

Corruption, Legitimacy and the Quality of Democracy in Central and Eastern Europe and Latin America

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Abstract: This paper investigates the relationship between the overall perception of the level of corruption and that of the quality of the ruling regime. Two subsets of political regimes are analysed – the *neo-democracies* from Latin America (LA) and Central and Eastern Europe (CEE). The principal thesis advanced here is that corruption affects negatively the quality of neo-democracy. However, the current research tries also to discover the specific mechanism by which this is achieved in practice. It is hypothesised that legitimacy, or, even, the particular way of legitimising the fledgling democracies, is the key. Legitimation is mainly about the support granted to a specific policy and the regime as a whole. It has been demonstrated that the entire process has an *input* and *output* side. It is presumed that, during transition to democracy and its eventual consolidation, on the input side, both the opportunity structures (political institutions, legal tools and different kinds of both formal and informal practices) for citizens' participation and control of the ruling elites are created, while, on the output side, legitimacy is achieved by producing concrete results regarding, for instance, the fight against corruption as well as the provision of a whole range of public goods, which enshrine the common aspirations of the majority of the population about democracy and human rights.

Keywords: Corruption, quality of democracy, legitimacy, transitional countries, Central and Eastern Europe, and Latin America.

I. Introduction

Nowadays, it is universally accepted that corruption, in virtually all its forms and manifestations, presents a serious problem for all non-consolidated political systems. The problem appears even greater for regimes attempting to become democracies, as they are not only exposed to the scrutiny and criticism of domestic and international elites, but also to those of the citizens and civil society at home, which have, in turn, been empowered by the political changes.

At the end of the twentieth and at the beginning of the twenty-first century, the majority of polities in the world are real or self-proclaimed *liberal democracies*. The greatest number of them has attempted a transition to some variant of this type of political system in their recent past. According to most experts' estimates, however, probably the largest group of contemporary political regimes are *hybrid* ones, i.e. lying in a "grey zone" between autocracy and democracy (Zakaria 1997, Carothers 2002). According to some, more generic, counts, the electoral democracies largely outnumber their autocratic counterparts, but the former are predominantly neo- and non-consolidated liberal democracies, which are found today among the ex-Communist and Developing World states (Freedom House 2004).¹

Since the tumultuous times of the Florentine Republic, graphically described by Machiavelli (1947, see also Anglo 1971), social science scholars have tried to establish a causal link between the quality of the system of government and the emergence and persistence of corruption.² Enough to mention the discussions on the subject by J.J. Rousseau (1913), Alexis de Tocqueville (1959, and 1969), and J.S. Mill (1859), in order to grasp the profound internal political consequences, as well as the historical and global scope, of this problem. If one would agree, that the newly-established and non-consolidated political regimes are more vulnerable to both internal and external crises, then, it becomes clear that the relative quality(ies) of these regimes would most certainly suffer under the strain of real or perceived corruption. Moreover, it might be presumed, that the negative effect of corruption will be double in the case of neo-democracies, as, with the political enfranchisement of large segments of the population and the instauration of various formal and informal mechanisms of accountability, the rejection of corrupt practices tends to increase.

¹ According to the FH survey, "89 countries are Free. Their 2.8 billion inhabitants (44 percent of the world's population) enjoy a broad range of rights. Fifty-four countries representing 1.2 billion people (19 percent) are considered Partly Free. Political rights and civil liberties are more limited in these countries, in which corruption, dominant ruling parties, or, in some cases, ethnic or religious strife are often the norm. The survey finds that 49 countries are Not Free. The 2.4 billion inhabitants (37 percent) of these countries, nearly three-fifths of whom live in China, are denied most basic political rights and civil liberties." Moreover, "of the world's 192 states, 119 are electoral democracies (89 Free and 30 Partly Free), an increase of 2 since 2003", while "over the last 15 years, the number of electoral democracies has risen from 69 out of 167 (41 percent) to 119 out of 192 (62 percent)." (Freedom House 2004)

² Niccolo Machiavelli compares corruption to a disease, writing, "It is difficult to diagnose and easy to treat it at an early stage, while at an advanced stage it is easy to diagnose but difficult to treat." However, his main concern was about the falling morals of the Italian ruling elites, thus he mostly speaks of *corruption of the morals* (or 'moral corruption'). For instance, he says, that "it is difficult to stay away of corruption for people who have gained their freedom but have weakened morals." (*The Prince and the Discourses* (1950), especially the discourse about Titus Livy and the decline of the Roman Republic)

Parallel to this, however, there have always been few sceptical voices, which have expressed uncertainty over the predominant evidence about the harmful medium and long-term effects of corruption, especially as foreign direct investment and privatisation of state assets are concerned (Leys 1989, Werner 1989, Doig and McIvor 1999, Lipset and Salman Lenz 2000). First, it has been pointed out, that symptoms of corruption are very difficult to pin down. Second, even if identified, there are no standard remedies against this type of illicit practices. Thirdly, one thing is for sure regarding corruption: it cannot be eradicated completely in any association of people or group of institutions. Thus, the whole debate about corruption might, and would certainly, turn into a question of standards, i.e. about how much corruption a given society can and should tolerate.

This paper does not have the ambition to tackle such a complex bundle of questions regarding corruption and democratisation all at once. Its main aim is to conduct a research about the relationship between the overall perception of the level of corruption and the quality of the ruling regime. It chooses to analyse a particular subset of regimes – the *neo-democracies* and *transitional regimes* from Central and Eastern Europe (CEE) and Latin America (LA). This choice is primarily motivated by the fact that the two groups of countries persistently show not only relatively high rates of corruption and, respectively, high levels of intolerance towards this type of nefarious social phenomenon (Transparency International 2001-2005, Diamond 1999), but also because the majority of governments in both regions had deliberately chosen to consolidate liberal democracy and market economy, and, as a result, they have had comparably similar goals and achievements in this respect during the last couple of decades.

