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[Abstract] I here present the major comparative data on corruption in the Sub-Sahara Africa region. The emphasis is on street level forms of corruption, but a few models directed towards explaining political forms of corruption relevant to the region are also presented. The paper discusses whether we may find some plausible mechanisms that may operate across most African countries at the same time as they may not work to the same degree elsewhere.

Keywords: corruption, political economy, Sub-Saharan Africa

1. Introduction: the choice of the area and the relevance of the issue[1]

This paper deals mainly with present corruption in Sub-Saharan Africa.[2] It focuses on corruption in the public sector. It focuses as much as possible on empirical observations. Hence it will be mostly biased in the direction of street-level corruption. This does not imply that I believe political and high level forms of corruption are less important. On the contrary, but the opinions here are stronger and data more difficult to access and more difficult to interpret. It is clearly explorative in nature, a working paper. No definite conclusions are to be expected.

To choose Sub-Saharan Africa as an area for exploration creates obviously some forms of bias. At the one hand the area is so wide, the number of countries so large and the set of institutions so extensive and many sided that any general mechanisms that ties corruption to other aspects of governance and levels of economic development or rates of growth are likely to be picked up by African data, but then be wrongly be ascribed to some African peculiarities. Why then restrict the observations to this sub-continent? It can only create a selection bias. On the other hand, given the wide variety of political arrangements and institutional conditions in African countries, what kind of generalities may be sought that is not to be found at this general level?

While I don't have any strong opinion here I do believe it may be worth exploring to search for some. And even if we don't succeed, we may have acquired a better grasp on scale of the problems and the country differences in the area.

Compared to other large geographical areas the fraction of the population that is poor is higher, as is the average perceived corruption level according to the estimates of the World Bank Institute. The day to day experience of paying bribes appears more frequent. One of the reasons for being concerned with corruption is that somehow poverty and corruption apparently are connected. It will be simplistic, however, to look for any simple causal relationship, since both phenomena are obviously connected to a wide set of factors, not all overlapping.

[2] In the following I will most of the time apply the term Africa for Sub-Saharan Africa. The exact extension of the latter term is implicitly determined by the list of countries in Appendix 1.

Corruption in particular will be associated with a number of other mechanisms that influence the operation of the governments. An important starting point for the paper is the assumption that a task-focused, hard-working, committed public bureaucracy is a key factor in any economic development. Without it there will be hardly any rule of law implemented, little protection of property rights, and only delivery of other low quality public goods. The considerable activity spillovers that take place among public officials make public organizations quite fragile (Andvig and Moene, 1994).

How corruption impacts these activity spillovers and is itself affected by them, is a key question when assessing the causes and consequences of corruption. How citizens respond to low quality public goods, and their effects on the private sector economy, what kind of signals they send to the bureaucracies superiors, the politicians, and what signals the politicians again feed back to the public instruments of implementation, the bureaucracies, is another important mechanism in the overall melange that is public governance.

As pointed out in Medard (2000) it has proved extraordinarily difficult in Africa to establish working public governments that approach that ideal, here for short called a Weber state. At the beginning and towards the end I will briefly outline some of the macro mechanisms that have been proposed. The emphasis here is on colonial inheritance, kin-related behaviour and ideology. In the middle I present some of the empirical observations that appear relevant and fairly reliable and some economic mechanisms that are at work in any low income countries.

1.1   Overview of the evidence[3]

Corruption is obviously a phenomenon that is difficult to observe but easy to have opinions about.. Hence, when we do get empirical information it allows us to get a more precise understanding, although the information may not be shaped in such a way that it allows any precise testing. Here I bring in information of very different kinds and have to some extent let the data dictate the discussion. The outcome is necessarily fragmented, maybe even confusing at times.

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[3] Transparency International (2007a) has published a fairly extensive overview of the measurement tools that have been applied to SSA countries

What kind of evidence do we have? I have drawn at least on the following forms of empirical evidence:

1) The aggregate country indexes of corruption. Here we will present the World Bank Institute's (WBI) index that is available for all Sub-Saharan countries. It is still to a large degree based upon expatriates' perceptions, and conceptually confusing

2) For some countries there have been developed questionnaires where the researchers have asked the respondents about their various experiences with corruption. Here the Afrobarometers have had the clearest comparative focus within the African area, but we will bring in several other comparative research efforts.

3) A number of single country efforts have been made to map the relative experienced frequency of corrupt encounters between different groups of public officials and citizens and (sometimes) enterprises.

