors lack political incentives** to make often difficult choices; the wrong people in the room can lead to designs that **don't focus on the right things.** And not having a clear understanding of the underlying vision can lead to **competing goals**; for example, when it comes to fighting corruption in the illicit wildlife trade, is the *primary* motivation conservation, or is it supporting rural livelihoods? These are different – and not always aligned - objectives that require different approaches to tackling corruption.

The following questions should help bring clarity on motivation and objectives, an essential starting point in any intervention, anti-corruption or otherwise.

## QUESTIONS

1. If you were successful in tackling corruption through your intervention what is the specific outcome you want to achieve? What is your vision?

Some sub-questions to get you started:
- Are you worried about evidence of harms, such as violence, reduced social and political trust, a lack of social cohesion, etc?
- Are you worried about the drag on growth?
- Are you worried about links to serious organised crime and security?
- Are you worried about the differential impact on the poor?

2. Is tackling corruption the means or is it the end? In other words, is your motivation intrinsic, e.g., you can only achieve your outcome if something is done about corruption, or is it extrinsic, e.g., are you required to do so for some reason? What is your primary motivation for trying to reduce corruption? Are you clear on how – and why – you need to tackle corruption and what this will achieve if successful?

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**Box 2: Example - Aligning action with motivation when tackling customs bribery**

Imagine you've been asked to develop a plan to reduce border and customs bribery. This is an example of a typical starting point for an anti-corruption intervention, and this is also why so many fail to deliver results.

Why – *specifically* – is this a problem? Are bribes decreasing trade levels and making it difficult to attract investment? Are bribes hurting vulnerable groups, such as women selling vegetables in informal markets? Are bribes facilitating the illicit flow of arms and drugs, leading to increased violence and instability? Is it a combination?

While the *problem* – customs bribery – is the same, the *motivations* are very different. This is important because designing an effective intervention for each of these requires different actors in the room and different resource levels – even if some of the actual *activities* could end up being quite similar. They're also likely to face different technical and political challenges: tackling the illicit drugs trade is significantly more difficult than the others, even if widespread customs bribery is a problem identified in all scenarios.

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# STEP 2

# What specific type of corruption are you concerned with?

Most corruption researchers and practitioners recognise that 'corruption' isn't a very useful term to use in practice, because it simultaneously refers to a wide range of behaviours and actions *in the abstract.* It also has strong moral connotations that can make understanding trade-offs, variable levels of harm and the everyday choices that people are forced to make in resource-scarce contexts very difficult.

It's easy to understand in theory, for example, that asking for a small bribe to let someone cut the queue at the passport office is very different to a political leader funnelling billions of dollars from state budgets to their offshore accounts. But most anti-corruption laws, strategies, interventions and even research consider corruption only in the abstract. Heywood writes that many of the most 'influential analyses of corruption make no reference to any such attempt to distinguish between different types – nor even to identify what is understood by corruption itself' (2017: 30). This isn't just an academic problem for researchers: it has made it very hard to set priorities for interventions, let alone to understand why corruption persists.[3]

If the aim of Step One was to gain clarity about the problem, Step Two is about moving from the abstract to the specific when it comes to corruption: **what is the specific type(s) of corruption stopping you from achieving your ultimate goal?** And**, where is this type(s) of corruption occurring?**

By 'where', this doesn't just mean the country context, but also whether it occurs at the national, sub-national, and/or transnational levels, in a physical or a virtual location and in which sectors. Many anti-corruption interventions aren't clear on what they are specifically targeting. Without greater clarity, interventions are all too often ill-equipped to tackle what are almost always specific problems.

**Getting specific about the type(s), and the context(s) within which it occurs will help you map out the specific set of actors, relationships and networks to consider.** This is because 'there are important differences, for instance, between kleptocracy, bribery, influence-peddling, and so forth, not just in how they operate, but also in which actors and what kinds of resource exchange are involved' (Heywood, 2017: 46). Collusion, for example, features highly in some types

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[3] When the people who drafted the United Nations Convention Against Corruption (UNCAC) couldn't agree on a definition of corruption, you know that there's a problem (Hechler, Huter & Scaturro, 2019: 1).

of corruption, but not all types. In addition, tackling collusion requires a different approach if the problem is collusion between political and business elites looking to capture state contracts *or* collusion between border control officers targeting informal traders for bribes.

**The use of 'corruption' also hides another important element that needs to be taken into account: visibility.** Some types of corruption are easier to track than others, either because people can see some aspect of the behaviour or its impact, or because the transactions involved leave some sort of paper trail behind. Others are more easily hidden but may be just as pervasive or as harmful. Better understanding visibility as a factor to be taken into account is important, but so too is recognising that the impacts of anti-corruption interventions also have different levels of visibility: being clear about motivation (Step One) is one way to protect against the temptation to design interventions based on what's more visible (and possibly easier to tackle).

