

Defining Corruption in Context


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This article engages with the burgeoning literature on the conceptualization of corruption, a literature animated by the view that failures in anticorruption practice—the limited progress made in tackling global corruption—are in part a consequence of the ways in which corruption is theorized by academics. In response, the article proposes and elaborates a four-dimensional definition of corruption with detailed subdefinitions and seeks to advance thinking in both academic and practitioner circles on how corruption can be most effectively identified in context. The article makes five distinct contributions to live debates in the conceptual literature and clarifies several ambiguities and disagreements that have arisen within it.


First, it presents a set of grounded subdefinitions that make explicit the scope of each dimension of the definition. Second, it recommends applying the four dimensions in a predetermined sequence, enabling uncertainties or gray areas in each dimension to be resolved and clarified by subsequent dimensions. Third, it addresses the much-contested “abuse” dimension, acknowledging not only the flexibility required to identify abuses in different political and social settings but also the need to limit the scope of abuse so that it is not wholly idiosyncratic or relative. Fourth, it incorporates systemic and institutional forms of corruption, which creates an important bridge between individual and institutional approaches to corruption. Finally, it offers a defense for integrating the notion of public interest into the definition, which not only provides additional clarity to the conceptualization but also does justice to the reasons we care about corruption in the first place.

Although the literature on defining corruption is extensive, there is no firm consensus on a shared definition, and there is often uncertainty about the relative merits of various conceptual approaches. This leads one stream of the corruption literature to criticize definitional work for being futile because no consensus will ever be reached, or unnecessary because, for individual

research purposes, the range of options available are sufficient to move the field forward and address the problem of corruption. Definitional work is therefore regarded as superfluous, naval gazing, and (pejoratively) “academic,” with too much attention focused on abstract and theoretical questions in the discipline (Stephenson 2015; 2021). An alternative perspective, however, is to

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take seriously the view that the failures observed in anti-corruption practice are in part a consequence of the limited ways in which corruption is conceptualized and theorized in academia (Heywood 2017). Thus, far from being academically indulgent, exploring the conceptual foundations of corruption and offering definitions that can be meaningfully and effectively operationalized by both researchers and practitioners becomes incumbent on academia.

This article takes the latter view and suggests that, although there exists a wealth of work on corruption definitions—this article is founded on a review of 117 such definitions (see Dobson Phillips 2024)—the research is limited by the tendency of academics to work in disciplinary silos (Ellis 2019): this obscures much of the progress made in defining corruption and identifying corrupt practices over time. Therefore, we do not simply propose another definition of corruption but instead aim for a conceptualization that draws together these varied disciplinary insights and demonstrates how they can be integrated into a definition of corruption that is broadly applicable across domains. In this we take inspiration from Hanna Pitkin's (1967, 10) seminal work on representation, which sought to find understanding and consensus across definitional and conceptual divides: "If we discover the grains of truth in the conflicting theories of representation, perhaps they will turn out not to be in conflict after all."

When definitions are proposed by academics and institutions it is important to recognize that they are imbued with the ontological assumptions and disciplinary and historical contexts of their authors. Indeed, there is a rich strand of academic work that details the historical and theoretical origins of different accounts of corruption (Buchan and Hill 2014; Génaux 2004; Hindess 2012; Knights 2019, 2021; Kroeze, Vitória, and Geltner 2017; Philp 1997; Rubenstein 1983; Sparling 2013), and it is not uncommon for academics to trace the meaning of corruption back to its ancient origins (e.g., Hough 2017; Johnston 1996; Philp 1997; Pozsgai-Alvarez 2020; Rothstein and Varraich 2017; Wickberg 2021). This article does not aspire to replicate this excellent work but instead takes as its starting point Heidenheimer's (1970, 4–6) typology of definitions, which identifies three distinct definitional types: public office, public interest, and market definitions of corruption.

Although Heidenheimer's (1970) typology is incomplete—it does not recognize the burgeoning literature on institutional corruption (Lessig 2011; 2013; Thompson 1995, 2013)—it is a useful starting point. The typology identifies the public office definitional type as dominant in the contemporary discourse, a dominance that remains today. It also recognizes the inherent tension between public office and public interest approaches, which take radically different views on how to identify

corruption, either through the abuse of a trust/power (public office) or the harm caused to a public or collective good (public interest).¹ This tension is usually deemed irreconcilable, and few have sought to explicitly overcome this definitional division. Notable exceptions include Mark Philp (2015), who provides a combination definition of political corruption, which incorporates public interest into an otherwise public-office-oriented definition, and Seamus Miller (2017) whose embrace of the public interest is developed in relation to institutional corruption. The contribution that our article makes is to provide a more generalizable combination definition, drawing together the insights provided by public office, public interest, and institutional accounts of corruption in a way that can be operationalized in both research and practitioner contexts. This article, therefore, proposes and elaborates a four-dimensional definition of corruption combining a range of perspectives—public office, public interest, and institutional—through detailed subdefinitions.

Both academics and practitioners are the intended beneficiaries of this elaborated definition of corruption. Indeed, we detect a palpable demand for approaches that combine clarity with the complexity offered by this approach. In our extensive engagement with the UK government, for example, this approach has been taken up by policy makers and proven valuable in identifying the scope of work for different government departments and institutional strategies. However, there are several reasons why this definition and its elaboration are valuable more generally for academics and practitioners.

First, it provides transparency on the strengths, shortcomings, and implications of their own definitional approaches and helps locate their positions (or approaches) in relation to the work of others. The analysis is based on a review of 117 academic and institutional definitions drawn from a range of disciplines, including political science, law, economics, history, sociology, anthropology and social psychology.² As such, it avoids the typical problem of definitions existing in disciplinary or institutional silos (Ellis 2019), which means that they are not applicable or comparable more broadly and that each approach may be missing important insights from other domains.

Second, clarity helps ensure that academics and practitioners address the right problems with the right tools, because inaccurate definitions can lead to important areas being overlooked or omitted from research and policy discourses. The term "corruption" is often used as a catchall for many different types of behavior, and other terms such as "fraud" or "economic crime" are used when corruption might be more accurate. Indeed, without conceptual clarity, significant areas of society and the global economy that are at grave risk of corruption may be subject to inadequate scrutiny because

attention and resources are diverted elsewhere; for example, to more observable or measurable forms of economic crime.