The principal argument advanced in this paper is that corruption affects negatively the quality of neo-democracy. However, the current research does not stop there. It tries to discover the specific mechanism by which this is achieved in practice. It is hypothesised that legitimacy, or, rather, the particular way of legitimising the fledgling democracies, is the key. The chief reason about focusing on legitimacy is more intuitive than empirically based. Concerning both corruption and the quality of democracy, one as a political analyst is usually faced not with real levels of corruption and the QoD, but with reported or perceived manifestations of both phenomena. Legitimation is mainly about the support granted to a specific policy and the regime as a whole (Blondel 1995). It has been demonstrated that the entire process has an *input* and *output* side (Easton 1965, Scharpf 1997). It is presumed that, during transition to democracy and its eventual consolidation, on the input side, both the opportunity structures (political institutions, legal tools and different kinds of both formal and informal practices) for citizens' participation and control of the ruling elites are created, while, on the output side, legitimacy is achieved by producing tangible results regarding, for instance, the fight against corruption as well as the provision of a whole range of public goods, which could meet the common aspirations of the majority of the population about democracy and human rights.

This paper is structured as follows: first, the concept of the QoD is described in depth. Second, the political regimes from CEE and LA are compared and contrasted with respect to their overall ranking regarding corruption and the QoD. Thirdly, the issue of the legitimacy of the new democracies from both regions is discussed. Fourthly, an attempt is made to explain the negative effects of corruption on the quality of neo-

democracies by linking both phenomena to the legitimisation of transitional and non-consolidated regimes. Finally, conclusions are drawn regarding the future of democracy and the fight against corruption both regionally (in CEE and LA) and globally.

II. The Quality of Democracy: Conceptual Definitions, Operationalisation and Possible Indicators

Defining and operationalising the QoD

The quality of democracy (QoD) has been both a complex and an “essentially contested” political concept (Gallie 1955, Andreev 2005). Despite its elusive character, much like corruption, the notion of QoD has intuitively attracted a growing amount of attention, especially recently, both among social scientists and practitioners. This has been prompted by the necessity to describe a ‘qualitatively different’ political reality before, during and after the consolidation of democracy in many parts of the world, including in CEE and LA.³

In principle, the usefulness of the concept of the QoD has been widely recognised by the academic community. However, many political scholars have often used it without clarifying what they exactly mean by this concept (Green and Skalnik Leff 1997, Baker 1999; Rose and Chull Shin 1998). Others who attempted a definition have encountered serious problems in explaining their theoretical stance and the choice regarding criteria for operationalising the QoD. The process of conceptualising the QoD has resulted in predominantly *minimalist definitions* aimed at a narrow characterisation of selected aspects of this notion. For instance, drawing heavily on Robert Dahl’s authoritative idea of describing really-existing democracies, or *polyarchies* (Dahl 1971), David Altman and Aníbal Pérez-Liñán (2001: 1) have referred to the QoD as “the extent to which any given polyarchy actualises its potential as a political regime.” Michael Coppedge (1997: 179-80) has conceived of the QoD as the “relative degree of democratisation among countries” that are already labelled as polyarchies. Robert Putnam (1993), on his part, has paralleled the QoD with institutional performance and government responsiveness in particular, while Juan Linz and Alfred Stepan (1996b: 32-3) have additionally emphasised the quality of political society.⁴

Most importantly, one should remember that the QoD can either be a *discreet* phenomenon, measurable at one point of time, or a *continuous* development both temporally and notionally, depending on the degree of the political system democraticness and the range of qualities that the ruling regime enshrines. For instance, Arend Lijphart has argued that the QoD “refers to the degree to which a system meets such democratic norms as representativeness, accountability, equality and participation.” (1993: 149) Such definition of the QoD is tautological to a certain extent, i.e. the description of QoD coincides with the various qualitative targets that a

³ The recent preoccupation of *transitologists* and *consolidologists* has not so much been the stability of electoral democracy, but its deepening and reorganisation as a political system. (Linz and Stepan 1996 a & b, Lijphart 1999, Schmitter and Guilhot 2000)

⁴ For example, the latest book of Guillermo O’Donnell (2004) on “The Quality of Democracy. Theory and Applications” particularly stresses the link between democratisation and the *rule of law*.

democratic political regime should in principles meet in order for it to be considered of a higher quality. Moreover, the choice of exactly these four ‘democraticness criteria,’ i.e. representativeness, accountability, equality and participation, seems a bit arbitrary from both a theoretical and practical point of view, while the relationship (i.e. the sequencing and hierarchy) between this set of principles has not been made clear enough by the author.⁵ Finally, it is probably useful to mention that any definition of the QoD should not only refer to a given set of characteristics of the political system itself (i.e. about *liberal democracy*), but also to the notion of “quality”. In a recent overview of the significance of this concept in relation to the QoD, Leonardo Morlino (2003b) has pointed out that the term *quality* can lay stress on (a) the procedure as to how the political policy is organised, (b) the content of the regime’s structure and policies, and (c) the result of the government’s activity. Hence, it could be concluded that the notion of “quality” itself contributes substantially to the *multidimensionality* and diverse understanding of the concept of the QoD.

In terms of operationalisation, following the reflections made in the preceding section, it is easy to conclude that the quality of democracy is almost never a static phenomenon, but a *moving set of targets*, which affects the different political regimes differently. However, it has been hypothesised (Andreev 2005), that, in order to be true to the conceptual meaning and practical manifestations of the QoD, one has to be sure first that the political regime in question is a *liberal democracy* indeed, and not some other kind of incomplete democracy or a mixed regime.⁶ Secondly, it is presumed that it is probably more appropriate to speak of the *qualities of democracy* (and even of the *qualities of democracies*), rather than, merely, the quality of democracy. This might be explained by the fact that, while transiting to democracy, political regimes do not transform all at once, but certain institutions and sub-regimes of the political system consolidate first and then others would follow. Subsequently, during their lives as relatively stable democracies, the political regimes might get de-consolidated either partially or fully. Moreover, the same qualities never appear at one and the same place within the political system, but are discernible at difference *sites* and in different *configurations*.⁷ In sum, the qualities of democracies – as the political regimes themselves – would differ from case to case, sometimes, quite substantially.

A number of scholars from different social science disciplines have proposed several methods by which to describe selected qualities of the system of government (and governance). The vast majority of studies conceives of the QoD as the **quality of the political regime (QoR)** (Gasiorowski and Power, 1998; Rose and Chull Shin, 1998; Schmitter and Guilhot, 2000; Altman and Pérez-Liñán, 2001; Morlino, 1998 and 2003). Guillermo O’Donnell cautions, however, that, “democracy should not only be analysed at the level of the regime. In addition, it must be studied in relation to the state – especially the state *qua* legal system – and in relation to certain aspects of the

⁵ For a similar attempt to operationalise the principles upon which a ‘good quality democracy’ should rest, see (Morlino 2003a). In an article analysing the qualities of the political regime in Italy, the author selects the “rule of law,” “accountability,” “responsiveness,” “freedom,” and “equality” as equally important principles to evaluate the QoD.