4) A number of public commissions have explored corruption issues systematically and documented empirical cases. I present only a couple.

5) A large number of single case studies have been documented by investigative journalists and social scientists. Here I had to be very selective and subjective, and have chosen to discuss cases that appear either exceptionally well documented, or reflecting mechanisms that I think are exceptionally important.

While I in this paper bring together and mutually confront a larger set of empirical sources on corruption in African countries than I am aware has been done elsewhere, time restraints have made it impossible to tap as much from the sources in 3) to 5) as would be desirable. Hence, considerable work remains to be done in order to gain an overview of the empirical situations in the countries in question.

1.2 The issue of macro-historical explanations and colonial roots

When explaining present distribution of governance properties in Africa, we find in the literature that three major set of factors have been proposed: colonialism, the pre-colonial sets of governance and geographical characteristics. Several mechanisms within each set have been proposed.

- Mamdani (1996) has argued that the forms of indirect rule introduced by the various *colonial* powers have survived in what he called bifurcated forms of government in many African countries. Local government under indirect rule was allocated to single chiefs who possessed almost all powers: judicial, police, tax collection and so on. Although designated chiefs they were only accountable to the colonial administration, not to local citizens. They oversaw rule systems that in important respects were different from the one that ruled in the cities and among the European population. The theory is obviously exceptionally important when explaining corruption issues in local tax administration. Alas, we have not been able to deal with that here, but the mechanism is highlighted by our discussion of corruption in local land allocation and the attempts of corrupt arbitrage of land between traditional and market-based ownership systems.

- In the final analysis any colonial administration had to be centralised with the heads of administration being employed by and therefore accountable to principals residing abroad. This applied to some degree both to the directly ruled and the indirectly ruled parts of the system. When the countries moved away from colonial rules to become independent, the "natural" change, the one that minimised the institutional shifts necessary, was to locate the right to appoint and to dismiss public employees in a single individual, a president. The president form of rule has according to most experts on present-day African political systems been of exceptional importance on the continent.[4] Here I will illustrate the role of the president's power for present day corruption in the forms of land –grabbing, a form of embezzlement, in countries like Kenya and Zambia. To allow it to expand in the way it has done, we have to note another residue of colonialism: the nationalisation of most land belonging to the colony. In the new system it "belonged" to the president.

- The preceding possibly colonialism-related corruption mechanisms should in principle apply to most countries in Sub-Saharan Africa, maybe with some variation according to which country that had been the colonial ruler. Still the variation among the countries with respect to corruption appears to be considerable. Two

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[4] At the outset, multi party democratic systems were initiated at the outset of the transition to independence, but in most cases proved not to yield a political equilibrium, at least not in the first decades of the transition. An overview of major quantitative aspects of the political systems on the continent is Bates (2008).

different lines of explanations have been suggested[5]: i) the colonial governance structures were actually quite different depending on the death rate and therefore also the size of the European settler population. High death rates implied that it was not in the ruler's interest to develop efficient governmental institutions. When Acemoglu et al (2001) sought to study the exogenous impact of institutions on present economic development, they suggested that low economic performance (and high corruption levels) were correlated with colonies with few European settlers. Presumably, such colonies would develop an extractive governance structure. Settlers would participate in the political system at home and create some democratic impulses back to the home countries as well as in their colonies that may constrain the subsequent governance structures. ii) Englebert (2000) hypothesises that if the same colonial structure were imposed on *different indigenous political* systems, and then was dismantled, the outcome would vary according to the original, precolonial political system. In some cases, like Botswana, the colonial interlude would not rob the present government of legitimacy.

Englebert rightly points out that both the simple colonial explanation and its competitor that is stressing the exceptionally important roles the *kin systems* play both for the norms held and behaviour inside and outside family contexts in most countries in Sub-Saharan countries, may not explain variations across the African countries well. They may, for example, not explain the Botswana case. Nevertheless, I think the kin systems and family ideology have obviously been important in shaping the incidence and forms of corruption we may observe in Sub-Saharan Africa. We will return to the matter in a number of contexts.

