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CORRUPTION AS A DIFFUSE INSTITUTE

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Purpose. The purpose of the article is critical examination of the institutional treatment of corruption and revealing the limitations of such an approach.

Methodology. The theoretical framework of the article is institutional analyses in their sociological and neo-institutional versions.

Results. Starting from the sociological understanding of social institute as a complex, multi-layered, indirect, transpersonal form of social regulation, we examine from this angle the nature of corruption. The concept of corruption as a diffuse institute is suggested. This concept accounts for the system and structural features of corruption on the one hand and, on the other hand, pinpoints the discrepancy between this phenomenon and the full content of the term 'social institute'.

Practical implications. Treating corruption as a diffuse institute certainly involves an assessment of potential efficiency of different counteracting measures. However, above all, it is a question of diagnosing this social phenomenon, which should be more profound and nuanced than simply understanding it as an informal institute.

Keywords: *social institute; corruption; neo-institutionalism; rules of the game; informal institute; diffuse institute.*

КОРРУПЦИЯ КАК ДИФFUЗНЫЙ ИНСТИТУТ

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Цель. Целью статьи является критический анализ институциональной трактовки коррупции и выявление ограничений данного подхода.

Методология. Теоретико-методологической рамкой работы выступает институциональный анализ в его социологической и нео-институциональной версиях.

Результаты. Отталкиваясь от социологического понимания социального института как сложной, многоуровневой, не прямой, надличностной формы социальной регуляции, автор исследует в этом ракурсе природу коррупции. Предложено понимание коррупции как диффузного института. Данное понятие, с одной стороны, позволяет учесть системные и структурные признаки коррупции, а, с другой, акцентирует различия между данным феноменом и «социальным институтом» в полном объеме данной категории.

Область применения результатов. Трактовка коррупции как диффузного института помогает оценить потенциальную эффективность различных антикоррупционных мер. Однако прежде всего она связана с диагностикой данного социального феномена, более глубокой и нюансированной, нежели просто понимание коррупции как неформального института.

Ключевые слова: социальный институт; коррупция; нео-институционализм; правила игры; неформальный институт; диффузный институт.

The problem statement

It would seem that over the last eleven decades⁵, the issue of corruption has been studied far and wide. Virtually every paper discusses **the**

⁵While the theme of corruption is as old as the world, in modern discourse it appeared, according to Rogozin [8], relatively recently – in 1904 – and real interest in it began to form only in the 1990s. According to Calhoun, «over the last few decades interest in and attention toward corruption has increased exponentially» [29, p. 12].

concept of corruption (e.g. [4; 7; 12; 17; 29; 39; 43; 44; 47; 52–54; 56; 65; 69; 70; 81; 82; 85; 86; 89; 91; 94; 98; 99; 110; 117–119]); much attention is paid to the **history** [36; 37; 99; 115] and **causes of corruption** (e.g., [5; 12; 28; 30; 53; 89; 90; 104; 122]) and to **the history of studying it** and the reasons for the interest in this subject [4; 12; 24; 40; 56; 94; 119].

Corruption is studied through both **regional** and **cross-cultural perspectives** [6; 23; 30; 38; 41; 42; 46; 49; 50; 56; 64; 69; 73; 95; 96; 99; 97; 103; 111; 112; 120; 121]; with the 1993 emergence of Transparency International, the study of corruption actually turned into a separate branch—“a science of comparison” [119, p. 468]. Furthermore, the subject of obtaining a **measurement of corruption** generated “the business of metrics” [119, p. 475] (on the subject of measurement of corruption, see, in particular, [6; 9; 10; 20; 22; 30; 41; 53; 55; 56; 58; 61; 67; 69; 70; 83; 84; 90; 91; 95; 106]). **Various typologies of the corruption relationships** [1; 4–6; 12; 17; 48; 53; 56; 60; 68; 70; 79; 87; 99; 113]) and **theoretical (explanatory) models of corruption** [3; 25; 33; 53; 90; 105; 119] have been presented to the scientific community.