**Finally, evidence shows that public concerns about corruption are also more differentiated than we might think, with some types of corruption, in some contexts, condemned more strongly than others.** Walton (2013), for example, shows that in Papua New Guinea certain corrupt acts generate considerable sympathy because it is believed they might provide the poor with some benefit such as access to limited state services. In their comparative study of everyday corruption in Benin, Niger and Senegal, Blundo and Olivier de Sardan (2013) explore how favouritism and nepotism are broadly considered legitimate by the public while a 'toll' or extortion – where payment is demanded but no service is supplied – is seen as being illegitimate. Better understanding the importance of corruption *type* and the social norms around it may help in anticipating where the public might support some anti-corruption interventions while resisting or even undermining anti-corruption efforts elsewhere.

**Effective interventions will be those that target efforts onto the specific corruption dynamics that are most relevant to the specific problem.** Interventions that fight corruption in the 'abstract' often struggle to adapt to the simple fact that corruption takes many shapes and so are often too broad to take into account important contextual factors.

**This is *not* to say that better targeting will make fighting corruption simpler.** It is likely that several types of corruption contribute to the problem(s) you wish to solve. However, better targeted anti-corruption efforts are likely to be those that first identify which type(s) of corruption matter most and where corruption happens.

**So what do we mean by 'types' of corruption?** Different authors classify types of corruption in different ways, which matters for analysis more than identification. We've chosen to be agnostic here and simply list a number of possible corruption acts to avoid narrowing the choices unnecessarily. We also don't differentiate between public sector and private sector corruption, as many of these apply to both (though not all).

- Abuse of discretion
- Access money/'cash for access'
- Bribery
- Collusion
- Cronyism
- Embezzlement
- Excess gift or hospitality
- Extortion
- Favouritism
- Fraud
- Influence peddling
- Insider trading
- Kickbacks
- Misappropriation of property
- Nepotism
- Patronage
- Protection money
- Rent-seeking
- Sextortion

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[4] For definitions of these, the U4 Anti-Corruption Resource Centre has a range of resources available at https://www.u4.no/. Curbing Corruption is another very useful resource that provides breakdowns of corruption both by types and by sectors at https://curbingcorruption.com/corruption-types/.

## QUESTIONS

1. Which **type(s)** of corruption matter?

- What is the **dominant type(s) of corruption** undermining the outcome you identified in Step One (e.g., of primary concern where you know you won't achieve your desired outcome unless you do something about this)?
- What **other types of corruption also matter** for your outcome (e.g., of secondary concern but still relevant)?

If you've identified several types of corruption that matter:

- How do these **types of corruption interact** with each other? In other words, do these types of corruption reinforce each other, and if so, how?
- If one type of **corrupt behaviour was eliminated,** would your aim be easier to achieve, or would other forms of corruption still pose a significant barrier to achieving your aims? In other words, do you really need to try to tackle them all right now?

2. Which **contextual factors** matter?

In the first question, you identified the specific corruption types that are the most important for your desired outcome. This second question aims at getting specific about where this type of corruption happens – i.e., the context. The following questions should be answered with respect to each of the type(s) of corruption that you have identified in question 1.

- **Sector:** what sector(s) does this type of corruption impact (e.g., health, education, local government, oil, wildlife conservation and so on)?
- **Place:** where *specifically* does this corruption type take place? For example:
  - Is it limited to a specific organisation(s) or setting? If so, which one?
  - Does it only happen in only a single country, or only a certain part of this country? If so, where?
  - Is it transnational? If so, which countries are involved? What are the interactions?
- **Visibility:** How visible is this type of corruption? Are its impacts and patterns easily tracked?
- **Public attitudes:** To what extent is tackling this type of corruption important to the public?

3. Which **actors** are likely to be involved?

Now that you know *what* you're looking at and *where*, it is time to think about *who* – i.e., the actors. The following questions should be answered with respect to each of the type(s) of corruption that you have identified in question 1 and the context(s) you have identified in question 2.

- Who are the principal actors most likely to be involved in this type of corruption and in this context?
- What do the relationships, networks and scale of collusion amongst these actors look like? Are you able to map these out?
- What types and levels of power do these actors have? Are you able to access them or influence them?
- Which actors stand to lose if you achieve your objectives?
- Do any actors have the power to undermine your efforts? If so, how?
- Is organised crime involved? Are there other actors that pose a risk to your safety, or to the safety of those involved?

# STEP 3

# What function(s) is corruption filling in this situation?

Some of the most influential ways to think about corruption and anticorruption have failed to take into account the range of motivations for *why* people might seek or create such corrupt opportunities, and/or *why* some people might be willing to take bigger risks than others to engage in corruption. For thinking about countering corruption, trying to get at underlying motivations and degrees of drive for engaging in corruption is important. We can try to implement harsh punishments, for example, as a way to counter corruption, but if people have very strong motivations for engaging in corruption, a harsh punishment may not prove to be an effective enough deterrent.