Third, being precise about what is included or excluded from conceptualizations enables academics and practitioners to reflect on the potential biases inherent in their own worldviews and to consider the reasons for their focus on some types of corruption over others. This reflection can help ensure that they are not working with an incomplete understanding of the manifold forms that corruption can take, which in turn can skew understandings of where corruption exists and how and why it happens. For example, significant blind spots regarding the role of professional enablers and financial centers in promoting corruption and the impact of corruption in Western contexts have only recently been recognized (e.g., Cockcroft and Wegener 2016; Heather-shaw et al. 2021; Johnston 2014; Prelec and de Oliveira 2023). Understanding how different forms of corruption connect and contrast can assist in identifying where it is most prevalent and damaging, with such granular evidence leading to better-informed research agendas, decision making, and more effective anticorruption interventions.

The remainder of the article introduces a four-dimensional sequenced definition of corruption, which incorporates four subdefinitions to clarify the meaning of each dimension. It then elaborates each of these dimensions—entrusted power, abuse, private gain, and public interest—explaining in turn how they have been treated in existing scholarship, exploring the assumptions made by different approaches, and identifying what we can learn from the debate to offer guidance on the scope and application of each element. The discussion reiterates the conceptual and operational contributions of this work, and the concluding remarks recap the needs of different users for a definition of corruption and reflect on the benefits of the proposed definition for anticorruption practice.

Definition of Corruption

We propose the following four-dimensional definition of corruption: *Corruption is the abuse of entrusted power for private gain that harms the public interest, typically breaching laws, regulations, and/or integrity standards.*

1. *Entrusted power* is the power vested in a trusted role (in political or other forms of public office, the private and nonprofit sectors, or religio-cultural institutions) held by an individual or institution that exercises discretionary power in relation to another person or entity.
2. An *abuse* is a violation of the duties or misuse of the power associated with the trusted role, either through

action or inaction. The abuse does not necessarily have to be illegal to be corrupt and can include a breach of regulations, integrity standards, or both. It can comprise a pattern or aggregation of activities that amount collectively to abuse.

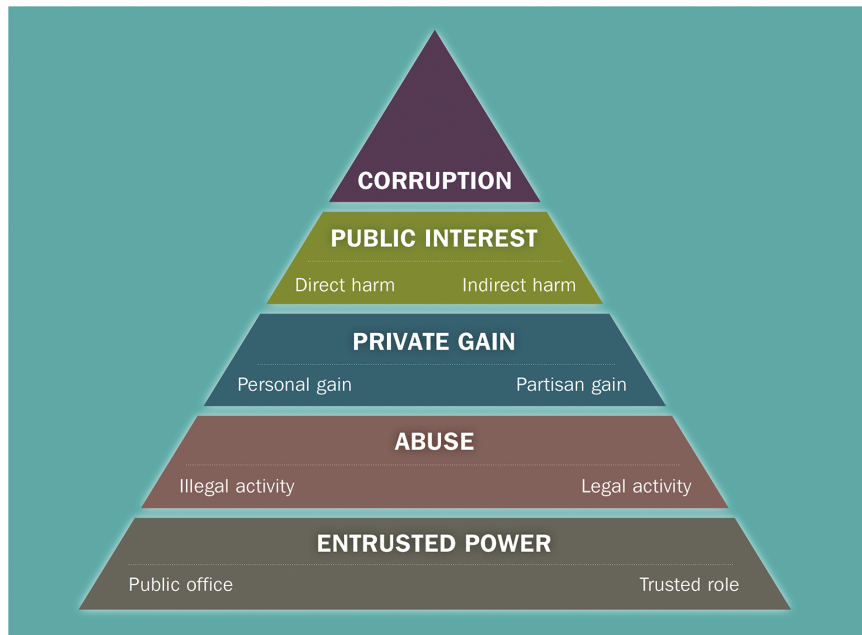
3. *Private gain* involves (financial and nonfinancial) personal gains that accrue to the individual(s) or their personal acquaintance(s) and partisan gains that benefit a particular group or institution; it may include the avoidance of losses or gratification gained through inflicting harm on others.
4. Harm to the *public interest* can include direct harms to the intended beneficiaries of the entrusted power, as well as indirect harms caused by (a) undermining the rule of law or the purpose of an institution, profession, or other relevant body; (b) failing to perform a function whose proper exercise is in the public interest; and/or (c) violating the established rights of individuals or groups.

It is important to note that, from this perspective, not all failures to act in the public interest are necessarily corrupt but only those that result from an abuse of entrusted power for private gain.

We designed the corruption pyramid (figure 1) to assist in the application of the definition by illustrating its structure and the scope of each of the four dimensions. The pyramid should be read from the bottom up as a series of “tests” that can be applied sequentially to refine the conceptualization and identify cases of corruption. A case that passes the first test can proceed to the next level, and so on. If a case does not pass all four tests, we conclude it is not a case of corruption.

Our sequential approach is a key conceptual innovation; it enables uncertainties or gray areas in a dimension to be resolved and clarified by consideration of subsequent dimensions. Entrusted power as a relationship between parties is considered first and is placed at the base of the pyramid, because it provides the context in which corrupt activity is understood to take place. It is the entrusting of power that creates obligations and expectations from which corruption is a departure. Abuse is considered second, because abuses are only relevant within this context of duties and obligations created by the entrusting relationship. Not all abuses are corrupt or corrupting, and so they need to be considered within the context of entrusted power relationships. Private gain is considered third, because private gains are only corrupt if they flow from the abusive activities of those in positions of entrusted power. Public interest is considered fourth, because the first three tests—entrusted power, abuse, and private gain—can still leave researchers and practitioners with ambiguous cases that the public interest test can assist in resolving.³

Figure 1
Corruption Pyramid



The definition proposed in this article is adapted from Transparency International’s (TI) “the abuse of entrusted power for private gain,”⁴ which focuses on the three dimensions typical of the public office definitional type: a public office or role, an abuse, and some form of private gain. This approach is exemplified by Nye (1967, 419): “Corruption is behavior which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence.”

TI departs from this approach in its expansion of the public office dimension to consider the full range of entrusted power relationships. The TI definition has the advantage of being widely known and applied by researchers, anticorruption practitioners, and global civil society organizations; it has also been adopted in varying forms by governments around the world.⁵ However, its disadvantage is that it leaves considerable scope for the interpretation of its constituent dimensions (Pozsgai-Alvarez 2020), and TI does not provide guidance on how to apply it in practice.⁶ We address the ambiguity that arises in the application of the definition through a full elaboration of the constituent dimensions, including specification of the nature of an abuse, a sequenced approach to its application, the incorporation of institutional forms of corruption, and the addition of a fourth dimension on public interest.