For several decades, social scientists have argued about the implications and effects of corruption, including **hypothetical positive effects** [15; 16; 21; 25–27; 32; 42; 47; 53; 57; 63; 69; 70; 72; 74; 75; 77; 78; 82; 100; 101; 103]. Regardless of whether these are recognized or denied, the ethical perspective continues to exist in the background of this subject, receiving distinct (sometimes religious) attention in a number of studies [14; 18; 31; 88; 93; 119]. When considering the topic of corruption, an almost obligatory “option” is to provide recommendations for **the fight against this evil** (see, among others, [4; 7; 13; 49; 53; 60; 66; 70; 87; 91; 92])⁶.

Nevertheless, scientific interest in this subject does not weaken, and it would be an oversimplification to explain it using only the vitality of corrupt practices. In some respect, such oversimplification is evidence of the academic powerlessness on the matter and an incapability to propose solutions, explanations and recommendations. Thus, O’Connor

⁶A large number of works devoted to the study of corruption in concrete countries and geo-political regions were left aside in this review.

and Fischer state that despite considerable scientific efforts, “the factors leading to corruption are not well understood” [83, p. 644]. Wedel “argues that prevailing approaches to corruption may make it more difficult to see contemporary forms of the age-old phenomenon and are ill-equipped to study them” [119, p. 453]. As Lambsdorff believes, “we need more theoretical inspiration that is able to direct our energies better in the fight against corruption” [70, p. 28].

We reflect further on the popular opinion in modern literature on institutional treatment of corruption and show its limitations (*next section*). It is necessary to review critically the concept of “institute” so that these limitations can be overcome, and in section ‘*What does it mean to call something a “social institute”?*’, some principal ideas in this regard are offered. Section ‘*Institutional signs of corrupt practices*’, which is focused on claimed subject matter, provides an analysis of the phenomenon of corruption in terms of its compliance with the suggested institutional criteria. Section ‘*Discussion*’ is devoted to theoretical and practical conclusions.

The institutionally focused treatments of corruption

One of the most promising approaches in studying corruption is the institutional approach (see, in particular: [2; 11; 13; 60; 70; 87; 92; 105; 119]). There are two principled versions of this approach.

(I) The first and rather typical approach is the *exogenous approach*, in which social institutes (primarily state) are considered an environment of corruption. This is a favorite conceptual framework for cross-cultural comparisons, the emphasis of which is placed, as a rule, on the connection between the levels of democracy, political freedom, parliamentary and judicial systems on the one hand and the level of corruption, on the other (see, e.g., [29, p. 15–16; 114, p. 20]). Although not all studies confirm this connection, the literature widely corroborates the statement that ‘*political institutions matter*’ (the last phrase Daniel Lederman, Norman V. Loayza, and Rodrigo R. Soares put in the very title of their article [71, p. 1]).

Within the exogenous approach, the *institutionalization of corruption* is often understood as something that extends to state structures and penetrates into statehood, i.e., *de facto takes over public institutions*:

‘The de facto takeover of public institutions for business interests or criminal activity constitutes an extreme case of state capture. In such instances, corrupt or criminal networks penetrate executive institutions at critical points’ [59, p. 27].

This view on corruption understands it as an institutional pathology [59, p. 31] or a *malignant disease* – the latter is a favorite metaphor in the analysis of this phenomenon.

(II) An *endogenous approach*, where the corruption itself is considered an institute. The acceptability of such an approach was put forth as early as 1907 by Francis E. McGovern:

‘Political corruption is not simply dishonesty in the public service; neither is it merely a phase of crime in general, nor even of crime committed by those who hold public office. ... It is, indeed, a unique and highly complex thing; an institution, if you please, rather than a condition of society or a temper or tendency of any class of individuals’ [76, p. 266].

Today, this approach is gaining strength and becoming almost commonplace, although very few authors demonstrate it in its exposed form. Thus, underlining the institutional nature of corruption, the authors put an appropriate emphasis on it in the very title of their work, ‘*The Hidden Order of Corruption*’ [87]. However, nowhere in this text did we find any wording that clearly links corruption and social institutes – as has been done, e.g., by Teorell:

‘...corruption ...<is> an institution in itself, rather than...some form of illicit behavior’ [105, p. 3].