The classic example given to illustrate this point is: what happens when a parent seeks medical care for their ill child and is asked to pay a bribe to receive treatment. Even if that parent feels strongly that corruption is morally wrong, and even if they fear getting arrested for paying a bribe, they very may well pay anyway, given their desperate position and strong motivation for getting medical attention.

In resource scarce environments, there are rarely such morally black and white scenarios. The health workers demanding a bribe may be poorly paid, with few options other than to ask for or accept bribes to top up their salaries enough to afford basic needs like food, water and housing. Meanwhile, a patient seeking treatment when there are not enough doctors, nurses, beds, machines or medicine may offer a bribe, or pay one if asked, to access essential treatment.

Failure to pay a bribe means that children die unnecessarily; however, the problem isn't the bribe. The problem is the resource scarcity and vulnerability. Parents of ill children in more resilient contexts where resources are not scarce do not face this same dilemma.

A corruption functionality perspective emphasizes that many people engage in corruption because they think that it is the best way, or perhaps the only way, for them to solve the problems or dilemmas that they face. Through this lens, corruption is a means to an end, rather than an end in itself. Once the means are better understood, the question then becomes whether that function must be filled and, if so, whether or not it can realistically be filled a different way.

Two more examples can help to illustrate what this means in reality.

## *BRIBERY AND ROAD SAFETY IN THE DEMOCRATIC REPUBLIC OF THE CONGO (DRC)*



Road safety is a serious problem in the DRC where the estimated road traffic death rate in 2016 was 33.7 per 100,000 population, compared to Ghana at 24.9 or Norway at 2.7.[5] An anti-corruption drive aimed at improving road safety by tackling traffic police bribery involved the arrest of officers who were caught collecting bribes from motorists. However, many motorists resisted the intervention and defended the system, because it let them pay small bribes to police in order to avoid having to pay much larger (and often unrealistic) official fines. In the DRC, many motorists have to drive to make their living and can't afford to register or service their cars up to road-worthy standard. Rather than resenting bribery, the system was generally perceived to be mutually beneficial: allowing drivers earn a living while also supplementing road police officers' income, known to be inadequate and unreliable (Malukisa, 2017: 113-114).

In this example, corruption serves two functions: it keeps drivers on the road so they can make a living, and it tops up inadequate police salaries. However, it also helps to keep unsafe, unregistered vehicles on the road leading to a high number of unnecessary deaths. If the ultimate goal is improving road safety, and the type of corruption is road traffic police bribery, a functionality approach means thinking about things like how to make registration of vehicles and repairs more affordable; how to improve public transportation to give workers alternatives to cars; and how to increase police salaries – alongside methods to discourage officers from accepting bribes.

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[5] https://apps.who.int/gho/data/node.main.A997?lang=en