Elaboration of the Definition

Entrusted Power

Entrusted power is the power vested in a trusted role (in political or other forms of public office, the private and nonprofit sectors, or religio-cultural institutions) held by an individual or institution that exercises discretionary power in relation to another person or entity.

Power forms the backbone of all widely adopted modern definitions of corruption; it defines the relationships of interest to scholars of corruption. Therefore, the first dimension is entrusted power, the foundation on which the subsequent dimensions build. If no relationship of entrusted power is established, then the appropriate label for what is observed or experienced is not corruption according to this definitional approach. This entrusted power relationship is what distinguishes corruption from other forms of economic crime, fraud, criminality, or more straightforward abuses of power.

The verb “entrust” has two meanings in the *Oxford English Dictionary*, which are invoked in the concept of entrusted power: (1) “to assign responsibility for something valued or important to (a person, organization, etc.); to put one’s trust in (a person, organization, etc.) with regard to a particular task or responsibility,” and (2) “to place (a person, thing, matter, etc.) in the care, custody, or charge of a specified person, organization etc. ... Also: to

commit the safety of (oneself, one's property, etc.) to the care or protection of another.”

In the first meaning, power is assigned or delegated to an individual, organization, or institution in relation to a specific set of tasks or responsibilities; in the second definition, however, power relates to the care of another, implying a much broader transfer of responsibility to make decisions on behalf of and in the interests of another party. In each instance the entrusted party is acting as a representative with discretion over how to best fulfil that role.

This distinction parallels competing theories of political representation, in which representation can be understood either as a system by which representatives act as delegates for those they represent or as trustees of their interests (Dovi 2018). The tension between the two positions was demonstrated aptly by the debates that took place in the United Kingdom after the EU Referendum in 2016. These centered on the question of whether the UK Parliament as the elected sovereign institution was duty-bound to uphold the will of the people as expressed in the referendum (subscribing to the delegation model) or whether it held sovereign authority to decide based on its own assessment of the best interests of the nation (the trustee model). However, in the everyday practice of politics these two types of representation tend to become “fused” and function simultaneously, particularly in liberal democratic states (Grant and Keohane 2005, 33).

When considering nonelected roles in society—such as those of civil servants or professionals such as lawyers—the convention is to consider entrusted power in terms of the delegation model of representation in line with what is commonly known as the “principal-agent” relationship. This has also been used as the basis for theories of corruption control, which seek to align the incentives of principals and agents by reducing the information asymmetry between the parties and improving the principal's oversight (Klitgaard 1988; Rose-Ackerman and Palifka 2016). This delegation model holds in contexts where direct instructions are given, such as in the implementation of explicit policy decisions. However, in other administrative contexts, where individuals or groups have high levels of expertise or knowledge (e.g., judges or doctors) or play active roles in making rather than implementing policy, the entrusted power relationship more closely resembles a trustee model of representation (Grant and Keohane 2005, 32). As such, the dual form of representation—or entrusted power—is present not only in political contexts but also in a range of other public and private settings. In the context of contemporary governance in which decision making and public service delivery are widely dispersed and often involve private-sector actors, the boundaries between different forms of

representation (or entrusted power) become increasingly difficult to discern.

This suggests that entrusted power, in both its guises, applies in a range of contexts beyond the narrow contingent of formally elected or appointed public officeholders—those with powers entrusted either by the public or a parliament: this enables us to locate corruption in the private sector, the nonprofit sector, or religio-cultural institutions when an entrusted power relationship is in play.⁷ This position contradicts many academic interpretations of the universe in which corruption can occur. Rothstein (2021, 17) argues decisively that it is corruption's location in the public sphere that distinguishes it from theft or other breaches of trust seen in the private sector; indeed, this is the implied position of any approach based on what Heidenheimer (1970) classified as a public office definition of corruption. Others disagree with this limitation, however; indeed, in purely practical terms we are very familiar with the idea that corruption can and does exist in a variety of organizational settings (Hodgson and Jiang 2007), including in the private sector⁸—even though the meaning of private-sector corruption is not settled, even by those who ostensibly recognize it.

Argandoña (2003, 4) understands private-sector corruption as occurring where there is a relationship—such as between lawyer and client or employer and employee—that mimics the principal-agent relationship in the public sector. However, an even broader interpretation exists in the practical application of the law in many jurisdictions. Martini (2014, 1) argues that many laws enacted to address private-sector corruption “aim to ensure that individuals working in the private sector do not make decisions for their own benefit, which could potentially have severe impact on a country's economic development, distorting markets and hampering employee morale and integrity.”

This broader interpretation highlights the power of private companies in markets and society and is accepted by many policy makers and global civil society.⁹ Indeed, in legislating against corruption, many countries focus on bribery, which involves controlling the actions of private-sector actors, as well as ruling on the conduct of public officials. The implied reason for doing so appears to have less to do with the formal granting or delegating of power by one to another—which constitutes entrusting in the strictest sense—but instead recognizes that considerable power resides in the private sector and with that power comes responsibilities to society. This stretches the notion of “entrusting” beyond an overt or even tacit agreement between parties. It suggests that entrusted power relationships can emerge over time through contextual power-sharing arrangements, rather than being consciously or deliberately delegated and designed.

This is difficult to reconcile theoretically, but practically, it is essential to understand that there are contexts

and situations that depart from formal entrustment but are nevertheless treated as relevant arenas for corruption. In the complexity of political and social life, power can become entrusted simply by virtue of it being in the possession of a particular party and that distribution of power being tolerated over time by society. This approach therefore interprets entrusted power to include both relationships where one party is formally empowered to act on behalf of another and those in which the role or power arrangement entails broad responsibilities to society. This latter relationship might include individuals employed in public interest entities or companies responsible for critical national infrastructure¹⁰ or for delivering public services or goods.

This does not implicate every (subjectively abusive) exercise of power in society. It would not implicate relationships between individuals in purely private or domestic contexts unless there were a wider public interest at play. For example, in most cases, the founder and owner of a private unlisted company appointing their children to the company's board would not constitute a case of corruption, despite it being an example of nepotism. The owner is not *entrusted* by any other entity to act on its behalf. However, if this company were the extractor or processor of a major natural resource on which the wider economy was dependent, or if it were the provider of critical national infrastructure, then nepotism might be viewed in a different light, with expectations of propriety resembling those present under more formal entrusted power arrangements.