The most typical viewpoint for the *endogenous version* is the neo-institutional treatment of corruption as an informal institute with all accents intrinsic to this approach – namely, the base understanding of the institute as ‘the rules of the game in a society’ [80, p. 3]; the attention to the question of historical rootedness, or ‘the inbuilt inertia (or path-dependency) of corrupt institutional systems’ [92]; and the specific institutional-economic viewpoint on corruption structures as a way of reducing uncertainty and risk reduction (see, e.g., [87, p. 2]). It is from neo-institutionalism that the model ‘principal-agent’, which still domi-

nates the field of the theoretical analysis of corruption (see, particularly, [70; 87]), is borrowed.

While not questioning ‘... the importance of thinking about corruption as “the rules of the game”, that is, as an <informal> institution’ [105, p. 2], we believe that it is necessary to critically examine the very concept of ‘institute’ that gives some theoretical increment to understanding the nature of corruption.

What does it mean to call something a ‘social institute’?

As stated above, the conceptual and methodological framework of the institutional analysis of corruption (in the endogenous version) is neo-institutionalism, and this, we believe, results in a certain stagnation of the theoretical reflection of this phenomenon. The methodological weakness of the neo-institutional approach to the analysis of corruption is, in our view, not that this approach is fundamentally wrong but that it leaves too little room for problem statements and the further development of the question under discussion.

To return to the space of possible questions about the nature of corruption, it is helpful to ask *what it means to call something a ‘social institute’*. A brief overview of the most important consequences to which the use of this term refers will allow for a more responsible return to the issue of the institutional nature of corruption than that is demanded by neo-institutional methodology.

A sociologically profound consideration of the *social institute* forces us to recognize that it is something more than ‘the rules of the game’ [80, p. 3]. Treating the institute as a set of ‘formal rules and informal constraints, and the effectiveness of their enforcement’ [80, p. 9] provides a better approximation of the nature of the institutional reality; however, it requires a clear explication of the ideas and criteria that constitute it. The first, metaphorical definition of institute received the most vivid response from the research community, although it provokes an oversimplified and, strictly speaking, not quite proper understanding of the specific nature of this phenomenon. Indeed, ‘*the rules of the games*’ govern *all* aspects of human relationships, including those that

could not be called an institute⁷; if such aspects were called institutes, practically everything related to human structures would be considered a social institute. The approach shown in [45, p. 21] is representative in this respect:

‘... we may define *institutions* as systems of established and prevalent social rules that structure social interactions... Language, money, law, systems of weights and measures, table manners, and firms (and other organizations) are thus all institutions’.

The consideration of such different social phenomena, as noted above, questions the usefulness and necessity of the very concept of the ‘social institute’. This blurring of the concept occurs because the neo-institutionalism overlooks the complex, multilayered nature of institutional reality.

Essential propositions

The social institute is a complex, *multi-layered*, *indirect*, *transpersonal* form of social regulation that is species-specific for human communities and connected with the need to govern access to the prime resources that sustain the biological and social existence of human beings.

Multi-layered. Because the institute contains both behavioral and abstract ideal aspects, the latter are the basic principles of its functioning, and sociocultural maxims ensure its legitimation in society.

Indirect. In the institute, one can observe not simply direct interactions among people in a certain situation (e.g., in their greeting ritual) but more of a system of rules “lining” a rather extensive zone of human relations. While ‘simple’ interactions are assessed first by the extent to which they meet the needs and expectations of communicating people (and some violations of the rules may even welcome here), the institute is estimated primarily by how well it handles a specific area of human interaction. Simplifying slightly, it can be said that if we estimate the interactions on

⁷Common rituals of greetings or culturally accepted modes of communication between un-familiar people in the neutral public place (for instance, on a bus) are good examples. As shown by the classical ethnomethodological studies, non-compliance with the unwritten rules of game normal for such situations involves rather efficient informal sanctions (e.g., indignation, condemnation, conflict).

their own account in the ‘simple’ interactions (*the game*), we estimate essentially *the rules* of interaction in the institute (*the rules of the game*).