## *FINDING SAFETY AMID VIOLENCE IN HONDURAS*
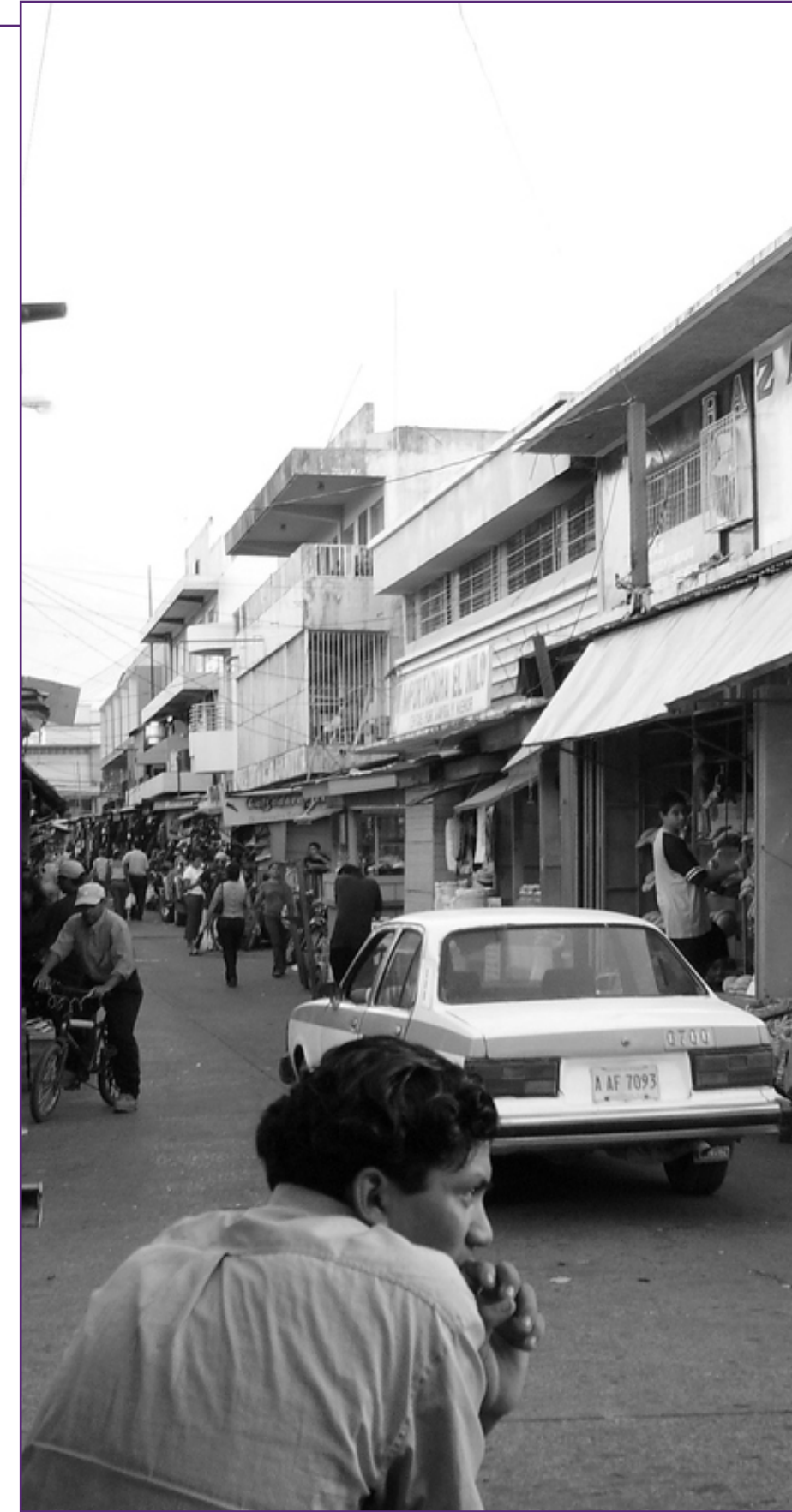


In Honduras, a history of violent conflict has shaped the way in which patron–client relations are viewed; rather than simply being about elites extracting money from the poor, these relationships are understood as a way for the poor to access security and safety in a highly violent and unstable environment (Gauri, Woolcock, and Desai, 2011: 27). Participating in these networks can reinforce social bonds and societal norms that are universally valued, such as the idea that people in powerful positions should give back to their communities and that there should be shared feelings of mutual obligation between patrons and clients. If we understand that corrupt relationships in Honduras are defensible to many because of the sense of security and safety they provide in a highly violent environment, then serious attempts to break up these networks as a strategy to counter corruption need to address these issues. Without strengthening the rule of law and the provision of security, as we saw earlier in Uganda with health bribery, the likely outcome would be that corruption adapts and re-emerges in a different way, while providing people with less security in the meantime.

Box 4: Why kleptocracy stops us from rethinking anticorruption

As Passas (2015) says, 'You can't fight corruption on an empty stomach', but corruption would be (relatively) easier to tackle if all it did was put food on the table. The reality is far more complicated. While a corruption functionality perspective suggests that all forms of corruption fulfil functions, some forms of corruption cause catastrophic harm, and not all corruption functions need to be filled. If we're serious about interventions that stop corruption from persisting, we need to treat these as we do any other functions in order to understand what needs to be done differently. And this means rethinking kleptocracy - or 'egregious grand corruption' (Bullough, 2018: 25) – too.

Our moral outrage about kleptocracy stops us asking important questions like *why* people choose to steal far more than they could ever possibly spend, and why they do so despite great harm caused to country and community. It stops us thinking about when collusion or even theft on a grand scale may prevent even greater harms from happening in the short-term, or the way social norms and pressures affect elites in ways that may be similar (or not) to those faced by non-elites.

In this sense, 'grand corruption' and 'petty corruption' aren't very useful labels in reality; what we really need to think about, when it comes to functionality, is vulnerability versus resilience. Kleptocrats can buy themselves resilience anywhere in the world they want to; Bullough's *Moneyland* (2018) provides ample evidence of how this happens; however, literature on resilience argues that countries, like individuals, can lack resilience (Herbert, Haider, Lenhardt & Maguire, forthcoming). Dismissing what may be complex political economy dynamics as a simple story of individual greed could inadvertently lead to strategies and responses that cause harm.

The moral outrage we feel when we're talking about political elites stealing billions and buying yachts and mansions makes it difficult to rethink anticorruption at all; moral outrage rarely makes for effective policymaking. Back in the 1960s, Colin Leys argued that corruption research was hampered by an overly moralistic approach, noting: "Similar phenomena, such as suicide, crime, or religious fanaticism, have intrigued sociologists greatly. However, the question of corruption in the contemporary world has so far been taken up almost solely by moralists" (Leys, 1965: 216). As we argue elsewhere, "The implication of this...is a policy-oriented literature that is implicitly moralistic in a way that hampers realistic policy interventions" (Marquette & Peiffer, 2019: 815).