A complication arises, however, in that private-sector organizations are frequently implicated in more than one entrusted power relationship, leading to conflicting sets of expectations. A private-sector company providing public services is entrusted by its shareholders to operate in a manner consistent with the organization's profit objectives (private interest), while at the same time it is entrusted by the state to operate in a manner consistent with the public interest. Legal firms have entrusted powers delegated directly from their clients but also have responsibilities to public law and the administration of justice. Indeed, the failure to consider this conflict of entrustment in many professional settings has arguably led to a huge blind spot in the contemporary debate on the role of professional enablers, such as lawyers, accountants, and other financial service providers, and their complicity in corruption (see Garrod 2022). In addition, some entrusted power relationships might be indefinite in terms of time. A residue of the responsibilities or duties incurred when in an entrusted role may remain after the formal relationship has ended, such as ongoing responsibilities of confidentiality or prohibitions on trading on insider knowledge. The extent to which these actors should be constrained and for how long are both conceptual and practical considerations that require careful consideration, but the notion of entrusted

power alone provides no guidance on how these considerations should be resolved. As we argue later, in both cases—of conflicting and indefinite entrusted power relationships—the public interest, which prioritizes the public relationship over the private unless there are human rights reasons not to do so, helps mediate these questions and determine whether the context is one in which corruption is possible; from this can flow judgements about the extent and duration to which individuals should be subject to restrictions on their activities.

Questions remain, however, about how to treat contexts where power has *explicitly* not been entrusted (see Johnston 2021) and consequently what happens when this power gets further delegated/entrusted to others. Where power has been seized or is maintained by force and intimidation, it is not meaningful to talk about entrusted power or the public interest and therefore corruption. In such cases there is no model of a legitimate “uncorrupted” state to be “corrupted” by corrupt activity. In a failed state where power ceases to be structured according to any agreed pattern or arrangement, notions of constitutional office holding and the public interest are so weak that it is no longer possible to speak of entrusted power either explicitly or implicitly.¹¹ In these extreme cases, the term “corruption” no longer applies, although those who have seized power can be held responsible for other serious violations, such as torture, killing, and crimes against humanity. Most states are not so much failed, however, as fragile or compromised. In such contexts, the office itself retains its entrusted power in the sense that there remains in place a recognizable structure with some legitimacy—for example, a president who is recognized externally by the international community or internally by the country's constitution—which makes the occupant of such an office liable to charges of corruption when abusing that office for private gain and harming the public interest.

What is not so clear is how to deal with those who work under the authority of these seized or compromised states. Although political power may be seized, it then must be delegated to an administration to carry out its work and to ensure effective rule. One way of dealing with this problem is to argue that within such states the entrusted power relationship that exists between the ruler (principal) and the administrator (agent) holds, regardless of the source or legitimacy of the ruler's power. This brings us to the debate in the literature regarding the responsibilities of bureaucrats and citizens within rogue or highly immoral states. Several authors have raised this thorny question in relation to the culpability of bureaucrats and citizens living under the Nazi regime (Philp 2018, 79; Rose-Ackerman 1978, 9; Rothstein and Varraich 2017, 34–35, 141).

One option is to consider these individuals as corrupt if they engage in acts that have been designated corrupt—for example, bribery—but to limit their culpability. Rose-Ackerman (1978, 9) observes, “One does not condemn

a Jew for bribing his way out of a concentration camp.” Although the culpability of the bribe payer can be easily limited in this way, the culpability of the one holding the entrusted power—that is, the guard *accepting or demanding* the bribe—is not dismissed so easily. Although it is a far greater moral crime to participate in the administration of a concentration camp than to take a bribe, taking the bribe remains an act of corruption. Rose-Ackerman (2018, 99) clarifies this position: “Rather, under my definition, corruption occurs when an official charged with a public responsibility operates in his or her own interest in a way that undermines the program’s aims, whatever they may be. Officials who administer public programs without gaining personal benefits are not corrupt, in my view, even if the programs’ values are abhorrent and immoral.”

This argument satisfies many. Returning to the bribery situation described by Rose-Ackerman earlier, there is also an inherent and satisfying justice to be found in condemning a guard who extorts a bribe in exchange for a human life.

However, the example of Oskar Schindler—a German businessman credited with saving the lives of 1,200 Jews during the Polish Holocaust (Keneally 1982)—is illustrative of the oversimplification of human motivation and action demanded by this approach and its incompatibility with definitions founded on the notion of entrusted power, rather than the narrower focus on public office. Schindler’s *modus operandi* was to take advantage of the greed and corruption of the Nazi camp administrators, who then allowed Jewish workers to be deployed to his enamel and munitions factory during World War II. This provided Schindler with the labor to fulfill his government contracts, which in turn placed him in a position of entrusted power in relation to the Nazi state to support the war effort. On the one hand, Schindler was simply a bribe payer with the noble cause of saving his workforce from the concentration camp, which disqualifies him from the culpability of his engagement in corrupt acts—in line with Rose-Ackerman’s (1978) proposal. On the other, however, he was a businessowner with government contracts, which implicated him in an entrusted power relationship with the Nazi state. He betrayed this by operating in “his ... own interest in a way that undermines the program’s aims” (Rose-Ackerman 2018, 99), including failing to effectively deliver munitions for the war effort.¹²

Rose-Ackerman (1978; 2018) limits corruption to public office, so for her Schindler remains a private individual and not implicated in corruption apart from in his role as a bribe payer. This resolves this specific case, but had Schindler been officially employed by the Nazi state, rather than contracted by it, public-office-based accounts of corruption would be forced to call his actions corrupt while at the same time acknowledging his right to be awarded the honor of *Righteous amongst the Nations* by the State of Israel for his altruism and bravery in protecting

Jewish people during the Holocaust. Indeed, when corruption is identified with entrusted power relationships, rather than simply public office roles, this is precisely the corner into which we paint ourselves. It is then left to the individual to judge whether holding these two statements to be true simultaneously constitutes a tolerable level of cognitive dissonance.