Transpersonality. What is at issue is the recognition of a peculiar ‘subjectivity’ of the institute. Being a complex entity, the institute ‘lives’ within certain limits, according to its own laws and obeying the logic of interrelation between the constituent concepts and the logic of “trussing” with other social institutes. Here, we come close to the concept of Institutional Logics (see, particularly, [19; 35; 51; 107–109]), which is an essential point of institutional theory that deserves special discussion.

Finally, the *resource aspect* of the institute. The institute arises where there is a conflict of interests and competition for resources. The institute shapes and formalizes this competition by creating rules for access to restricted resources. Because institutional rules are created in resource important points, it is appropriate to expect them in the field of, for example, marriage but not in the love or friendship spheres.

Before moving on from the designated conceptual framework to an analysis of the phenomenon of corruption, let us summarize the basic ideas about the primary salencies and components of this hard-catching reality that social thinkers are trying to capture in the notion of the ‘social institute’⁸.

Composition of the social institute

It is acceptable to ontologically understand four types of reality in the social institute: norms of law, common consciousness attitudes, the everyday status / role practices and the organizations. Corresponding approaches are shown in Fig. 1, which reproduces two ontological axes: the first opposes mental and behavioral phenomena, and the second opposes an ordinary and official (formal) levels of social life. Practically all of the definitions found in the literature can be placed into one of these four quadrants.

The right side of the scheme reproduces the mental constructions that are rooted in specialized and ordinary consciousness and ensure

⁸Rather typical in this regard is the beginning of the "Social Institutions" entry in the Stan-ford Encyclopaedia of Philosophy: ‘The term, “social institution” is somewhat unclear both in ordinary language and in the philosophical literature...’ [102].

the functioning of the institutes. In the first case, it is a question of legal norms; in the second, it is a question of such slices of ordinary mentality as (a) beliefs about how ‘the world works’; (b) knowledge of ‘rules of behavior’ in this or that sphere; (c) psychological attitudes toward certain types of behavior in certain circumstances.

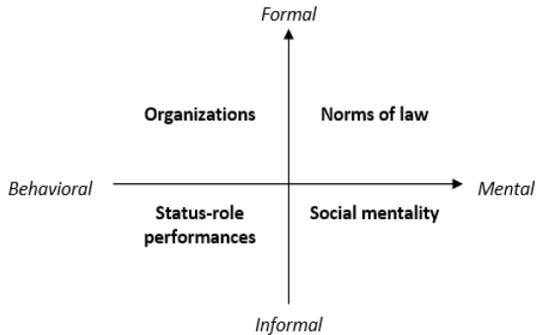


Fig. 1. Ontological ideas of the nature of institutional reality

The left part of the scheme contains behavioral approaches to the understanding of institutional reality according to which institutes find manifestation in real practice – the official or informal patterns of interaction that are formed in certain areas of life.

Each of the quadrants of this scheme deserves a detailed discussion, which would take us far from the topic of the article. However, it is clear that the lower part of the scheme, which shows the informal aspects of institutional reality, is easily projected onto corruption, which in turn is embodied in both mental and psychological attitudes and behavioral patterns. Less obvious is the limit to which, and whether it is possible at all, can it speak to the legal and organizational embodiment of corruption. Meanwhile, these aspects are the aspects that, in our opinion, are crucial in identifying the institutional reality; therefore, we focus on them more thoroughly below.

Legal and organizational aspects of the social institute

The point of view that traces back to John Rogers Commons, according to whom institutes are connected with a specialized reflection

and find expression in legal norms, is not popular today, although it is sometimes discussed in economic literature. While it is hardly expedient to reduce social institutes to *the rules of law* (in this case, the very need for it as a separate category is simply lost), the legal aspect, in our opinion, is obligatory to obtain a correct interpretation of the topic of discussion. The mere consideration of those structures, which usually refer to institutes, e.g., state political systems, family, church, structures of material and immaterial production, property and education, and media structures, forces one to admit the legal aspect as *sine qua non* for the institute because each of these structures has quite distinct formal restrictions. The obligation of using normative and legal dimensions to understand the institute appears particularly in that resistance evident in scientific usage expressions such as ‘friendship as a social institute’ or ‘love as a social institute’. At the same time, both common and scientific word usage freely use the expression ‘marriage as a social institute’.