In an important book Herbst (2000) has stressed *geographical* factors as important in shaping African governance issues.A typical African country would consist of large geographical areas have been divided somewhat arbitrarily and populated with fairly sparse populations. This has made it difficult to establish effective rule outside the densely populated areas. While this may have obvious implication for the possibility of creating competing violence organizations, the implications for the internal geographical distribution of bribes are not so obvious. While less control in outlying areas may make it easier to get away with rule-braking, there

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[5] They have been proposed to explain the variation in GDP levels or growth rates, but they should apply to the variation in corruption rates too. Mulinge and Lesetedi (1999) is one of few studies that link corruption directly to colonialism, but they make no attempt to explain the intra Africa variation.

would also be less valuable possibilities too. An obvious exception would be for the customs sites. Moreover, the suggested mechanism may be important in explaining the why embezzlement of funds targeted for outlying areas may be more extensive. We will see a few examples later on. Recently, in a large empirical project on the political economy of the African countries Ndulu et al (2008) have explored the consequences for various aspects of governance and growth of African countries of being landlocked and resource poor, resource rich or coastal and resource poor, but I haven't been able to follow up this line of research to explore the specific consequences of for the distribution of corruption. Finally Azam (2008) have studied the role of corruption-like mechanisms for keeping peace in countries that are divided in poor and richer parts.

2.   *Forms and characteristics of corrupt behaviour*

The standard definition of corruption is "abuse of public power for private benefit" or some variation thereof. Read literally this is a much too wide definition since most employees of any organization would daily abuse their position to some degree. Corruption refers to some fairly serious abuse of power. I will not try to develop any precise definition here, but simply list up the most typical corrupt actions and leave them fairly undefined.[6] Most observers would consider *embezzlement*, *stealing* and *fraud* as corruption when the stealing and fraud are made possible by the criminal's public position. Moreover, *extortion* (when the extortion is illegal or against the interest of the organization) and *bribes* are also different forms of corrupt acts. Bribes are of course the most typical corrupt act.

What all these actions have in common are i) that they are made possible by (at least one) actor's public position and ii) they violate a given rule, law or public norm and iii) violation of the rule is to the material advantage of the violator(s) and iv) to the disadvantage of the stated aims of the organization where at least one of the actors is a member.

Their transactional structure is different, however. Embezzlement embraces acts where everyone directly involved belong to the public apparatus. The immediate causes may then be sought inside the state apparatus itself. Extortion implies an asymmetric power relationship, more often than not between a member and a non-member of a public organization. Stealing

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[6] I have tried to make a fairly precise definition in Andvig (2008).

(when not either extortion or embezzlement) has been important in land grabbing, and is a common form of police corruption. A typical example is where a policeman steals some of the goods that belong to a convict. Bribing is – unlike embezzlement – clearly a transaction between a member and a non-member of the public organization. It is also a voluntary form for transaction, at least at the first stage of analysis. Since it involves both actors inside and outside the public organization one may even at the first stage not explain it by looking at the public organization in isolation. Hence, it is quite possible that one should look at different sets of causes for these different forms of corruption. While we sometimes may explain embezzlement by the internal workings of the state, that is clearly impossible when we seek to explain bribing.

When regular, bribing is an illegal form for market transaction, the buying and selling of political or bureaucratic transaction, a transgression by the market into the spheres of bureaucratic and political modes of transaction that have been erected by the dominant forms of modern governance (Andvig, 2006)

Since the immediate motivation of all the forms of corruption listed above is the seeking of material advantage, corruption may not be considered as any abnormality. On the contrary, when assuming that everyone are pursuing their economic self-interests, the difficulty lies rather in explaining why corruption is not more dominant in all formal organizations, including the state.

It is also important to note when we compare corruption incidences across countries, that our definitions of corruption is anchored in a rule system. It is certain violations of that rule system that constitutes corruption. If the rule system changes, so does the set of conceivably corrupt actions. This is of particular importance when we consider an area like Sub-Saharan Africa where the changes of rule systems have been exceptionally large and where we may have reason to believe that the public employees and the citizens themselves, may be influenced by somewhat contradictory rules (Andvig, 2006).

We should further note how heterogeneous corrupt acts are. They may conceivably take place at all hierarchic levels and in all the different sectors of government, where the public officials may be facing a wide variety of corrupt opportunities and punishment restraints. While we may have fairly clear ideas about what aggregate labour input implies in terms of actions, or

aggregate private consumption in terms of output or consequences, aggregate corruption reflects a more bewildering set of actions with consequences almost impossible to pinpoint in concrete terms. This is a major reason why we have difficulties in finding meaningful aggregates of it.

Note that I here do not include nepotism, or direct, irregular intrusion of family-friendship modes of transaction in the definition. That may be equally harmful to a Weber state or a private enterprise, but it is a different phenomenon.