There is a way out of this dissonance, but it requires acknowledgment of the moral foundations of the corruption concept (Underkuffler 2013) and consideration of the outcomes or harms inflicted by corrupt activity; in other words, it requires consideration of the public interest and the context in which ostensibly corrupt acts play out. Failing to do so can serve both to legitimize the status quo, however “abhorrent and immoral” (Rose-Ackerman 2018, 99), and incorrectly understand resistance to this status quo by way of rational choice or personal gain. By considering the broader public interest and the legitimacy of the governing state in securing that interest—rather than taking as given the legitimacy of the political framework under which individuals are working—it is possible to outline how individuals engaging in ostensibly corrupt practices (i.e., abusing their entrusted power for private gain) only engage in corruption if there is a legitimate state or structure of governance to be corrupted. Similar arguments are made by Walton (2015), who questions the value of using the term “corruption” to describe activities that redistribute state resources when the formal systems in place are dysfunctional. This argument can also be applied to apparently corrupt power-sharing arrangements in contexts where a breakdown in relations between parties could lead to increased tension, conflict, or civil war.¹³

This is not uncontested territory. The exchange between Marquette and Peiffer (2017; 2019) and Persson, Rothstein, and Teorell (2019) demonstrated the passion with which disagreements can emerge when assumptions about corruption as necessarily dysfunctional are questioned. However, as discussed further, engaging with corruption in context means embarking on a contested, elusive, political terrain. We argue that this is unavoidable for conceptualizations of corruption that seek to identify and engage meaningfully with corruption in the real world.

Abuse

An abuse is a violation of the duties or misuse of the power associated with the trusted role, either through action or inaction. The abuse does not necessarily have to be illegal to be corrupt and can include a breach of regulations, integrity standards, or both. It can comprise a pattern or aggregation of activities that amount collectively to abuse.

The second test involves identifying an abuse. An abuse can be limited to an illegal act, or it can encompass a whole spectrum of activities that undermine the trust invested in a role or institution. Some scholars have noted that this

leaves open and ambiguous a key aspect of the definition, such that it becomes an empty signifier (Johnston 1996; Rothstein 2021, 6). However, some openness about the interpretation of abuse is often necessary given that perceptions about standards of conduct—what is abusive or appropriate—vary and are subject to change over time, as well as across different contexts and countries (Philp 1997).

Scott (1972) argues that judgments can be based on legal norms, the public interest, or public opinion. Using legal norms as the basis for assessing corruption is an approach favored by several prominent scholars such as Della Porta and Vannucci (2012), as well as international organizations like the UN Office on Drugs and Crime, which is responsible for the administration of the UN Convention against Corruption.¹⁴ However, legal norms are usually too restrictive to form the sole basis for establishing whether an abuse has occurred. Reliance on laws and law enforcement to identify corruption places great confidence in the process of lawmaking itself. It assumes that laws are comprehensive and that lawmaking is immune to corrupt manipulation, despite the many risks of improper influence over policy formation often characterized as state capture or legal corruption (Dávid-Barrett 2023). Alternatives to strictly legal norms usually focus on abuse as a violation of a democratic or public office norm, such as equal participation in political decision making (Warren 2004) or impartiality (Rothstein 2014; 2021). These are more akin to ideals of democracy or democratic office, with any judgments as to whether they are fulfilled likely to be so broadly contested as to be impractical for identifying abusive practices, particularly in nondemocratic contexts and settings. Any definition relying on the legal framework or institutional norms is likely to be inadequate because laws or institutions themselves may be corruptly influenced or captured (Dávid-Barrett 2023; Kaufmann and Vicente 2011; Lessig 2011; Thompson 1995). This question then arises: If not the law, then what standards should be used to assess an abuse in a particular case?

Scott's other benchmarks for identifying an abuse are public opinion and the public interest. However, because it is not practical to check every case or scenario against public opinion nor useful to look only at the outcomes of a process by reference to the public interest to decide whether corruption has occurred, applying the term "abuse" must be decided in some other way. It is worth noting that, although our approach to defining corruption incorporates the public interest, this element is not used to identify the abuse in the first instance but instead constitutes a fourth dimension, which complements and balances judgments on process with outcomes. The solution offered for the dimension on abuse follows from an understanding that breaches of trust distort the fulfillment of a particular role or duty—whether by action or inaction.

This is closely related to Johnston's (1996, 331) articulation of a neoclassical definition: "the abuse, according to the legal or social standards constituting a society's system of public order, of a public role or resource for private benefit." This is because it concerns itself with the political/ public order and consensus over what this order entails as the basis for identifying the abuse, which clearly can vary according to context.

From this perspective an abuse is defined as "typically involving breaches of laws, regulations, and/or integrity standards." Although laws and regulations tend to be codified in some way, integrity standards associated with a particular role have a broader scope. They may be embedded in codes of conduct, which are usually not legally enforceable but rather represent a form of self-regulation within a particular professional community or are simply seen as looser norms or duties associated with a role. Yet an abuse, for these purposes, does not encompass any minor misdemeanor by any individual in a position of entrusted power. The abuse must constitute a violation of the duties or misuse of the power that is associated with the trusted role: it is only in the *exercise of entrusted powers* (powers enacted on behalf of another) that there is the potential to be corrupt. Expressed in the language of institutional corruption, corruption diverts the institution (or role-holder or duty-holder) from fulfilling its purpose (Lessig 2011, 2013), whether that is to legislate, impartially regulate private-sector companies, deliver public services, or manage critical infrastructure.¹⁵

Private Gain

Private gain *involves (financial and nonfinancial) personal gains that accrue to individual(s) or their personal acquaintance(s) and partisan gains that benefit a particular group or institution; it may include the avoidance of losses or gratification gained through inflicting harm on others.*

There is often confusion about what constitutes private gain, which serves as the third test. Must the gain accrue to the individual perpetrator of corruption (as in personal gain), or should it be acknowledged that one can gain as part of a collective, and thus benefits to political, religious, family, or ethnic groups or to favored cronies can be relevant corruption gains? This definitional approach suggests that the notion of private gain includes partisan gain to a particular group or institution with which the powerholder is associated. The use of the term "partisan" is adapted from Mark Philp, who uses it to describe corruption in political settings. We, however, take a broader view and use it to describe group or institutional gains that might be overlooked by focusing on the individual.

The gains derived from corruption are not necessarily directly transactional, *quid pro quo*, or immediately received. In the case of cronyism, individuals do not always

benefit materially from favoring cronies but may gain social standing or status within an informal network or create an undefined reciprocal obligation that might be cashed in at some future date (Jancsics and Jávör 2012). For some individuals, private gain might involve the simple accumulation or consolidation of power, with no specific purpose other than gratification from exercising that power. In some cases, such as sextortion, gratification may be the primary form of private gain. Furthermore, benefits might not be apparent, but losses or harms to others might be identified more readily, including breaches of individual or group rights.