Institutional restrictions can certainly act both in the form of a legal system intrinsic to the modern civilized society and in the form of ‘customary law’, or the informal rules that support informal institutes. Undoubtedly, informal legal restrictions that do not have legal expression may exist in an institute alongside formal ones. However, the legal or quasi-legal dimensions seem to be required in the definition of the institute; without them, from our point of view, there is no institute at all.

The tradition to include *organizational structures* in the concept of ‘institute’ apparently departs from the institutionalism and meets its strongest resistance. It is known that North strongly objected to the conceptual convergence between the institute and the organization [80, p. 4–5], although some researchers are trying to challenge this view [45].

This point of view, according to which ‘separating the analysis of the underlying rules from the strategy of the players is a necessary prerequisite to building a theory of institutions’ [80, p. 5], seems to be correct essentially and very deep in its theoretical message. It presupposes the treatment of an institute as ideal by its natural formation, which has a more or less adequate manifestation in concrete forms of movement of social reality.

At the same time, the theme of organizations is very important for institutional discourse. The organization, in our view, is the most important *symptom* of the very existence of an institute. As noted above, the institutes arise in important spheres of public life and are connected, in one way or another, with the competition over life goods. In consideration of this competition, the institutional rules require mechanisms of “the effectiveness of their enforcement” [80, p. 9], which is why organizations emerge.

Finally, one important aspect, the need for which is particularly apparent in the corruption context, is connected with *ideal and value legitimation of institutes*. It is obvious that the existence of all institutes that are recognized by a given society, in one way or another, is ‘authorized’ by the ideal and value maxims supporting this society, whether they be religious, moral, political, ideological or philosophical principles. To what extent the so-called ‘shadow institutes’ hold such legitimation is a crucial question to draw conclusions about the true nature of those relationships, which have most likely been slightly prematurely called ‘the institutes’. For example, thieves’ clans, the Mafia or Camorra, are perhaps institutes because they are supported by peculiar ‘codes of honour’ that are accepted by the local subculture. It is easy to understand that this is directly relevant to the analysis of corruption.

Thus, the existence of the institute presupposes the presence of two fundamental conditions: ‘from below’, or a competitive resource context, and ‘from above’, or the value legitimation of those relations, both of which form the basis of the institute. Concerning corruption, the first condition is certainly satisfied, though the second is most likely not.

Thus arises a theoretical ‘grid of coordinates’, within which it is possible to soundly question corruption as an institutional phenomenon.

Institutional signs of corrupt practices

It is generally acceptable to distinguish between two levels of corruption, notably *petty* (local, elementary, everyday) corruption, which does not go beyond a single case interaction, and *grand* or system corruption [34; 56; 79; 87; 89; 116 and others], which is characterized by large-scale

and regular deals and, on the whole, is close to what is called ‘institutional corruption’. At a cursory glance, such a division seems correct, but further consideration makes it less convincing. For example, when a businessman bribes a customs officer or a student at a driving school pays the instructor to let them pass the driving exams administered by the traffic police, are these cases ‘local’ and ‘amateur’ corruption, or there is a complex system of the relationships behind such episodes?

To that point, let us note that the fact that a corrupt transaction involves more than two individuals (student, instructor, and one or more persons in the traffic police, as in the latter case) is a symptom but not the diagnosis of the institutional nature of the illegal deal. Institutional and collectively organized corruption are different things, and they are diagnosed for different reasons. In fact, they represent the orthogonal axis of dimension of this phenomenon (Fig. 2). The institutionalized state corruption does not necessarily imply the existence of a dense network of personal contacts. Conversely, a personal arrangement between limited and individually foreseeable number of participants does not reveal the petty corruption.