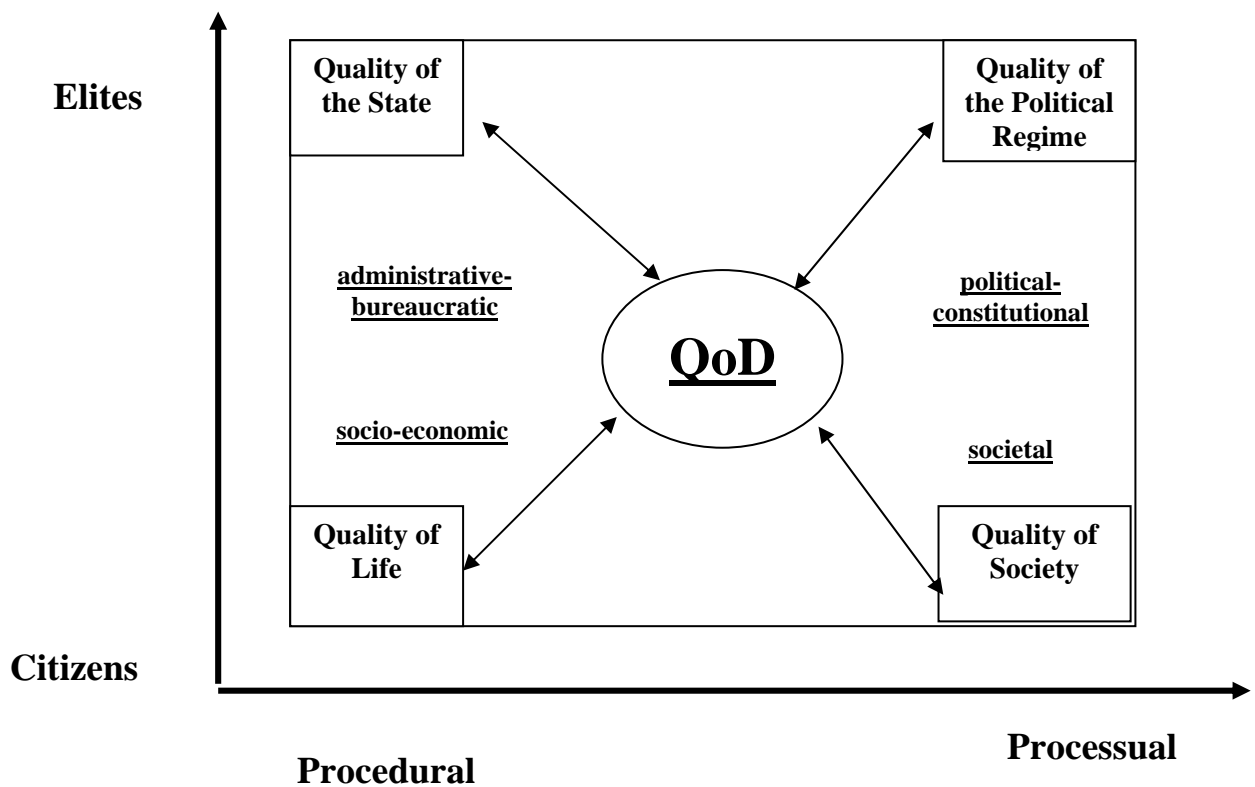
⁶ For the exact procedure of how to accomplish this, one may either refer to the same publication (i.e. Andreev 2005), or, for a more extensive explanation, to a previous work by the same author (Andreev 2003).

⁷ For instance, Nikolas Luhmann and Philippe Schmitter perceive the political and social systems as associations of *subsystems* (see Luhmann 1986 and 1995) or *partial regimes* (see Schmitter 1992 and 1996, Schmitter and Guilhot, 2000).

overall social context” (O’Donnell, 2000: 4). Juan Linz and Alfred Stepan, moreover, explain that, “policy decisions by democratic governments and legislators certainly affect the **quality of life**, particularly in the long run, but ... the overall **quality of society** is only a small part of a functioning of democracy. ... There are problems specific to the functioning of **the state**, and particularly to democratic institutions and political processes, that allow us to speak of the quality of democracy separately from the quality of society” (Linz and Stepan, 1996b) Alongside, the expanding academic literature on the QoD, as well as on the quality of the state (QoS) and society (QoSOC), there is also an even faster growing research, particularly in economics and social anthropology, on the **quality of life (QoL)** (Sirowy and Inkeles, 1990; Morris, 1991; Emizet, 2000). This series of scholarly investigations, bearing direct relevance to the QoD as a concept describing the most salient features of the system of governance, could tentatively be unified and graphically presented as in the following diagram:

Diagram 1

The Quality of Democracy and Its Various Dimensions



Measuring the QoD

Measuring the QoD has been a challenging task for most political scientists. Although the research in this field has rapidly taken off in the recent years, still much work lies ahead. A great number of scholars have preferred to concentrate on the *performance* of the government, civil society and political institutions within a democracy

(Foweraker and Landman 2002; Foweraker and Krznaric 2003). As typical indicators of democratic performance have been selected (a) the regime's endurance and longevity, (b) the government efficacy and (c) the allocation of liberal democratic values (Foweraker and Krznaric 1999). Furthermore, when trying to conduct such evaluation of the QoD, it is important to differentiate between *intrinsic* and *extrinsic* qualities of the political regime (Ibid, Andreev 2005). The *intrinsic* qualities might be linked to the observance of the procedural principles of democracy and to the congruence with the formal constitutional type of the political system. The *extrinsic* qualities should account for the international security and regional integration position of a given polity, for example. It should be noted, however, that it is very difficult to analyse the regime separately from the state, civil society or the international environment. That is why the selection of *intrinsic* as opposed to *extrinsic* qualities of the political regime is always arbitrary to some extent.