There are also situations where the gains from an abuse of entrusted power cannot be framed straightforwardly as “private gain”; for example, where breaches of rules or integrity standards are motivated by a wish to achieve efficiency or resource benefits for a public-sector organization, government department, or political institution, such as shortcutting procurement rules to acquire medical equipment during a pandemic. This is an area that institutional corruption theorists have grappled with in the context of the US Congress. A partial solution to this problem is to argue that, where short-term benefits serve to undermine the long-term goals or purposes of the institution concerned, they constitute a corruption of that institution (Lessig 2011; 2013; Thompson 1995; 2013).

In another example, so-called noble cause corruption requires neither straightforward private nor institutional gain for its identification. An example would be where police officers falsify evidence or break rules in other ways to secure a conviction of a suspect they believe to be guilty of a crime. A strict interpretation of the three-dimensional “abuse of entrusted power for private gain” would not categorize what is traditionally described as “noble cause corruption” as a form of corruption. This is because it does not necessarily meet the third criteria “for private gain,” and even if there are *inadvertent* “private gains”—a career promotion for example—these are not the envisaged motivation for the act.¹⁶ This gap in interpretation is mitigated somewhat in the four-dimensional account. First, the elaborated dimension of private gain includes “gratification gained through inflicting harm on others.” Even seasoned criminals can be considered harmed if they are fitted up for crimes they did not commit, and their rights are also harmed if they are not treated equally before the law or given access to due process. Second, if a noble cause case squeaks through the third test on the grounds of gratification through harm, it is likely to be pushed further toward a corruption diagnosis by application of the fourth dimension. Although, at an individual level, noble cause corruption might lead to a just outcome, when this behavior becomes habitual the tendency toward rule bending or breaking can affect the entire culture of an organization—in effect, corrupting it institutionally and causing significant harm to the broader public interest.

Indeed, Caldero, Dailey, and Withrow (2018, 138) describe the role of noble cause corruption in policing as leading to lawlessness and other kinds of corrupt activity: “Their commitment to the noble cause morphed into noble cause corruption. Noble cause corruption morphed into a complete disrespect for the law and opened the door to all kinds of corruption.”

In addition, private gains can also be negligible in terms of both gain and harm, so small as to demean the notion of corruption: for example, the theft of a paperclip, the use of the employer’s resources for nonwork-related activities, or simply not working at full capacity or coming late for work. Each of these could be understood as an “abuse of entrusted power for private gain,” but none on their own or in isolation appears to warrant the extreme judgment of corruption either on the part of the individual or the institution. However, these activities may be harmful in the aggregate if they become systemic and, in some contexts, have been identified as a form of corruption that seriously undermines the provision of basic services (Glynn 2022). A complicating factor is that such behavior is also often accompanied by circumstances where individuals are paid below-subsistence wages or where salary payments are delayed for many months. In such cases, the motivation is less private gain and more personal survival or the continuance of the basic services they are responsible for administering. Furthermore, corruption at a higher level of administration is potentially responsible for the insufficient or delayed payments.

Unlike the three-dimensional approach, this four-dimensional definitional approach can acknowledge systemic forms of corruption when many minor abuses add up to significant losses that undermine an institution’s ability to carry out its functions; it also provides the scope for distinguishing between petty and major cases for the sake of proportionality. These cases can be differentiated by reference to the public interest and consideration of the impact of corruption: if harm to the public interest can be identified, then the activities concerned have a corrupting effect, but if there is no harm to the public interest, then they fall outside the definition of corruption.

Public Interest

Harm to the public interest can include direct harms to the intended beneficiaries of the entrusted power, as well as indirect harms caused by (a) undermining the rule of law and/or the purpose of an institution, profession, or other relevant body; (b) failing to perform a function whose proper exercise is in the public interest; and/or (c) violating the established rights of individuals or groups.

There are several corruption challenges that the three dimensions of entrusted power, abuse, and private gain alone cannot resolve, some of which have already been highlighted. The proposed solution is to embed judgments

about the nature of corruption in a consideration of the public interest.

The public interest test is incorporated not purely as a theoretical concern but because it engages with the complexity of decision making in the real world. It is designed to help resolve ambiguity that is still present after application of the first three tests. It is not, as proposed by public-interest-oriented definitions, used as the sole standard by which a judgment about an abuse should be made (Heidenheimer 1970; Scott 1972). Nevertheless, it is important to acknowledge that there are strong arguments against incorporating the public interest into a definition of corruption. The main criticism of this approach relates to subjectivity. Kurer (2015, 34) argues that incorporating public interest into corruption definitions “prejudges the result of corruption” so that it is always “detrimental” and constitutes an attempt to “resolve an essentially normative or ideological question by definition.” The fundamental objection is that, by making considerations of public interest a necessary component of corruption, judgments about it in context come to “depend on the observer’s judgement as to whether a particular policy is or is not desirable” (Heidenheimer 2002, 9). However, this criticism contains within it two assumptions about the public interest that do not necessarily hold for those who advocate including it.

The first assumption is that the range of public interest considerations is necessarily disputed, particularly within a given context. Although the boundaries between public and private might be fuzzy, they are not wholly subjective. Indeed, there are many examples of public interest being invoked in the public sphere successfully (e.g., the Nolan Principles). There are also areas of life where what is in the public interest or what are considered public goods are only very minimally contested, such as clean air to breathe, safe water to drink, or a fair system of justice (see Reiss 2021 on public goods). To understand public interest as purely subjective and ideological is to make it indistinguishable from private interests either individually or in the aggregate, which may ultimately lead to the conclusion that it does not exist at all. This argument is not absent from the literature, but it represents a relatively marginal (if politically influential) approach in political philosophy. An alternative perspective—and one we hold—sees the public interest as complex and contested but nonetheless central to politics and the ultimate expression of the political process (Rhodes 1994, 150).

The second assumption is that the public interest is singular or operational in the same way as a public policy, which can be either good or bad from the perspective of the observer. This supposes that the public interest is understood purely in relation to *outcomes* as they are experienced by individuals affected by them. This is a thin conception of the public interest. Heidenheimer (2002, 9) acknowledges that certain acts—such as those “made

according to the wishes of the highest bidder”—can be regarded as contrary to the public interest, regardless of the felicity of the outcome or whether a particular conception of the public interest was articulated in advance.¹⁷ An individual may win in one instance if their interests happen to be in line with those of the “highest bidder,” but unless they can guarantee that this will always be the case, they still have cause to object and reason to recognize that the public interest, broadly speaking, is undermined. A thicker conception of the public interest acknowledges that people’s views on the justice of outcomes are not limited to the outcomes themselves but include their understanding and experience of the process by which outcomes are reached. Individuals and groups expect to lose out sometimes (considered “tough luck”), but the pattern and distribution of loss over time are what lead to perceptions of public interest failure and injustice (Pettit 2014, xxvi; Reich 2018, 22).