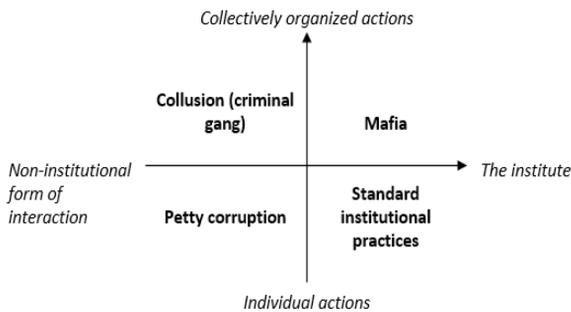


Fig. 2. Institutional / non-institutional and collectively organized / individual actions

To issue an institutional ‘diagnosis’ about the nature of a corrupt deal, one must consistently analyze using the criteria defined in the previous section.

Resource prerequisites of corruption deals. All corrupt relationships emerge in resource-demanding spheres of social life and are, one way

or another, connected to competition over life goods. Nevertheless, the degree of resource intensity in different situations strongly varies. For example, in a case when a small bribe is given to avoid a large fine for a minor administrative violation (e.g., travel without a ticket on public transport) or for jumping a queue, the tension is not so high that a ‘shadow procedure’ or an institutional structure serving it could emerge. In such cases, to give/take or not to give/take a bribe is a matter of personal choice and preference, depending on the situation and type of interaction. In regard to more significant resources for which there is *the possibility of reallocation of vital goods*, you should expect not spontaneous but institutionalized relations.

‘Legal’ regulation. One might ask what legal regulation may refer to because corruption is illegal by definition. However, it is known that all shadow institutes of society live by the rules (‘by rules and concepts’, as they say in Russian criminal environments). While these rules have no formal legal status, of course, they are quite well manifested, standardized and, in most cases, tacitly accepted for execution by ‘the players’ of the corresponding sphere of regulation. As Calhoun emphasizes, informal ‘norms may carry greater weight than codified laws’ [29, p. 17].

Let us stress the most important point, which is an unmistakable symptom of the institutionalization of corrupt practice – that is, its *impersonal* nature. That is not the illegal transaction between two individuals but an ‘ideal *impersonal exchange*’ [116, p. 17], which is a part of the prescribed “order of the things” and often not even perceived as illegal.

The existence of an ‘invisible order of things’ testifies the movement of corrupt practices towards institutionalization, and the destruction of this order is perceived by society as painful as any institutional crisis. The anomie, which was characteristic of Russian society in the second half of the 1980s and the beginning of the 1990s and connected with the destruction of the Soviet institutional structures, including *corrupt ones*, is extremely curious in this regard. As the former Soviet directors said, the previous communist authorities strictly complied with the limits

prescribed for a certain hierarchical rank in their corruption claims. The new ‘democratic power’, which did not know the ‘rules’ and took bribes ‘not on a rank’, was perceived by economic managers as ‘lawlessness’ [from private conversation]⁹.

However, regardless of the distinctiveness of the regulating aspects of corruption transactions, there is no doubt that corruption has never been and is unlikely ever to be an object of *a specialized legal reflection*. This means that it has never been and will never be a *real institute*.

Corruption formed through organizations. One of the most serious symptoms of the institutionalization of corruption is the emergence of the special organizations that service it. It is a rather common practice in Russia to set up officially registered firms that specialize in providing so-called ‘consulting services’ and ‘help’ resolve issues in state/municipal institutions. In such cases, it is possible to observe the emergence of *specific infrastructure of corruption transactions* – ‘a complex organizational architecture that facilitate the implementation of corrupt exchange’ [116, p. 8]. However, more often, corruption simply parasitizes on the official structure. Thereby, as Lambsdorf emphasizes, transaction costs of corruption deals are decreased:

‘...there hardly exists such a thing as a purely corrupt relationship. Corrupt deals are only commonly embedded in more complex relationships between different actors. More often than not, these relationships entail also a variety of legal transactions and even charitable ones. ...Preexisting legal relationships can lower these transaction costs and serve as a basis for the enforcement of corrupt arrangements’ [70, p. 210].

Value legitimation. The impersonal state of an institutional procedure removes substantial value questions. Formal establishments are found to be more important than values, and there is a certain social logic in the state of such things. It would be impossible to accompany every social action with reflections about ‘the final values’. If the rules of the game are set, then people usually just play by the rules, without asking themselves ‘philosophical questions’. This is true to a certain extent with respect to corruption.