3.   *Corruption barometers and other quantitative governance aggregates*

For obvious reasons no system for directly observing, quantify and aggregate actual corrupt actions exists. Nevertheless, several efforts have been made to achieve a numerical basis for comparison of corruption levels across countries in more roundabout ways. As mentioned in the introduction, one approach has been to construct an aggregate index based on miscellaneous forms of information that may contain traces of corrupt behaviour that then are weighted together.

Here I will present three such indexes. One is the World Bank Institute's "Control of corruption" index. It consists of corruption assessments based on perceptions made by different groups of academic experts, international organizations, single country questionnaires directed to households, expert or enterprises in single countries, and so on.[7]

The main objection to this particular index is that for a number of reasons[8] outside experts' and businessmen's perceptions are likely to count too heavily, that the reported margins of errors are high, but in actual fact they will be significantly higher,[9] so any ranking of countries are likely to be misleading. The yearly mean rate of corruption is fixed to zero, and ranging roughly between 2,5 to -2,5, with -2,5 as the most corrupt.

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[7] I could alternatively have used Transparency International's Corruption Perception Index, but that covers fewer countries, have less transparent aggregation procedures and is in any case strongly correlated with the WBI index. It has the attractive feature that it does not assume a normal, but rather a uniform distribution of corruption levels across countries.

[8] The latest presentation of results of the WBI index is Kaufmann et al. (2008). A good critical overview of this (and other) governance indicators is Arndt and Oman (2006).

[9] Both objections are related to a highly likely correlation of perceptions between the different groups of businessmen and experts.

To gain a point of comparison I have included another governance index, the so called Ibrahim index of African Governance. It is a new index, exceptionally broad in that embraces corruption, crime rates, human rights and so on, but it gives exceptionally large weight to public outputs and less to expatriate perceptions. Hence it may cover better the output side of public governance as it may appear to citizens. It is constructed with the single aim of comparing African countries. The WBI corruption index of 2006 should refer to the same time period as the latest of Ibrahim observations, the Ibrahim 2005 index.

As an additional point of comparison I also included a measure of GDP/capita from about the same time period. In addition to given a rough indication of the economic level of the country, it may also indicate the efficiency of the formal organizations, including the public ones. Political scientists like Fearon has applied it in similar ways To get a feeling of eventual changes in corruption perceptions, we have included the oldest that include all the Sub-Saharan countries, the 1998 estimates.

The reason why I want to include some indexes of formal organizational efficiency here, is to explore whether there may be close correlation between that and corruption levels. Note that both efficiency indexes will tend to overestimate the organizational efficiency of very resource rich countries like the Equatorial Guinea[10].

It will lead us too far to go into the details of the corruption indicator here, but it may be useful to keep in mind that it is heavily influenced by the perceptions of the outside business and aid communities, and may conceivably have strong effects on aid and foreign direct investment levels.

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[10] WBI has its own index of government efficiency that might be used, but I found it advantages to present an indicator that was cooked in a different kitchen.

Table1. Overview of corruption and other governance indices in Sub-Saharan countries

	WBI corruption index[11]		Ibrahim index[12]	GDP/capita[13]
	1998	2006	2005	2005
Angola	-1,37	-1,27	44,3	2335
Benin	-0,75	-0,59	61,2	1141
Botswana	0,75	0,86	73	12387
Burkina Faso	-0,03	-0,4	56,7	1213
Burundi	-1,3	-1,12	46,8	699
Cameroon	-1,23	-1	55,6	2299
Cape Verde	-0,32	0,6	72,9	5803
Central African Republic	-1,18	-1	46,7	1224
Chad	-1	-1,2	38,8	1427
Comoros	-1,23	-0,65	53,8	1993
Congo	-1,23	-1,08	52,1	1262
Congo, Democratic Republic	-1,73	-1,44	38,6	714
Cote d'Ivoire	-0,38	-1,22	48,8	1648
Djibouti	-0,69	-0,62	52,5	2178
Equatorial Guinea	-1,39	-1,52	51,6	7874
Eritrea	0,77	-0,32	48,3	1109
Ethiopia	-0,56	-0,65	53,2	1055
Gabon	-0,73	-0,9	67,4	6954
Gambia	-0,54	-0,71	55,8	1921
Ghana	-0,35	-0,1	66,8	2480
Guinea	-0,83	-1	51,5	2316
Guinea-Bissau	-1,12	-0,99	42,7	827
Kenya	-1,11	-0,89	59,3	1240
Lesotho	-0,21	-0,05	64,1	3335
Liberia	-1,72	-0,66	42,7	….
Madagaskar	-0,4	-0,24	57,7	923
Malawi	-0,39	-0,72	63,7	667
Mali	-0,61	-0,42	56,9	1033
Mauritania	-0,14	-0,6	58,8	2234
Mauritius	0,44	0,36	86,2	12715
Mozambique	-0,72	-0,65	55,8	1242
Namibia	0,67	0,14	67	7586
Niger	-1,04	-0,95	53,1	781
Nigeria	-1,12	-1,14	48,3	1128
Rwanda	-0,87	-0,11	57,5	1206
Sao Tome and Principe	-0,38	-0,53	65,3	2178
Senegal	-0,31	-0,45	66	1792
Seychelles	0,47	0,07	83,1	16106
Sierra Leone	-0,94	-1,1	48,3	806
Somalia	-1,72	-1,82	28,1	….
South Africa	0,64	0,44	71,1	11110
Sudan	-1	-1,15	40	2083
Swaziland	-0,02	-0,41	50,9	4824
Tanzania	-1,09	-0,42	60,7	744
Togo	-0,61	-1,09	49,8	1506
Uganda	-0,88	-0,73	55,4	1454
Zambia	-0,88	-0,71	57,5	1023
Zimbabwe	-0,38	-1,32	52	2038