Nevertheless, there remains an ever-present danger that the appeal to the public interest can be abused and underlying principles can be misapplied, manipulated, or in conflict. Disagreements about the substantive content of the public interest are present in all societies, but deep polarization and division can lead to disputes about the interpretation of the principles themselves, including the rights and responsibilities that underpin a just society and who is entitled to their protection. Populist rhetoric, for example, is replete with claims that its leaders are acting in the greater interests of the public. How do we then distinguish between the use of public interest claims as an “excuse” for corrupt activity and the use of the public interest to help identify situations in which activities should qualify or be disqualified from being identified as corrupt?

This challenge was partially illustrated earlier by reference to noble cause corruption and Schindler’s actions during World War II but is further elaborated by considering corruption in the political sphere (see Navot 2016, 551–52). Political corruption might involve excluding political opponents from a democratic decision-making process or inducing them in some way to manipulate the outcome for political gains (i.e., votes). So far, these actions seem to be corrupt, because most definitional approaches acknowledge that political gains can count as private gain. However, what if the corruption of the democratic process serves to further the enfranchisement of an excluded or discriminated against group—women or an ethnic minority—or to pass legislation that increases freedom or rights, such as antislavery legislation? In these cases, Navot (552) argues, “The crucial point is that when agents’ actions are motivated by the duty or the desire to reduce injustice, these actions do not constitute political corruption.”

However, motivations can be complex, multiple, and impossible to know objectively. Furthermore, regardless of

intent there can also emerge private gains for the agent and harms to the public interest, even if they are incidental or unintended. In the question just posed, the enfranchising parties are likely to benefit politically from the support of the newly enfranchised group, and the precedent of undermining democratic procedures could fatally undermine the legitimacy of the democratic process in the long term. And yet, we acknowledge that there is a natural reluctance to condemn as corrupt acts resulting in the abolition of slavery or the enfranchisement of women. This is not a simple puzzle to solve. Many approaches do so by annexing the notion of public interest altogether and returning to the three-dimensional approach of the “abuse of entrusted (or public) power for private gain”: in doing so, they also annex the moral content of the concept (e.g., Rose-Ackerman 2018). In such cases, the “public interest” cannot be used indiscriminately to excuse corrupt behavior, but neither can it be used to identify examples such as Navot’s or to make any of the clarifications for which it has been used earlier.

On this reading, therefore, we argue that the advantages of including the public interest outweigh the disadvantages, and by looking at the combination of process (the abuse) and outcome (the harm), it is possible to make clearer judgments about what is and what is not corrupt. Indeed, if we acknowledge that corruption is political and is engaged in by political agents, then we must also engage with the nature of the political and the public interest that is understood to have been corrupted. This is in line with Philp’s (1997, 446) argument that “we are forced to accept that to identify political corruption we must make commitments to conceptions of the nature of the political and the form of public interest.”

Although there are acknowledged challenges to incorporating the public interest, there are also many benefits that are conceptually and operationally useful. First, it helps resolve ambiguities inherent in applying the concept of entrusted power. A private-sector company or employee may be entrusted by their board and investors to make a profit but also be implicated in an entrusted power relationship with a public-sector commissioner of services: Which of these should take precedence? A public-sector employee leaves their trusted position to enter the private sector: To what extent do the responsibilities and expectations of their previous position move with them? The application of the public interest test helps resolve these ambiguities by explicitly prioritizing the public over the private.

Second, failure to consider the public interest means that activities that might appear *prima facie* abusive (including an abuse of entrusted power for private gain) but are also either of benefit to the public interest or do not cause it harm could be erroneously construed as corrupt. There are several such examples in the literature and described earlier (Caldero, Dailey, and Withrow 2018,

138; Miller 2017; Navot 2016, 551–52; Rose-Ackerman 1978, 9), with scholars coming down on different sides in their interpretation. The application of a public interest test helps illuminate and resolve some of this ambiguity.

Third, the notion of private gain is often insufficient to resolve ambiguous cases of gain. Private gain might not be apparent or does not enable us to distinguish between gains for public institutions and the losses to the public, democratic values, or the rule of law. Private gain may also conceal the collective or indirect harms caused by systemic or institutional corruption. The application of the public interest test helps make this distinction and focuses not only on the gains but also on the harms inflicted by corruption.

Discussion

This article has proposed a four-dimensional definition of corruption. It is designed to draw together varied perspectives and give a clear interpretational direction to the key concepts involved in a range of recurring debates on definitions centered on public office or entrusted power. It is not intended to be the last word on defining corruption but to provide a guide for corruption researchers and anticorruption practitioners as they navigate various conceptual and practical questions related to corruption. As such, it provides structure to the ongoing debate about the nature, prevalence, significance, and impact of corruption in both global and local contexts. We identify five key contributions of this work to the conceptual debate on defining corruption.

Grounded Elaboration of the Constituent Parts of the Definition

In this article, we provide an intellectually grounded elaboration of each of the constituent parts of the definition—entrusted power, abuse, private gain, and public interest. We also detail a framework for understanding the scope of each element and elaborate on the ways in which it can be interpreted in different contexts to identify the range of practices, processes, and institutions that could be labeled corrupt.

Although we identify our own position on each of these dimensions and justify our reasoning, the aim is not to prescribe a particular interpretation for others to follow. Rather, we contend that understanding the range of interpretations of corruption is important, regardless of the position taken by any individual institution, policy maker, or researcher. Each should be able to understand where his or her approach to corruption stands in relation to others. For example, policy makers should be able to understand how their working definition of corruption is related to but differs from more restrictive legal definitions used by legal practitioners for proving and punishing criminal activity.

Sequential Application of the Constituent Parts

We argue that the four dimensions of the definition—entrusted power, abuse, private gain, and the public interest—need to be considered in turn and in a set sequence (see figure 1). This is both a conceptual innovation and an operational one. Each element is structured as a test that cumulatively assists in identifying cases or examples of corruption. This suggests analyzing corruption as a set of conditions that build, layer on layer, on one another. In previous analyses such as Pozsgai-Alvarez's (2020), these elements were understood as overlapping, rather than as a series of sequential steps. However, we contend that the application of the dimensions in a particular order is helpful in more precisely identifying whether and how corruption occurs.