⁹Changing ‘the rules of the corrupt games’, which occurred in Russia with the advent of ‘perestroika’, has been recorded in a number of studies; see, e.g., [100].

‘Where corruption becomes a regulated system through a process of informal institutionalization, moral costs are profoundly undermined’ [87, p. 73].

At the same time, to be viable, social institutes must have a minimum of values and moral legitimation. This is the most vulnerable criterion that gives some hope that corruption never will find the status of a full-fledged institute.

As researchers emphasize, people morally condemn corruption even when they are forced to play by its rules (see, e.g. [60; 92]). The fact that corruption is *typically* not supported by common values and principles is a serious obstacle to treating it as a full-grown, *true* social institute. The reservation ‘*typically*’, however, is not casual. Some cultures are said to have the peculiar ethics of behavior that justifies corruption.

‘Anthropologist Larissa Lomnitz... finds that people in rural Mexico differentiate between correct and incorrect corruption. Corruption, she writes, is deemed acceptable when its advantages “spill over to the rest of the population”... Even people who engage in “corrupt” practices may do so in terms of their own ethics, which may defy outside views of what corruption is, as sociologist Marina Kurkchian... documents’ [119, p. 474].

According to historians, in Russia sources of the favorable attitude to the practice of ‘voluntary offerings’ date to the XI century, when an institute of ‘nursing’, i.e., keeping officials at the expense of the local population, began to form. Thus, a bribe is a logical development of this institute, and as such, it is fixed in the Russian social system. Without the shadow of a bribe, the state bureaucratic machinery simply would not work. It is apparently this institutional bribe that to explain the amazing loyalty of the Russian social consciousness to this phenomenon, traces of which can still be observed today.

In a recent Russian study on corruption, a respondent says ‘...the question is about real gratitude, and any work should be paid. I take it to be quite normal, and I believe that if a man can receive big benefit from any procedure, it may be, as in old Russia, ancient times – ten percent...that is, the tithe... it is all in a day’s work’.

It is known that some criminal subcultures (thieves' clans, mafia) are based on a specific system of ideal legitimation and have their 'moral principles' and 'codes of honour', albeit perverted, which makes it possible to observe shadow institutional structures in them. Some researchers see something similar to that in corruption structures:

‘...Within a neoinstitutional frame, we ...pointed to the institutionalization of alternate norms that favor corruption. ...In conclusion, when governance mechanisms emerge in the market for corrupt exchanges, the latter tends to reproduce itself, along with a system of norms and principles that – while opposite from the legal order (whose supporting values are weakened) and far from being anomie – can assume an “ethical” significance of its own’ [87, p. 76].

However, such statements are too categorical to treat them uncritically. Let us pay attention to the important fact: *corruption is not a subculture*. It is not “capsuled” as subcultures are but is *spread in a society*. The corrupted official belongs simultaneously to two worlds, the official and criminal ones, and therefore does not have a particular “code of honour” and is not respected in either world.

Historians' and anthropologists' tolerant and even favorable treatment of corruption demonstrates, in our view, not as much a value legitimation of corruption as the acceptance of it as an element of the pre-existing order of things.

Conceptualization of the social order. The attitude of a society towards corruption is a mental-psychological complex that is not reduced at all to a unique estimate of this phenomenon based on indisputable moral criteria (as some researchers call it – see, e.g., [119, p. 490]). The moral legitimation and conceptualization of the social order are not the same ways of reflecting social reality. The first assumes the appeal to unconditional moral criteria and ‘final values’ of human existence. The second is a system of ideas represented by ‘as the world is arranged’. Corruption is one of those phenomena where the gap between these mental complexes is most evident; in this gap, the most profound mental causes of the persistence of corruption

should be sought. Researchers have repeatedly paid attention to this circumstance:

‘...even people that think corruption is morally wrong are likely to take part because they see no point in doing otherwise... What is important is their beliefs about the other agents’ beliefs, or in other words, their beliefs about how the world works...; This was nicely captured by the Swedish Nobel laureate Gunnar Myrdal already in 1968...: “Well, if everybody seems corrupt, why shouldn’t I be corrupt”... As is well known, it makes no sense to be the only honest player in a rotten game because that will not change the game’ [92].