This is typical of many "wicked problems", described by Camillus (2008) as one that "has innumerable causes, is tough to describe, and doesn't have a right answer... Environmental degradation, terrorism, and poverty—these are classic examples of wicked problems. They're the opposite of hard but ordinary problems, which people can solve in a finite time period by applying standard techniques. Not only do conventional processes fail to tackle wicked problems, but they may exacerbate situations by generating undesirable consequences". His advice, in his case for companies facing wicked problems, is in many ways the same as with anti-corruption too: accepting that things need to be done differently. As he said, "Moving from denial to acceptance is important; otherwise, companies will continue to use conventional processes and never effectively address their strategy issues".

A functionality lens brings much more to tackling kleptocracy than helping to better understand why kleptocrats themselves are corrupt, however. By starting with outcomes/motivation and corruption type(s), this Framework also helps to break down the whole corruption 'chain', including the *enablers* too. Kleptocrats are only able to steal as they do with impunity because of global financial secrecy jurisdictions, tax havens, lawyers, estate agents and others, as well as the lack of transparency that make stealing large sums of money easy to hide and easy to spend. Buried in this chain may be complex needs, vulnerabilities and risks, and understanding these is likely to be important for building more resilient financial systems.
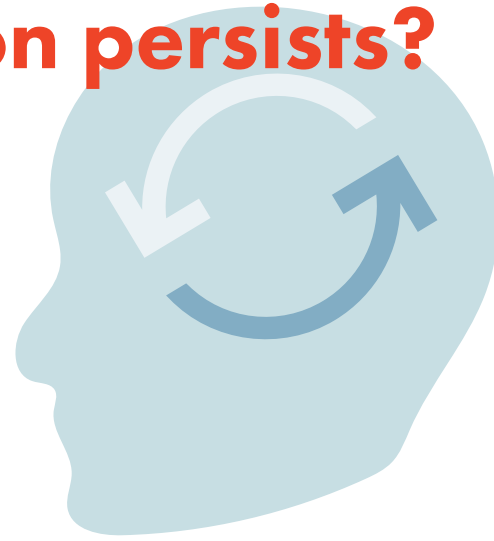
**In other words, a corruption functionality lens helps to explain why corruption persists, but it's the interaction between functionality, vulnerability and risk that helps us identify where interventions *need* to deal with the underlying problems in order to develop more viable and resilient responses and to avoid negative unintentional consequences.** Sometimes even kleptocrats may have some points of vulnerability that, left ignored, could lead to wider negative consequences, and sometimes petty officials, lawyers and estate agents are just plain old greedy.

## QUESTIONS

1. Is corruption being used by the actors involved to fulfil a particular need? In other words, **does this type of corruption fill a function**? If so, what is this?

2. Why are these specific actors engaging in these patterns of behaviour?

- What do you **understand about their motivations?**
- How do you understand this – e.g., what's your evidence **for this rather than just your assumptions?**

3. What **barriers are there**, if any, for actors to fulfil these functions through other/legal means?

- Are there any other ways they can find **necessary resources**?
- Would **something bad or dangerous happen to them** if they didn't engage in corruption?
- Would they **suffer from recrimination** from their family, friends or colleagues if they didn't engage in corruption?

4. How could these barriers realistically be overcome?

- Do you have **the resources you need** to fill these functions in other ways– e.g., sufficient budget, the right technical inputs, the right people in the room etc?
- Is there evidence to suggest that **there will be political will** to support such an intervention? If not, how will you overcome this?
- Are you likely to have **public support for such an intervention**? If not, how will you overcome this?

5. Have you given enough thought to **potential unintended consequences**? Are you confident that the potential costs are known and that the benefits outweigh these costs?

# STEP 4

## What other approaches help us better understand why corruption persists?

Just like 'corruption' is too complex to be captured in one word, it's also too complex to be explained with one theory or approach. While evidence suggests that understanding corruption functionality is vital, there are other drivers and factors as well that require other lenses too. In addition to the lens of 'functionality', there are at least two other theories that help us understand why corruption persists and how interventions might be designed: principal agent theory and collective action theory. [6]

### PRINCIPAL-AGENT THEORY

**Most anti-corruption policies and interventions are based on principal-agent theory** (see Bardhan, 1997; Klitgaard, 1988; Rose-Ackerman, 1978; Ugur & Dasgupta, 2011, among others). At its simplest, these are based on a belief that corruption occurs when people have the **opportunity to engage in corrupt activities**, and that they expect to **not be held accountable** for doing so. The result is that effective anti-corruption interventions are those that reduce opportunities to engage in corruption and increase the costs involved for those who do.