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[11] Kaufmann et al.(2008, 94–96).

[12] http://www.moibrahimfoundation.org/index

[13] UNDP (2007, 229–232). GDP is measured in $ PPP.

When we condense this information into scatter diagrams, we see that while perceived corruption decreases with GDP/capita,the most striking property is that GDP levels are clustered at a low range. Within that range perceived corruption levels may vary strongly:

Figure1: GDP and perceived corruption

$R^2 = 0,3493$
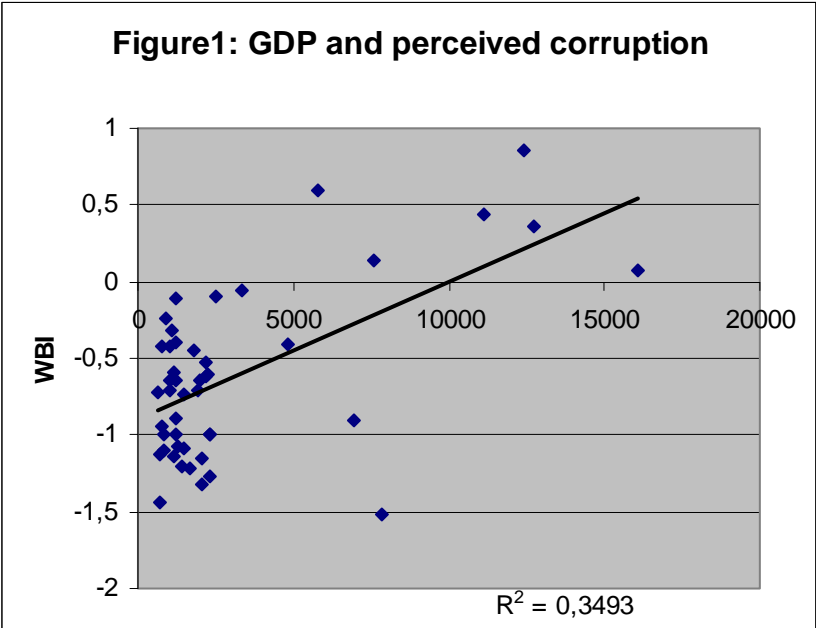
If we may interpret the Ibrahim index mainly as an indicator of public output, we see a close correlation between the states' supply capacity and the perceived corruption level across the range of African countries:

Figure 2: Public output - perceived corruption

$R^2 = 0,6509$
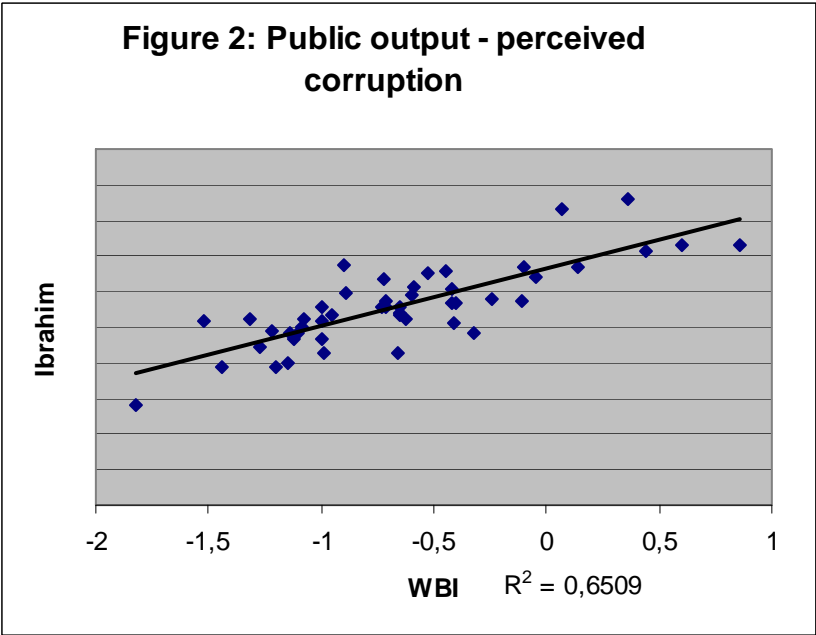
Several of these results are rather striking – particularly the strong correlation between the Ibrahim and WBI indexes – if we really could believe they were indexes about the phenomena they claim to be. Alas, I strongly doubt so. Hence, we should be careful not to claim to much for it.

It is nevertheless worth noting by inspecting Table 1 that in both 1998 and in 2006 the perceived country average for Africa was far below world average (-0, 64 in 1998, -0,66 in 2006 as against 0 as the World average is constructed to be).

4.   Comparative, quantitative information about street level corruption compared

This impression is confirmed if we look at another set of data where more or less representative samples of households in a number of countries have been asked about their experiences with corruption the last year (last half year, or last two years). When grouped into continents, African households clearly experience the highest bribe frequency according to one set of surveys[14]:

Table 2. Percentage of households paying a bribe last year

	2006	2007
Africa	38 %	42 %
Asia Pacific	7 %	22 %
Latin America	17 %	13 %
NIS	12 %	21 %
South East Europe	9 %	12 %
EU	2 %	5 %
North America	2 %	2 %

Source: TI (2007: 21), TI (2006: 18)

The results of Table 2 are striking: The regular citizens in Africa have to pay bribes more frequently than citizens on other continents although we may expect them to have fewer interactions with the government. A number of qualifications are here in order, again:

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[14]Two international attempts to standardise questions have been made. One has been made as a part of a long lasting effort to make comparable crime data based on household experiences, the international crime victimisation surveys (ICVS) and organised by UNICRI. The second is organised by Transparency International and published in at present a yearly publication, "The Transparency International Global Corruption Barometer" and presented here in Table 2.

1) The continent average is in fact based on surveys from only a few countries from each continent. The fact that the table is based on *reported* experience, that the questionnaires have been standardised and the numbers reported have a fairly clear meaning, is clearly a great advantage. But

2) the percentage reported from the same country varies excessively even when the questions apparently are the same, suggesting that there must be strong framing effects present that are difficult to account for.

3) Only some forms of corruption are included. For example, neither embezzlement, nor political corruption nor the regular enterprise bribing are included. The credence of the result is increased, however, by the fact that the different ICVS approach reaches similar results.[15]

No significant improvement in the perception of the Sub-Saharan countries compared to the world average took place according to Table 1 (from -0.64 to -0.66). When looking at the movement in perceived corruption for the single countries in Table 1 the impression of a fairly unchanged situation the last decade or is confirmed: 24 countries recorded lower and 24 countries higher levels of perceived corruption, but only in a few cases appear perceptions to have shifted significantly:

Cape Verde and Liberia appear to have improved while Cote d'Ivoire, Eritrea and Zimbabwe appear to have worsened significantly. Note again, however, that this may be mainly due to shifts in foreigners' perceptions, not experienced facts. Here it may be of interest to compare the WBI index with the Ibrahim index and note the cases where the country rankings differ with more than ten points. Compared this way, Equatorial Guinea, Gabon, Kenya, Malawi and Zimbabwe rank much better on the Ibrahim index and Eritrea, Guinea – Bissau, Liberia and Zwaziland much worse. Finally, when comparing GDP levels and the corruption indicator, Equatorial Guinea and Gabon are perceived as highly corrupt although their GDP levels are quite high. Oil probably explains both.