This last observation can, nevertheless, have serious implications for measuring the QoD. As a cursory overview of the literature on this topic reveals, most authors tend to mix *intrinsic* with *extrinsic* indicators of the QoD in their quantitative and qualitative analyses. For instance, Arend Lijphart (1993 and 1999) examines this issue by looking at such disparate variables as electoral turnout, women's participation, family policy, rich-poor ratio, inflation and economic growth. Similarly, Bingham Powell (1982) mixes indicators of state stability and violence with citizens' participation.

On the whole, students of democracy have not been very rigorous when selecting and combining various indicators of how to measure the QoD. The ultimate product has been a heterogeneous mix of indexes attempting to measure virtually the same thing in quite different ways. Table 1 provides an example of some of the best-known indicators attempting to describe and measure certain qualitative aspects of *liberal democracy*.

TABLE 1

Common Measures of the QoD

Author	Indicators
Lijphart (1999)	<ul style="list-style-type: none"> - Women's parliamentary representation - Women's cabinet representation - Family policy - Rich-poor ratio - Voter turnout - Satisfaction with democracy - Elites' distance from the average voter - Corruption index - Popular cabinet support

Valenzuela (1992) and O'Donnell (1994)	- Absence of “reserved domains” - “Horizontal accountability”
Huntington (1991) and Przeworski, <i>et al.</i> (1996)	- GDP per capita (and PPP) - Political stability and the regime’s survival rate
Gasiorowski and Power (1998)	- Democracy persistence (and consolidation)

III. Corruption and the Quality of Democracy in CEE and Latin America: A Case Comparison

Theoretical reflections on the link between corruption and the QoD

According to most political scientists, both corruption and the quality of democracy (QoD) are multifaceted and difficult to pin down terms. So far, we have discussed various dimensions of the concept of QoD, while the notion of corruption has been left lingering in the background untouched.

Corruption has been a notoriously difficult phenomenon to describe, not only because of its various characteristics and multiple possible manifestations, but because of its dynamism as a social and political process. One of the most widespread definitions of corruption is the one frequently used by the World Bank officials, which is “the use of public office for private gain” (Hellman *et al.* 2000, World Bank Group 2005) However, as it has been pointed out in numerous academic publications and by many policy makers, such a limited conceptualisation of corruption has not been encompassing enough in order to grasp the entire set of political and social issues that have been affected by this negative phenomenon. Corruption can take many *forms*: e.g. bribery, embezzlement, fraud, extortion and, increasingly, the transfer of influence and patronage to do or return all kinds of favours. Structurally, the *mechanism* of carrying out corrupt activities can either be vertical, i.e. “upward extraction” and “downward redistribution” (Amundsen 2000), or horizontal, i.e. “transfer of influence and money.” Corruption could also be a *limited* (one-time) *activity* or a *continuous process*. It can be *petty* or *grand*, and *organized* or *unorganised*. Corrupt activities could either be carried out by *individuals* and *groups*, or by different *institutions*. Conversely, corruption could target either individuals or institutions, or both at the same time. Finally, corruption arises mainly in political and bureaucratic offices, but affects equally strongly private businesses and everyday people’s lives. Hence, it is quite difficult to draw a clear distinction between *political* and *other types of corruption*.

Providing a parsimonious definition of corruption, which links corrupt practices to particular kinds of agents, sectors or social transactions, could be deviously hard and could, ultimately, be counterproductive. What could one do instead is try to choose a broad definition of corruption and to try to operationalise it for the purpose one’s research and the specificities of the cases analysed. The present paper focuses

primarily on *systemic corruption* carried out by public officials in both Central and Eastern Europe and Latin America. One possible conceptualisation of corruption elaborated by the Parliamentary Monitoring Group in South Africa (2003) is “**any conduct or behaviour in relation to persons entrusted with responsibilities in public office which violates their duties as public officials and which is aimed at obtaining undue gratification of any kind for themselves or for others**”. This might for instance be a good working definition of systemic corruption as it explicitly refers to different illicit activities performed by the political elites and other persons in public office, which may result in “undue gratification for themselves or for others”.

In order to link such broad and elusive concepts as the QoD and corruption, one should also be able to identify the notions’ *focus* and should be able to *operationalise* them. As regards the QoD, as already submitted in the previous two sections, the focal point of this concept is the newly democratised *political regimes* in CEE and LA. Consequently, the QoD is primarily operationalised as the quality of the regime (QoR). Concerning the notion of corruption, the present research’s focus is on the manifestations of *systemic (or political) corruption* in both regions. Systemic corruption is primarily operationalised as **(a) the concentration of decision-making power** and **(b) the lack of government transparency and accountability in decision-making**. These principles are valid for dictatorial, semi-autocratic and democratic regimes. As one practitioner once put it, the operational formula of political corruption is “Monopoly + Discretion – Accountability – Transparency” in running the affairs of government and the management of state resources (Hoseah 2002:1). This dictum summarises in plain terms situations (a) and (b) that are most likely to lead to systemic corruption in virtually all polities around the world.

In addition to term’s operationalisation, one should pay further attention to the *temporal manifestations* of corruption. Corruption at the regime’s level occurs both *during* and *between* elections. During elections, the evidence of corruption could, for instance, alienate citizens from the electoral process. At the same time, corruption tends to reduce the opportunities for representation of ordinary citizens and blurs the responsibility of rulers to account for their actions during the previous political period (Ibid: 2). In-between elections, corruption erodes the institutional capacity of government as procedures are usually ignored, resources are siphoned off, and officials are hired or promoted without regard to performance. As a result, the trust in government rapidly declines. (Rose-Ackerman 1978 and 1999, Torsten, Tabellini and Trebbi 2001)

Coming back to the key principles, characterising the emergence of different types of systemic corruption and the methods of combating this set of negative practices, one could hardly escape the notion of *good governance*. This concept can both help, but, also, make the operationalisation of both systemic corruption and the QoD more difficult. For instance, it is virtually impossible to come up with a single authoritative definition of what does ‘good governance’ mean. On the one hand, it might easily be presumed that ‘good governance’ is definitely something different from ‘bad governance’ and, thus, it is opposed to bad and corrupt government. Moreover, most policy makers, including the representatives of major donor and financial institutions, like the IMF, the World Bank and the UNDP, agree that good governance has also

something to do with a set of frequently referred to but occasionally “vague” terms such as accountability, transparency, the rule of law, responsiveness, and, even, with participation and efficiency. (Clayton 1994, Goetz and Philip 2000, Pharr and Putnam 2000, IMF 1997, UNDP 2005, World Bank Group 2005) On the other hand, however, the majority of political scientists have rightly pointed out that “not all good things go always together,” especially in times of intense social transformation and political regime transition as in post-autocratic CEE and LA (Schmitter 1994, Offe 1996). Consequently, both the definition and operationalisation of good governance still leave much to be desired, especially from a theoretical and methodological point of view.