Discussion and Conclusion

Based on the analysis presented above, we believe that it would be promising to consider corruption within the theoretical model of a *diffuse institute*. This thesis makes the following assumptions:

(1) Not all corrupt practices have institutional characteristics (i.e., corruption episodes, defined in the literature as *petty corruption*).

(2) Corruption, which the research literature names as a system or grand corruption, shows signs of institutionalization, which is manifested above all in the existence of special organizations that serve corrupt transactions.

The existence of tacitly ‘codified’ rules of behavior in this or that sphere and common ideas of the social order (‘how the world works’) are also important but not crucial symptoms of institutionally fixing corruption in the social system.

Neither the first nor the second paragraph contains anything that would not be discussed in research literature. The conceptual increment of this work is connected to the third point.

(3) No one, not even the most corrupt society, has a type of corruption that would have the characteristics of a full-fledged institute. Corruption is devoid of the complex multilayered structure that distinguishes the “real” institutes. As mentioned above, the top, ideal level of moral maxims and culture values is absent in corruption. The power of corruption lies in behavioral practices but not in an ideal grounding of these practices, whether it be the law or common values. The impossibility of

justifying corruption at the level of basic principles of a culture is the main obstacle for its institutionalization.

In the case of corruption, the trait of *transpersonality* is also absent. It is important to note that *impersonality* and *transpersonality* are by no means the same thing. The first assumes the existence of rules of a game that are obligatory for all ‘players’; the second designates the specific subjectivity, referring to the famous concept of Karl Popper’s “Third World”. In contrast to the true institute, corrupt structures are devoid of the conceptual and ideal framework that is achieved primarily through specialized reflection on respective social relations. Accordingly, unlike the true institute, corruption has no internal dynamics of development.

However, in many cases, corruption is similar to the institute. These cases take the character of impersonal procedure and are supported organizationally. It is needless to emphasize that this type of ‘institutional building’ is due to the close connection of corrupt practices with scarce resources – it is precisely this fact that gives corrupt affairs durability and an impulse towards institutionalizing.

To capture conceptually the contradictions and instability of the institutional status of corruption, we believe that it would be promising to talk about it as a *diffuse institute*. What necessitates such a compromise in terminology?

First, *ipso facto*, one must recognize the seriousness of the social pathology because, as is emphasized by many researchers, ‘institutions are the kinds of structures that matter most in the social realm: they make up the stuff of social life’ [45, p. 2].

Second, diagnosing the institutional nature of corruption, we recognize thereby that we are dealing not only with the “habit” of giving bribes but also with the embeddedness of the latter in a procedural order that is fixed organizationally.

Third, recognizing diffuse corruption, i.e., the *defective, ill-organized* institutional status of corruption, allows us to emphasize the theoretical and practical attitude towards it. These accents are connected first to the ratio of the mental and behavioral “registers” of institutional reality. As

emphasized above, corruption is strong by not mental but by behavioral schemes. This means that the fight against corruption at the ethical level is meaningless or, as it is called in Russian, “trying to force an open door” (in English, ‘preaching to the converted’). The point is not that society has incorrect ethical ideas of ‘*what is good and what is bad*’. One should fight not against ‘erroneous ideas’, ‘bad habits’ or ‘wrong values’ but against ‘the order of things’.

The status of corruption as a diffuse institute explains the difficulties of the fight against it. On the one hand, corruption has the strength of institutional arrangement. On the other hand, it possesses the flexibility and adaptability of informal practices. In such circumstances, it would be reasonable not to re-educate or to replace the “bad players” but to change radically the rules of the game, which would break the established decision-making procedures and the functioning of different spheres of social life. Perhaps the struggle against corruption should be something similar to a ‘Big Bang’, as proposed by some researchers [92].

Treating corruption as a *diffuse institute* certainly involves an assessment of potential efficiency of different counteracting measures. However, above all, it is a question of diagnosing this social phenomenon, which should be more profound and nuanced than simply understanding it as a system of informal rules of the game.

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