How to relate the information contained in Table 1 and in Table 2? Razafindrakoto and Roubaud (2006) made an interesting experiment. They had acquired exceptionally solid estimates

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[15] Van Dijk (2008: 183) reports that while 38.9% of the public in West and Central Africa and 37.1% in East Africa had been involved in bribe-giving the last year, the highest incident among the other sub-regions was South Asia with 23.1%. His number are partly based on the ICVS surveys (and TI, 2004).

on bribing percentages from a number of West African countries and Madagascar with larger samples using the national central bureaux of statistics. Then they collected a number of corruption and country experts and asked them what percentages of the population they *believed* had been in bribe-giving positions last year. We may now look at the results from Table 3. I have included the percentage estimates of the population bribe givers from the 3. round of the Afrobarometer surveys as reported in Razafindrakoto and Robaud (2007: 24) and completed it with a few observations from TI's Global Corruption Barometers from the same list of Sub-Saharan countries. We may then also get an impression of the variability of the results from the different surveys (and for the same survey, when replicated).

Table3. Some estimates of bribe-giving percentages in a list of African countries[16]

| | 1-2-3 Surveys | | Afrobarometer 2006 | Transparency International | | |
	population	experts	Population	2007	2006	2004
Benin	8,70 %	53,70 %	32,50 %			
Botswana			3,70 %			
Burkina Faso	15,20 %	38,00 %				
Cape Verde			7,00 %			21,00 %
Cote d'Ivoire	16,50 %	58,20 %				
Ghana			31,70 %			
Kenya			48,10 %		21,00 %	19,00 %
Lesotho			11,30 %			
Madagascar	16,30 %	54,00 %	26,30 %			
Malawi			9,80 %			
Mali	10,10 %	49,10 %	23,90 %			
Mozambique			38,70 %			
Namibia			26,80 %			
Niger	8,20 %	53,40 %				
Nigeria			41,50 %	40,00 %	38,00 %	29,00 %
Senegal	10,80 %	50,80 %	25,10 %	38,00 %	29,00 %	19,00 %
South Africa			16,90 %	3,00 %	5,00 %	5,00 %
Tanzania			21,90 %			
Togo	9,60 %	59,20 %				30,00 %
Uganda			40,60 %			
Zambia			28,80 %			
Zimbabwe			33,00 %			

Sources: Razafindrakoto and Roubaud (2006), : Razafindrakoto and Roubaud (2007), TI (2004, 2006, 2007)

Razafindrakoto and Roubaud discovered that 1) while their experts' assessment of the populations' exposure to bribes was strongly correlated with the WBI corruption perception index, it

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[16] This table contains too many empty observation points to be used for statistical purposes, but it should have some heuristic value to have such diverse information in a single table.

was uncorrelated with the actual incidence, and 2) the experts strongly overestimated the incidence.[17]

Looking at the variability of petty corruption across countries we may note, for example, that the highest estimate of bribe exposure for South Africa is more than five times of the lowest one. The Afrobarometer of 2006 gives a very different picture of Kenya than TI's global barometer surveys. They indicate that Kenya may be in the middle or lower range among Sub-Saharan countries while the Afrobarometer suggests it is at the very top, sixteen percent above Nigeria. This high variability makes it difficult to believe that any given survey is close to the true incidence of corruption among citizens, but they do indicate that bribe-paying is a regular feature of the citizen- public official interaction in most African countries.

With regard to street level corruption, the form of corruption reported on in Table 3, there is a significant difference between rich and developing countries such as the African ones.[18] In rich countries citizens are not normally paying bribes for regular public services, but enterprises may. Petty corruption in low income countries clearly reflects a tax collecting component. Considered as a tax it appears often to be regressive, the poor appears to pay more in relative terms and maybe also absolutely. According to Razafindrakoto and Roubaud (2007: 11), while about 30% of the very poorest in the 18 countries that participated in the 3. round of the Afrobarometer surveys had been victims of corruption, only 20% of the most well-offs had been so.[19]

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[17] The reported experience data from the 1–2–3 survey indicate lower numbers than the other surveys. While this may due to their better methodological quality, it may also be partly explained by the fact that they were implemented by the official central bureau of statistics, that may have made the respondents more careful when answering causing an underestimating of the incidence. Or the employees in the survey may be less eager to please the sponsors with alarming results since they would deal with a number of other issues than corruption. If so, the 1–2–3 survey should give superior results. Sosial anthropological research from a part of the same area indicate higher frequency (Blundo and Oliver de Sardhan, 2006), but their judgment is partly based on different data, how frequently corruption was on people's mind when discussing corruption publicly.