Empirical inquiry into the levels of corruption and the QoD in CEE and LA

Only very few political scholars have tried to explicitly link the instances of corruption with the declining quality of the political regime. Even fewer have attempted to analyse and measure this phenomenon comparatively, e.g. across several polities and/or regions, and across time.⁸ The bulk of research in this respect has been done by practitioners from the international financial and development institutions, who have managed to come up with a range of indicators and working hypotheses concerning the effects of corruption on the governing system (Tanzi 1998, Hellman *et al.* 2000, Abed and Gupta 2003, World Bank Group 2005, UNDP 2005) A non-negligible amount of data on corruption and democracy has been gathered by two particular NGOs with a global focus: Freedom House (www.freedomhouse.org) and Transparency International (www.transparency.org). Although the methodology and the quality of the data of both organisations’ analyses could be criticised a lot, most political scientists have frequently referred to and occasionally used the FH and TI datasets, in order to conduct research on corruption, democratisation and related topics. The composite index of World Audit (www.worldaudit.org), which is hereby used, features the countries’ ranking in democracy (political rights and civil liberties), press freedom and corruption. The World Audit results regarding democracy and press freedom are a replica of the FH annual country ranking, while the polity’s status with respect to corruption is a reflection of the TI corruption index (the so-called CRI).

In Table 2, forty CEE and LA countries are ranked according to their overall scores with respect to their level of democracy (political rights and civil liberties), press freedom and perception about corruption. The index of press freedom is considered a valuable addition to the political democracy and corruption indexes, as the news content and the process of distribution of information are considered of great importance to promoting better quality and corruption-free democratic regimes across the world. These countries are placed together in six groups, which presents the relative progress achieved by each regime in relation to the above three factors of a political system governance during the 2004-2005 period.

Table 2

⁸ For exceptions see Lijphart 1999, Treisman 2000, and Monitola and Jackman 2002.

Country Democracy and Corruption Ranking for 2004-05

Country	Democracy Rank	Press Freedom Rank	Corruption Rank
Group 1			
Chile	18	19	17
Estonia	20	23	28
Slovenia	21	15	28
Uruguay	22	21	25
Costa Rica	23	27	35
Hungary	24	29	36
Group 2			
Slovakia	25	30	49
Czech Republic	25	31	43
Poland	27	27	58
Latvia	31	23	49
Bulgaria	35	35	46
Panama	36	36	53
Lithuania	44	25	38
Group 3			
Brazil	50	51	51
Peru	51	47	58
Mexico	53	51	55
El Salvador	53	62	43
Croatia	55	54	58
Argentina	59	50	97
Nicaragua	59	54	86
Dominican Republic	59	58	76
Serbia & Montenegro	63	60	86
Bolivia	65	54	110
Romania	66	66	76
Ecuador	66	62	100
Albania	70	67	99
Macedonia	71	69	86
Honduras	72	68	102
Paraguay	73	71	128

Group 4			
Bosnia and Herzegovina	101	76	72
Colombia	107	91	52
Armenia	110	99	72
Georgia	111	81	121
Russia	119	109	79
Guatemala	121	89	110
Moldova	121	91	102
Venezuela	126	113	102
Ukraine	129	113	102
Group 5			
Belarus	137	141	66
Cuba	143	149	53

Overall, groups 1 and 2 contain the majority of consolidated liberal democracies from CEE and Latin America. The analysis of the relative status of these countries regarding democracy, corruption and press freedom features predominantly medium and small political units both in terms of territory and population. Group 3 is the largest group (including 16 countries), and it consists of newly established liberal democracies and regimes in transition. In this group, one would encounter the most populous and dynamic politically and economically societies in LA, such as Argentina, Brazil and Mexico. Groups 4 comprises fledgling political regimes, which aspire mostly to become liberal democracies, while group 5 is composed of two purely autocratic regimes – one in each region – Belarus and Cuba.

What is interesting about the information provided by Table 2 is that there seems to be a high correlation between the democracy and corruption ranking of countries. It is not surprising, however, that the democracy and press freedom indexes are correlated even tighter together, as they are produced by the same organisation (FH), and there are, in principle, good reasons to believe that democratisation promotes press freedom and *vice versa*. What could also be added regarding both the CEE and LA countries is that, in most cases, these polities seem to score slightly better in terms of their quality of democracy than with respect to their efforts to tackle corruption. This is generally true for all groups of countries, except for group 5 and, to a certain extent, for group 4, where autocratic and hybrid regimes looks as if they either manage to check upon corrupt practices more successfully, or public debates concerning corruption are virtually not held domestically and/or such information is not available internationally.

The broad picture that emerges from this empirical study is that both the post-communist CEE countries and their Latin American counterparts (some of the latter having started their democratisation almost a decade earlier) show similar traits and tendencies with respect to the quality of democracy and the perceptions about corruption. Although press freedom is highly correlated with democratisation, there

seems to be some kind of a **time lag** between the improved public perceptions regarding the achievements made in terms of better quality democracy, on the one hand, and the general effect of the authorities' efforts to combat corruption, on the other. What could additionally be said is that both democratisation and the fight against corruption are highly dynamic processes. Hence, many more longitudinal domestic and international surveys are needed in order to provide more precise answers regarding the existence of a **strong causal link** between the QoD and corruption in a transitional setting.

In the next section, one of the main mechanisms through which legitimacy, or trust, for the political regime and its institutions is created has been explored. Special attention is paid to the possible factors that influence the elites and citizens' behaviour during systemic transformation, especially with respect *to both* the consolidation of liberal democracy and the counteraction of corrupt practices.