Specification of the Scope of Abuse

We specify the scope of abuse in the four-dimensional definition as the breach of laws, regulations, and/or integrity standards. All such breaches interfere with the fulfillment of a particular role or duty entrusted to an individual or institution. The “abuse” element in traditional approaches to defining corruption is sometimes described as “empty” (Rothstein 2021, 6), in the sense that it can be filled with any subjective idea of what is considered abusive. This specification of the scope of abuse is a practical addition, therefore, and is intended as a reminder that what constitutes abuse is not wholly subjective but that our understanding of abuses can vary in relation to the role of the individual or institution involved and over time.

Systemic, Institutional, and Transactional Corruption

One of the prominent critiques of the public office account of corruption, from which Transparency International's definition is derived, is that it focuses on transactional and individual forms of corruption and obscures more systemic or institutional forms. A whole field of study—often annexed from mainstream corruption studies—has developed to explore those more institutionally embedded forms of corruption (Lessig 2011; 2013; Thompson 1995; 2013).

We sought to bring the notion of systemic and institutional corruption into each dimension of our definitional approach. First, we envisage entrusted power as both institutionally and individually relevant: institutions and institutional roles, as well as individuals, can have delegated power and act on behalf of another entity. Second, the term “abuse” can describe institutional practices in which a pattern or aggregation of activities amount to a collective abuse. Third, private gains can encompass institutional gains, not only those that accrue to individuals. Fourth, the public interest is by its nature collective and oriented toward the health and well-being of society.

Incorporation of the Public Interest within the Definition

We incorporate the concept of public interest into our corruption definition. Our work is not original in identifying the connection between corruption and harm—indeed, there is an extensive theoretical and empirical literature on the harmful effects of corruption, such that acknowledging that corruption causes harm is a near-consensus in both academic and practitioner circles (see Persson, Rothstein, and Teorell 2019). However, definitions that rely on the public interest and incorporate harm as a definitional dimension are often disparaged because they are thought to muddy the water and make comparisons between contexts more difficult. We counter that reluctance to incorporate public interest into the definition may itself cause confusion, because the concept is central to why we care about corruption in the first place.

Our framework does not require that the public interest be defined in advance or used as the sole criterion to identify an abuse, but only that it is considered as the context in which the three other elements of the definition are applied. We argue that the public interest is useful in contexts where the nature of entrusted power is ambiguous; where the activity that might seem *prima facie* to be “corrupt” or abusive, in fact, promotes a public good; or where the individual private gain is negligible but the harm caused is significant. Consequently, corruption cannot be understood simply through the observation of actions or practices but also requires a consideration of the context in which these activities take place, their meaning, and outcomes, including the harm inflicted by them. Ideally, motivation would also be considered: this is implied in the phrase “for private gain” embedded in the definition. However, because the motivations of any process or action are very difficult (if not impossible) to observe or verify, we advocate instead for considering outcomes or potential outcomes in the form of harms to the public interest as a complementary test.

Conclusion

There are strong arguments for precisely drawing boundaries around the concept of corruption. It suits social scientists to be clear about their concepts and avoid ambiguity; it suits legal scholars and criminologists to define corruption narrowly so that evidence can be used to identify malpractice conclusively; it suits politicians who may be concerned that their own long-standing practices might be labeled as corrupt. However, in the world of policy and practice, ambiguity and exceptions are the everyday reality.

A successful concept or definition is one that provides a coherent theory “about the fundamental constitutive elements of a phenomenon” (Goertz 2006, 5). This framework does just that and in doing so strikes a balance

between a definition that is too tight and one that is too loose. By incorporating the public interest and institutional considerations, advocating the sequential application of each dimension, and providing detailed subdefinitions and grounded elaborations, including specifying the scope of an abuse, this approach provides coherent practical guidance for researchers as they design their corruption studies and to policy makers as they formulate and implement anticorruption plans, strategies, or programs. Moreover, by elaborating the complexity of the concept of corruption, it aims to encourage more granular and nuanced understanding of a multidimensional and contextually specific problem.

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Conflicts of Interest

The authors identify none.

Notes

- 1 Market approaches have largely fallen out of favor in the contemporary debate, and their distinctiveness from public office accounts has been questioned (e.g., Williams 1999, 506). See, also, analysis in Dobson Phillips (2024).
- 2 This dataset was analyzed by one of the authors in Dobson Phillips (2024).
- 3 Examples of these cases can be found throughout the discussion and especially in the section, "Public Interest."
- 4 The definition can be found here: <https://www.transparency.org/en/what-is-corruption>.
- 5 For example, it was referred to by the UK government in its Anti-Corruption Strategy for 2017–22 (HM Government 2017).
- 6 The U4 Anti-Corruption Resource Centre does provide a brief elaboration of the definition: <https://www.u4.no/topics/anti-corruption-basics/basics>.
- 7 A small number of activities, such as sport, might not fit neatly within a discrete sector but are covered by these general descriptions.
- 8 See for example, the OECD Anti-Bribery Convention, which can be found here: <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0293>.

- 9 The private sector is included, for example, in both the UK's Anti-Corruption Strategy and the US Strategy for Countering Corruption.
- 10 In the UK context see, BEIS 2021; s.172 Companies Act: "A director of a company must act in the way he considers, in good faith, would be most likely to promote the success of the company for the benefit of its members as a whole, and in doing so have regard (amongst other matters) to—...(d)the impact of the company's operations on the community and the environment."
- 11 This is also a consideration in colonial contexts, in which the notion of entrusted power is challenged by the absence of consent given by those ruled over. Thanks to Professor Mark Philp for this observation.
- 12 See the *Holocaust Encyclopedia*, United States Holocaust Memorial Museum, <https://encyclopedia.ushmm.org/content/en/article/oskar-schindler>.
- 13 Thanks to Paul McLoughlin for this observation.
- 14 The UN Convention can be found here: <https://www.unodc.org/corruption/en/uncac/learn-about-uncac.html>.
- 15 In the language of the UK Bribery Act 2010, this might be described as "improper performance of a function" (Section 4).
- 16 Thanks to an anonymous reviewer for making this point.
- 17 Heidenheimer is in turn referencing Lowenstein (1990).

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