Some examples of interventions informed by principal-agent theory include:

- Monitoring systems, such as conducting regular audits
- E-governance initiatives and similar initiatives that increase transparency
- Freedom of information legislation
- Bringing in harsher punishments for corruption to deter others and reduce 'impunity'.

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[5] There are, in fact, many different corruption theories, typologies and approaches, far too many to include in a framework like this without it becoming unmanageable. These are the two most common when it comes to anti-corruption, and they are both important to understand and to integrate into strategic thinking.

### QUESTIONS

The following questions are meant to help you think through whether and how principal-agent theory factors might affect your planned activities:

1. **Monitoring:** Is monitoring a problem? To what extent can the actors involved be monitored? How can monitoring be improved, and do you have the authority/ability to improve it?

2. **Opportunity:** Is there a way to reduce opportunities for corruption? If so, what would this involve?

3. **Impunity:** Are corrupt offenders likely to be punished if caught? Are actors fearful of being caught and, importantly, punished?

### COLLECTIVE ACTION THEORY

**There has been a growing interest in using insights from collective action theory when designing anti-corruption interventions.** The main contribution so far is recognising that societal trust and social norms play important roles both in the persistence of corrupt patterns and as barriers to anti-corruption efforts (Marquette & Peiffer, 2019; see also Heywood, 2017; Hoffmann & Patel, 2017; Ledeneva, Bratu & Köker, 2017; Mungiu-Pippidi, 2015; Persson, Rothstein & Teorell, 2012; Scharbatke-Church & Chigas, 2019, among others). Research on social norms, for example, has found that people are more likely to behave in a range of corrupt behaviours if they believe that others are doing so (Tankard and Paluck, 2016)

**To put it simply, if a person thinks that most people around them are engaging in corruption, they may have few incentives or interest in refraining from corrupt behaviour themselves.** The challenge this poses for anti-corruption efforts is significant. Research suggests that some anti-corruption efforts may be ineffective unless social trust around corruption is increased and widespread perceptions about others' behaviour with regard to corruption are changed.

### QUESTIONS

The following questions are meant to help you think through whether and how collective action and social norms/trust factors might affect your planned activities:

1. Is there a general belief that corruption is **'just how things are done'**?

2. Do the actors involved believe that most people in their **position are engaging in this type of corruption**? Are they pessimistic about whether this type of corruption can effectively be tackled?

3. Is **society in general pessimistic** about tackling corruption? If so, is there a way to reduce this pessimism and increase willingness to do things differently? If so, what would this have to involve?

4. Is there a general belief that **corrupt actors have impunity**?

5. If the answer to one or more of these questions is 'yes', **are there ways to reduce this pessimism and increase willingness to do things differently**? Are there ways in which this has been done effectively in the past?

At this point, there should be great clarity on a number of different factors that need to be taken into account when designing an anti-corruption intervention and a better understanding of the role that corruption functionality plays in this.

This is a good point to stop and think about how confident you are in what you think you know about the relationship between the type of corruption and the context in relation to your main objective.

- Is there strong evidence to suggest that the type of corruption in the identified context is preventing or harming your end goal?
- What is your evidence? How robust is it? How far are you able to triangulate with wide sources of data (including drawing on intelligence, if relevant)?
- Is the evidence specific to, or relevant for, your context? Do you need to think about possible adaptations?
- Finally, how confident are you in the evidence that corruption is the primary problem and that successfully tackling corruption will result in you achieving your main objective?

This isn't about finding the *perfect* evidence in order to build the perfect strategy or intervention, which is rarely if ever possible; instead, this is an opportunity to reflect on whether or not your evidence is 'good enough' to achieve your objectives and to avoid unnecessary negative unintended consequences.

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**Box 5: Why evidence matters for anti-corruption interventions**

Many anti-corruption researchers and practitioners will be familiar with two recent attempts at mapping the evidence on the effectiveness of anticorruption interventions (e.g. Rocha Menocal et al., 2015 and Zaum et al., 2012). While both started out with the aim of establishing 'what works', in the end both reports tell us more about weaknesses within the evidence base: in short, we actually know relatively little about whether any given anticorruption intervention is likely to work. Rocha Menocal et. al. (2015), for example, looked at twelve intervention categories but found only two—decentralisation and social accountability mechanisms—with a relatively large enough body of evidence to make any claims on efficacy; however, even within those bodies of evidence, whether or not the evidence tells us 'what works' was categorised as 'contested' by the mapping report's authors.

More/better evidence is needed to tell us what works, but not enough attention has been paid to potential unintended consequences of anticorruption interventions. A growing body of evidence is helping to demonstrate why testing interventions, even those that seem positive and/or benign, is important.