IV. Types of Legitimacy and Modes of Legitimation, and their Impact on the Levels of the QoD and Corruption

Defining the notions of legitimacy and describing the legitimisation modes in a political regime

Academics, studying legitimacy problems in various political contexts, have largely disagreed about what legitimacy is and how to define this concept. They, nevertheless, have concurred that it has something to do with *support*, and, especially, *popular support* for political decisions, personalities and institutions (Blondel 1995: 62; Lord 2000: 1). It has been both practically and theoretically determined that no regime, even the most autocratic ones, can survive without the support, implicit and/or explicit, of its citizens. That is why, the majority of political regimes around the world today try to capitalise upon their popular support by creating the appropriate political and social institutions and by cultivating special relations with the representatives of civil society. It should also be emphasised, that an important part in this process plays the rule of law, and especially *constitutional rule*, as a means of establishing and formalising different channels and acts of support.

The support, granted by both individuals and organisations, may vary substantially, depending on the circumstances. Hence, it should not be perceived as a clear-cut and fixed point, but more as a *continuum*. Authors, working on legitimacy issues, have also indicated that support can be both *general* (for the overall political system) and *specific* (for individual policies) (Easton 1965: 311-19; Blondel 1995). At the same time, acts of government can be perceived as legitimate for what they achieve (*substantive legitimacy*) and for how they do it (*procedural legitimacy*) (Weber 1946). Thus, legitimacy implies the existence of some kind of trade-off between efficiency and stability, on the one hand, and normative justice and political style, on the other (Lipset 1983; Diamond and Lipset 1994)

In terms of definition, Seymour Martin Lipset presumes that "legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society." (Lipset 1984: 88) Philippe Schmitter defines legitimacy, on his part, as a "shared expectation among actors in an

arrangement of asymmetric power, such that the actions of those who rule are accepted voluntarily by those who are ruled because the latter are convinced that the actions of the former conform to the pre-established norms. Put simply, legitimacy converts power into authority – *Macht* into *Herrschaft* – and, thereby, simultaneously establishes an obligation to obey and a right to rule” (Schmitter 2001: 2).

Alongside the complicated issue of defining what legitimacy actually is, social scientists have also pondered over the possible methods of assuring legitimate authority for a political regime. The process of obtaining general or specific support in politics is called legitimisation, and it is different from the concept of legitimacy, which is the *object* of this act. In his classical work “The Theory of Social and Economic Organisation”, Max Weber identifies three ways of government legitimisation (or “three pure types of legitimate authority”): *rational*, *traditional* and *charismatic* (Weber 1964: 328). In more recent times, Fritz Scharpf has correctly observed that legitimacy can be secured either on the input or output side of government: *input legitimacy* implying a democratic election of office holders and the holding of public consultations regarding the final approval political programmes, while *output legitimacy* referring to directly meeting the most pressing public needs, including the allocation of various political and societal values by the governing elites (Scharpf 1997).

Scholars, working on legitimacy problems in different contexts (national, regional and international), have identified three essential types of achieving legitimacy (Scharpf 1994 and 1999b; Höreth 1998 and 2001; Weiler 1993 and 1999):

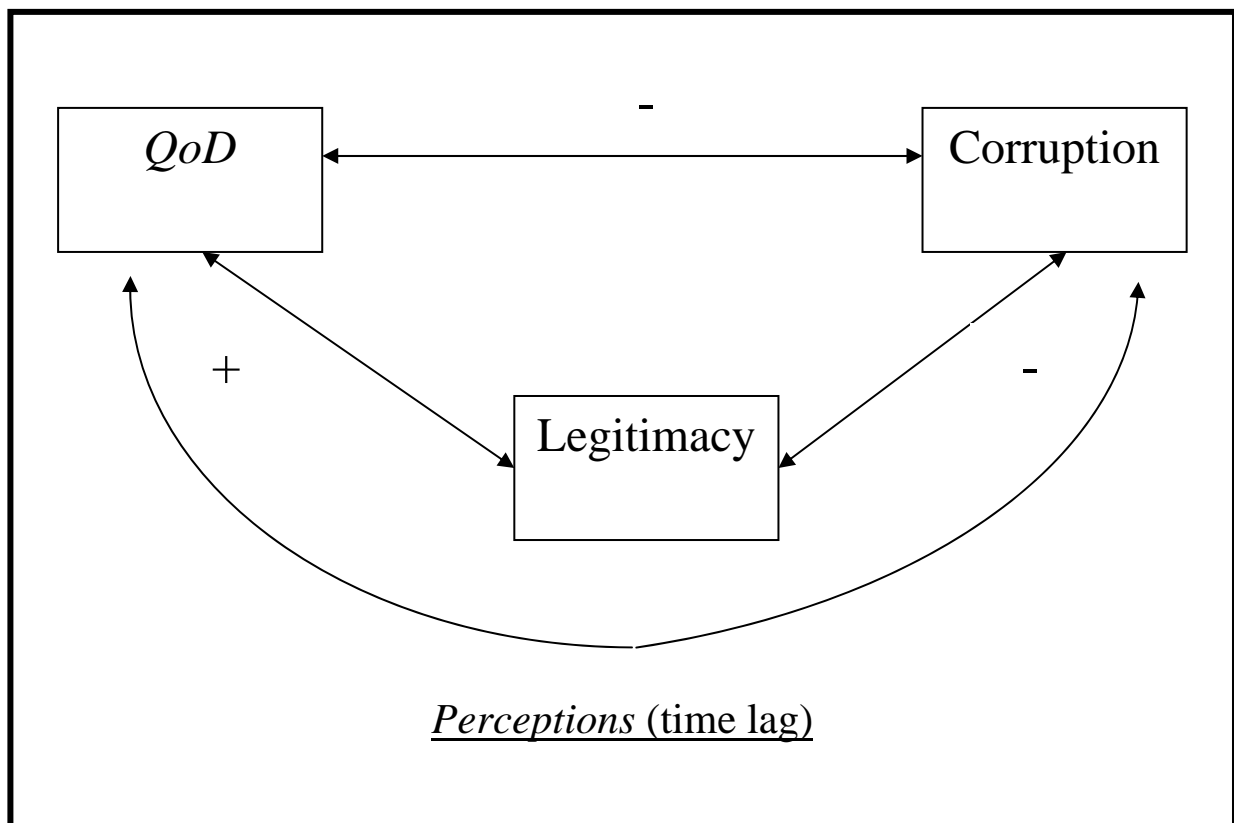
- 1) *Output legitimacy* Support based on the effectiveness of the ruling regime’s problem-solving capacities and achievements; **government for the people**;
- 2) *Input legitimacy* Direct democratic legitimisation of domestic and international politics via the trust granted by citizens who actively participate in decision-making and are properly represented at various levels of governance; **government by the people**;
- 3) *Constitutional legitimacy* Legitimisation achieved through the implementation and internalisation of legal norms and conventions, **government of the rule of law**.