Almost all anticorruption strategies have an awareness raising component, whether this is through campaigns, billboards, embedding messages into school curriculum or so on. Despite widespread use, until 2016, the influence of awareness raising activities hadn't really been scrutinised. Since then, five studies have examined what happens in a variety of countries and contexts when ordinary citizens are exposed to different anticorruption messages (Corbacho et al., 2016; Peiffer, 2017 and 2018; Kobis et al., 2019; Peiffer and Walton, 2019; Cheeseman and Peiffer 2020).

Worryingly, the emerging consensus is that anti-corruption messages do not work; none of these studies show that anticorruption messaging prompts the intended outcomes: discouraging corrupt behaviour and encouraging citizens to report/fight corruption. Worse still, there is growing evidence that through priming citizens to think about corruption in their country, anti-corruption messages may actually be backfiring, where 'exposure to anti-corruption messages fails to discourage corrupt behaviour and, in some cases, actually makes individuals more willing to pay a bribe' (Cheeseman and Peiffer 2019: 8).

Prior to these studies, few concerns had been raised about anticorruption awareness-raising efforts potentially causing harm, let alone questioning whether or not there's sufficient evidence that they actually work. Given the ways in which various actors use the public's frustration with corruption for their own agendas, being clear that interventions aren't causing harm, and understanding the relationships and interactions we confront, is just as important as better understanding what works. And to do this, we need evidence.

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# WRAPPING UP:
# THINKING ABOUT EVIDENCE

[6] Corruption researchers often feel as if statements like these need to come with some sort of 'Anti-Corruption Research Pledge': 'Of course, we all know corruption is a bad thing, however...'. We're very aware that some readers may think we're somehow saying that corruption is a 'good thing' (see Marquette & Peiffer, 2019: 814, for example, where we *literally* write: "No, we do not say that corruption is a 'good thing'"). Instead, a functionality lens simply helps us grapple with many of the same sorts of social, political and even moral complexities that people who work on other difficult issues - crime, terrorism, illicit wildlife trade, sexual exploitation and so on – do without having to make some sort of a priori statement that makes it clear they condemn it.

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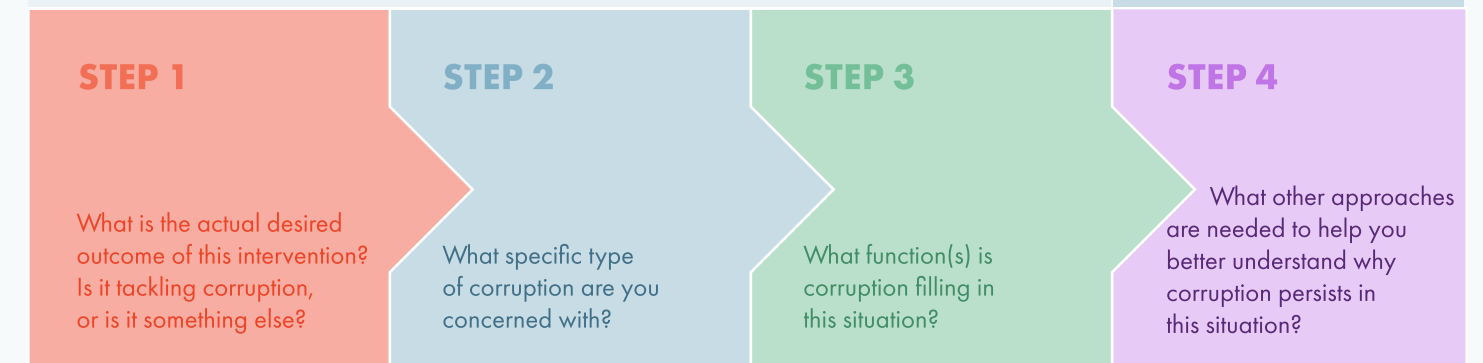
# ANNEX 1: THE CORRUPTION FUNCTIONALITY FRAMEWORK

**FIGURE 1:** The Four-Step Corruption Functionality Framework



| STEP 1 | STEP 2 | STEP 3 | STEP 4 |
|---|---|---|---|
| What is the actual desired outcome of this intervention? Is it tackling corruption, or is it something else? | What specific type of corruption are you concerned with? | What function(s) is corruption filling in this situation? | What other approaches are needed to help you better understand why corruption persists in this situation? |

# STEP 1

# What is the actual desired outcome of this intervention? Is it tackling corruption, or is it something else?

## QUESTIONS

1. If you were successful in tackling corruption through your intervention what is the specific outcome you want to achieve? What is your vision?

Some sub-questions to get you started:
- Are you worried about evidence of harms, such as violence, reduced social and political trust, a lack of social cohesion, etc?
- Are you worried about the drag on growth?
- Are you worried about links to serious organised crime and security?
- Are you worried about the differential impact on the poor?