The above are three possible ways of legitimating any decision-making process and governance regime from a *rational point of view*. Nevertheless, there exist two additional modes of regime’s legitimisation, postulated by Max Weber – *traditional* and *charismatic legitimacy* (1964). However, there has been a debate among social scientists whether these two types of legitimacy could contribute to contemporary rulers’ staying in power or gaining people’s trust about a given policy for long periods of time. It has increasingly been presumed that both governing elites and citizens are rational actors and, hence, they would opt for some type of legitimacy from the list above, or, rather, for a mixture of them.

The dynamics of the QoD, legitimacy and corruption, and the relationship between them

One of the main questions posed by this paper is what is the linkage between legitimacy and the QoD, on the one hand, and legitimacy and various forms of corruption, on the other (Figure 1). Several authors have tried to analyse this set of relationships, either separately or together. Regarding the effects of corruption on the legitimacy of consolidated and transitional regimes, there have been far more publications (Putnam 1995, Della Porta and Mény 1997, Della Porta 2000, Rose and Chull Shin 1998, Rose-Ackerman 1999, Montinola and Jackman 2002 Holmes 2001 and 2003), than those focusing on the QoD, albeit as a minor part of their research (Gasiorowski and Power 1998, Lijphart 1999, Della Porta and Morlino 2001).

Figure 1: The relationship b/w QoD, corruption and legitimacy



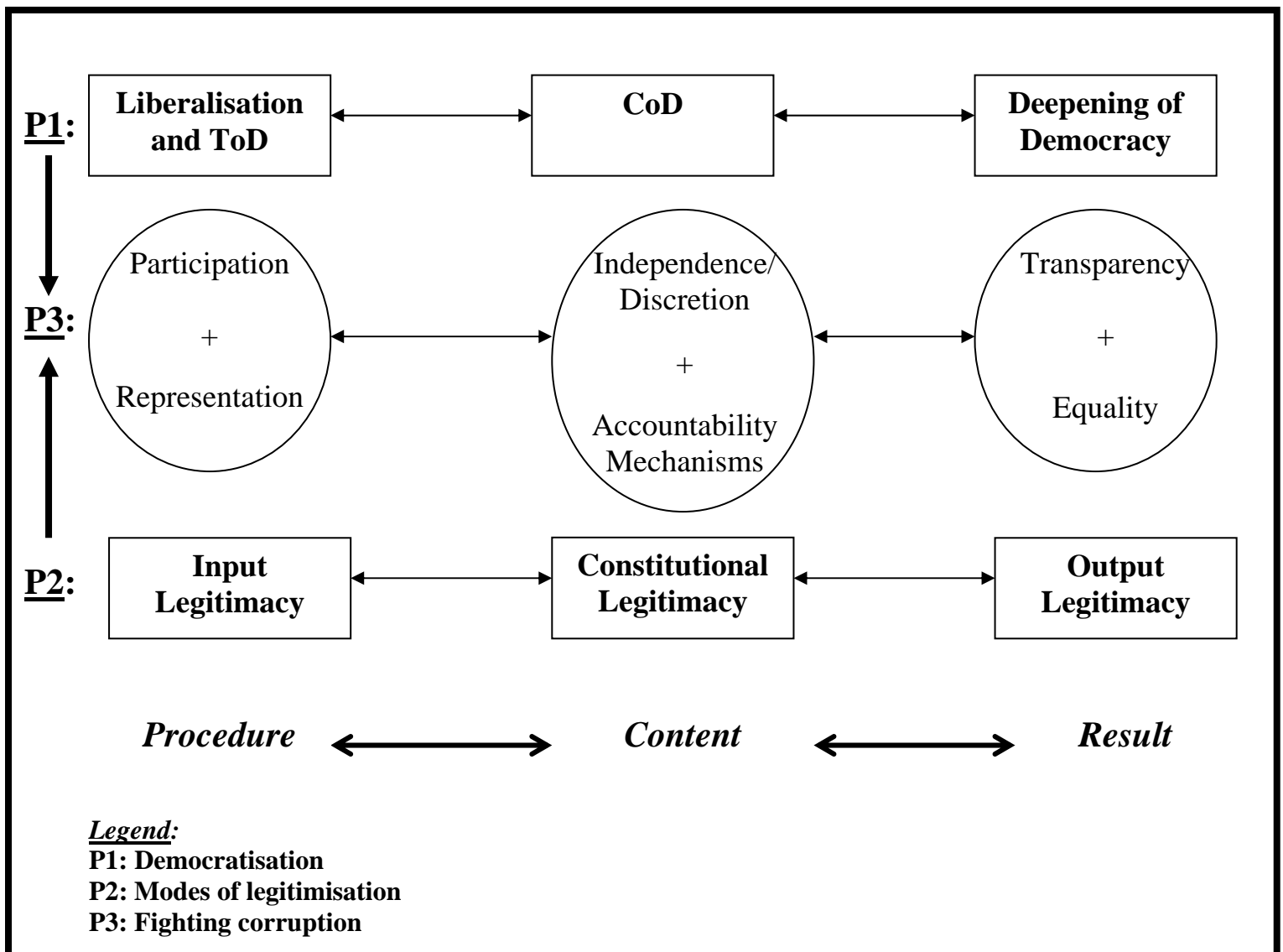
Quite an important thing that should additionally be mentioned here is that, when talking about perceptions about legitimacy, the QoD and corruption, one should definitely take into account the *distortion effects* that the information flow, coming either via the media or the popular discourses, and the timing of reporting could have on the overall situation regarding the link between these three elements of political and social life. It has not been uncommon, especially in dynamic and transitional circumstances as in CEE, that corruption might have declined in absolute terms (for instance, there might have been a significant drop in the number of incidents of corruption being reported officially and the amounts of bribes being received), but the general perception among people and the media to be that the levels of both social phenomena have remained intolerably high or that they have even worsened over time (Holmes 2003, Mungiu Pippidi and Ledeneva 2006). Therefore, it might be appropriate to speak of *perception lags* between the moment when the positive effects

of democratic or anti-corruption reforms have started to be felt by everybody and the point when the change of opinion about those issues among the elites and citizens has taken place. Taking this into account should be quite important for improving a government's legitimacy in a liberal democracy, as citizens and their representatives would be those who should eventually give their support to the ruling regime.

It is pretty straightforward to presume that corruption will have negative effects on both the QoD and the regime's legitimacy, while the relation between the QoD and legitimacy will be mostly positive (see Figure 1). However, one should also heed to the temporal effects – *short-, medium- and long-term* – of either democratisation and/or the qualitative changes that occur within the political regime. Limited corruption and informal rules might for instance have relatively neutral effects in a transitional setting, especially when public resources quickly change hands and investment projects, that may guarantee better infrastructure and peoples' employment, could be realised. That is why, both the political and socio-economic time horizons, with which actors operate, are prime to understanding the elites' behaviour, particularly when domestic and international pressure to conduct reforms is relatively high, as has been in CEE and LA during the last couple of decades.

What appears to be equally important for understanding the link between democratisation, legitimacy and the struggle against corruption is the *sequencing of transformations* (Schmitter 1994, Offe 1996). In order to fully grasp the dynamics of building better quality political regimes and fighting corruption in transitional societies, one should simultaneously look at the processes of democratisation (P1) and legitimisation (P2), and the relationship between (Figure 2). Special attention should also be paid to both processes' effects on the process of counteracting corrupt practices within a given political system (P3). The possible types of legitimacy that provide support for the ruling regime at different points of the transformation are listed as follows: input legitimacy during the liberalisation and transition phases (ToD), constitutional legitimacy (or the rule of law) during the consolidation period (CoD), and input legitimacy during the deepening of democracy. These three types of legitimacy are in turn believed to promote participation and representation (during liberalisation and transition to democracy), independence of institutions and elite accountability (during the consolidation of democracy), and transparency and equality (during the deepening of democracy). The qualitative changes that occur both with and within the political system are seen to be procedural, content- and output-based (see Morlino 2003b on this as well). These three sets of P2-induced governance transformations are in turn related to the three phases of P1 as shown in Figure 2. Moreover, they concur with the possible measures that could be taken both at the level of government and civil society in the struggle for corruption-free political system (P3).

Figure 2: Democratisation, legitimisation and fighting corruption



It is undeniable that, when liberalising the autocratic regime and transiting to democracy, the prime task of reformist elites is to change the old procedures and adopt new ones in order to govern in a highly volatile situation. When consolidating a democracy, the establishment of independent institutions and the securing of discretionary position for political rulers and bureaucrats within the rule of law go hand in hand with the promotion of accountability, both individual and collective. Finally, during the post-consolidation phase, when deepening democracy, achieving transparency and political and social equality are desirable objectives for most contemporary liberal democratic regimes.

V. Conclusion

The main purpose of this paper has been to establish whether there exists a strong causal relationship between the manifestations of corruption and the emerging quality of democracy (QoD) in a transitional setting. By analysing a large number of modern

political regimes from CEE and LA, the overall impression has been that the process of democratization has been negatively affected by the relatively high levels of corruption in both regions. But the same has also been true about the course of action operating in the other direction, i.e. that successful democratisations have counteracted corrupt practices much better than if transitions have been prolonged and reforms have been postponed.

A second, equally important, goal of this paper has been to discover the mechanism by which systemic corruption and the QoD are negatively related. Initially, it has been presumed that the way a regime has been acquiring legitimacy has been the key to understanding such a connection. This has not been a simple task, because both the three concepts under investigation, i.e. the QoD, legitimacy and corruption, have been notoriously elusive and difficult to operationalise, and the majority of political regimes from CEE and LA have hardly been democratic for a long period of time. Hence, the overall situation regarding the empirical testing of one's hypotheses has been quite difficult and uncertain. The good news, however, have been that the countries from CEE and LA have clustered nicely together into five groups according to their combined democratisation and corruption rankings for the period 2004-2005 (Table 2). These groups included consolidated liberal democracies (groups 1 & 2), transitional and hybrid regimes (groups 3 & 4), and autocracies (group 5).

The latter evidence has provided the clue of how to link the QoD, legitimacy and corruption together. It has been presumed that such a relationship could not be understood otherwise, if not as an association of dynamic processes that have a comparable logic of development in a highly volatile and transitional environment as in both CEE and LA. Such a set of common factors underlying the three fundamental processes of *democratisation*, *legitimation* and *the fight against corruption* has the desired broad outcome at each stage of all three processes: **procedure, content and result**. For instance, regarding the process of democratisation, the making and adoption of procedures has mostly been associated with the liberalisation and transitional phases of political transformation, when the democratic rights of participation and representation have explicitly been emphasised. Likewise, "constitutional legitimacy" or the *rule of law* has most often been linked with consolidation of democracy, but also with the creation of independent offices and various accountability mechanisms by which to combat corruption. Finally, the deepening of democracy has usually been coupled with increased transparency and greater social and political equality – all of which have been seen as "natural causes and incentives" for both an improved record in the fight against corruption and a higher confidence in government (meaning better legitimacy and QoD).

What should ultimately be said about this research is that the conceptual model regarding a possible causal link between the QoD and corruption has been based both on a series of theories about democratisation, legitimation and the struggle against corruption, on the one hand, and on the empirical evidence about the unravelling of these three processes in CEE and LA, on the other. It might be expected that such a model (see Figures 1 & 2) would work well in other social and political environments, i.e. it could be both used for comparing different regions undergoing profound transformations as well as it could be employed to study longitudinal social processes (i.e. democratisation and anti-corruption campaigns) and to distinguish between a number of different historical periods in this respect. However, one should be aware

of the fact that much of the data representing the levels of democracy, legitimacy and corruption in different polities around the world is very tentative and might be seriously flawed, because it relies heavily on the *perceptions* of international experts and/or people operating on the ground, such as businesspersons, political leaders and civil society activists. Furthermore, as it has been demonstrated in this paper, there could often be serious *time lags* between a policy outcome is realised and the perception of the main players, especially those granting legitimacy at various levels of governance (i.e. citizens, representatives and elites), is changed.

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