2. Is tackling corruption the means or is it the end? In other words, is your motivation intrinsic, e.g., you can only achieve your outcome if something is done about corruption, or is it extrinsic, e.g., are you required to do so for some reason? What is your primary motivation for trying to reduce corruption? Are you clear on how – and why – you need to tackle corruption and what this will achieve if successful?

# STEP 2

# What specific type of corruption are you concerned with?

## QUESTIONS

1. Which **type(s)** of corruption matter?
- What is the **dominant type(s) of corruption** undermining the outcome you identified in Step One (e.g., of primary concern where you know you won't achieve your desired outcome unless you do something about this)?
- What **other types of corruption also matter** for your outcome (e.g., of secondary concern but still relevant)?

If you've identified several types of corruption that matter:
- How do these **types of corruption interact** with each other? In other words, do these types of corruption reinforce each other, and if so, how?
- If one type of **corrupt behaviour was eliminated,** would your aim be easier to achieve, or would other forms of corruption still pose a significant barrier to achieving your aims? In other words, do you really need to try to tackle them all right now?

2. Which **contextual factors** matter?

In the first question, you identified the specific corruption types that are the most important for your desired outcome. This second question aims at getting specific about where this type of corruption happens – i.e., the context. The following questions should be answered with respect to each of the type(s) of corruption that you have identified in question 1.

- **Sector:** what sector(s) does this type of corruption impact (e.g., health, education, local government, oil, wildlife

conservation and so on)?
- **Place:** where *specifically* does this corruption type take place? For example:
  - Is it limited to a specific organisation(s) or setting? If so, which one?
  - Does it only happen in only a single country, or only a certain part of this country? If so, where?
  - Is it transnational? If so, which countries are involved? What are the interactions?
- **Visibility:** How visible is this type of corruption? Are its impacts and patterns easily tracked?
- **Public attitudes:** To what extent is tackling this type of corruption important to the public?

3. Which **actors** are likely to be involved?

Now that you know *what* you're looking at and *where*, it is time to think about *who* – i.e., the actors. The following questions should be answered with respect to each of the type(s) of corruption that you have identified in question 1 and the context(s) you have identified in question 2.

- Who are the principal actors most likely to be involved in this type of corruption and in this context?
- What do the relationships, networks and scale of collusion amongst these actors look like? Are you able to map these out?
- What types and levels of power do these actors have? Are you able to access them or influence them?
- Which actors stand to lose if you achieve your objectives?
- Do any actors have the power to undermine your efforts? If so, how?
- Is organised crime involved? Are there other actors that pose a risk to your safety, or to the safety of those involved?

# STEP 3

# What function(s) is corruption filling in this situation?

## QUESTIONS

1. Is corruption being used by the actors involved to fulfil a particular need? In other words, **does this type of corruption fill a function**? If so, what is this?

2. Why are these specific actors engaging in these patterns of behaviour?

- What do you **understand about their motivations?**
- How do you understand this – e.g., what's your evidence **for this rather than just your assumptions?**

3. What **barriers are there**, if any, for actors to fulfil these functions through other/legal means?

- Are there any other ways they can find **necessary resources**?
- Would **something bad or dangerous happen to them** if they didn't engage in corruption?
- Would they **suffer from recrimination** from their family, friends or colleagues if they didn't engage in corruption?

4. How could these barriers realistically be overcome?

- Do you have **the resources you need** to fill these functions in other ways– e.g., sufficient budget, the right technical inputs, the right people in the room etc?
- Is there evidence to suggest that **there will be political will** to support such an intervention? If not, how will you overcome this?
- Are you likely to have **public support for such an intervention**? If not, how will you overcome this?

5. Have you given enough thought to **potential unintended consequences**? Are you confident that the potential costs are known and that the benefits outweigh these costs?

# STEP 4

# What other approaches help us better understand why corruption persists?

## PRINCIPAL-AGENT THEORY

1. **Monitoring:** Is monitoring a problem? To what extent can the actors involved be monitored? How can monitoring be improved, and do you have the authority/ability to improve it?

2. **Opportunity:** Is there a way to reduce opportunities for corruption? If so, what would this involve?

3. **Impunity:** Are corrupt offenders likely to be punished if caught? Are actors fearful of being caught and, importantly, punished?

## COLLECTIVE ACTION THEORY

1. Is there a general belief that corruption is **'just how things are done'**?

2. Do the actors involved believe that most people in their **position are engaging in this type of corruption**? Are they pessimistic about whether this type of corruption can effectively be tackled?

3. Is **society in general pessimistic** about tackling corruption? If so, is there a way to reduce this pessimism and increase willingness to do things differently? If so, what would this have to involve?

4. Is there a general belief that **corrupt actors have impunity**?

5. If the answer to one or more of these questions is 'yes', **are there ways to reduce this pessimism and increase willingness to do things differently**? Are there ways in which this has been done effectively in the past?