[18] Exploring the matter Weber Abramo (2008) found the brake in the pattern here to be around 10 000US$ a year. With the exception of South Africa, Botswana, Mauritius and the Seychelles, the Sub-Saharan countries are below that limit according to Table 1.

[19] This is difficult to settle in a satisfactory way because of imprecise income data in the Afrobarometer survey as pointed out in Hunt (2008). She shows that whether bribe taxation may be progressive or regressive may depend on the public institution involved,. While the bribe demands from the police appear to hit regressively, the judiciary hits progressively, rich pay relatively more, or so is the case in Peru. In the Afrobarometer survey income is ranked according to whether you are able to feed yourself properly since proper income data are not willingly shared among many African groups, not even with the spouse. Hence I would expect the number of corrupt encounters with the authorities will be very sensitive to the number of children in care that will impact the meetings with health and school facilities. Are there more children located in poor or well off households?

What about the bribe paying among the enterprises? Here we don't have comparable data across countries as we have for households. Initiated by the World Bank Institute, but sponsored and implemented by different institutions, "diagnostic" reports have been made for a few countries where questionnaires addressing corruption issues have been submitted both to enterprises, households and public officials. Alas – from a research point of view - there has been given so much country scope for choice in the detailed formulation of the questionnaires to make it difficult to compare the results across countries. In no African case I am aware of, do we find an assessment among the diagnostic reports about the percentage of enterprises that have paid bribes.[20] Based on an enterprise survey performed by the employers' association in Uganda, however, Svensson (2003: 216) reports that 81% the enterprises that had answered the question told that they had paid a bribe.

It is likely that both the frequency of bribing and the size of the bribes are higher for enterprises than for consumers also in African countries, although the difference is less marked than in OECD countries where regular consumers rarely pay bribes at all. For example about 65% of households in Nigeria reported that they had observed acts of corruption during the last two years (Nigeria Governance and Corruption Survey Study, 2003a: 12). The enterprises were not asked about any overall rate, however, but were presented with a list of different public services, among which at least four would demand regular contact (taxation, customs, connection to phones, electricity and getting licences and permits). For each service activity they assessed that an about 80% would demand bribes, ranging in frequency between "sometimes" to "always" (Nigeria Governance and Corruption Survey Study, 2003b: 9). While some overlapping must have taken place (one enterprise paying for several services) it suggests more frequent bribe giving among the enterprises[21]

In Ghana a diagnostic report suggest the size of bribe payments for household and enterprises. The difference is considerable. For example only about 4% of the households paid more than 30 US$ a year[22], while the average bribe for the enterprises was 914 US$ for retail and

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[20] One reason may be that this is a more sensitive question to as an enterprise since it has more reason to doubt that its answer in fact will remain anonymous. Nevertheless, they appear to have been willing to answer surprisingly sensitive questions in these diagniostic reports.

[21] Note that in another questionnaire a higher incidence of bribing among Nigerian households was recorded. Independent Advocacy Project (2007: 19) reports that in 2005 77% of the households have paid bribes. That had declined to 65% in 2007 (ibid.).

[22] Centre for Democracy and Development (2000: 54). 1US = 7 000 Cedi (average for 2000) according to www.wto.org/english/tratop_e/tpr_e/s194-01_e.doc.

wholesale trade and otherwise ranged between 1950US$ in construction and 449US$ in "Other Services" (ibid.: 85).

The diagnostic reports also contain a number of interesting perception and value data. Here we may note that the households interaction with the traffic police in Ghana (MTTU) had the highest corruption incidence (87.1%) followed by the customs and the rest of institutions that had some kind of police functions. The post office had the lowest. But given the higher number of interactions with government hospitals, the households had almost eight times more corrupt transactions with the hospitals than with the traffic police and about twice as many as with all the police functions together. The regular police were considered the most dishonest public organization, however, a view held by both households and enterprises, and a view shared by Nigerians (households, enterprises and public officials) It was considered much more dishonest than the traffic police (Nigeria Governance and Corruption Survey Study, 2003c: 57 -58).When looking for comparative data about group incidence, we are restrained to perception data. They have been collected from a number of African countries through the Afrobarometers (round 3)..

Table 4   Percentage of households who consider most/ all in the institution corrupt

	president p. officials	member of parliament	local politicians	national officials	local officials	police	tax officials	judges
Benin	43 %	43 %	39 %	50 %	41 %	58 %	*72 %*	58 %
Botswana	15 %	20 %	17 %	29 %	27 %	*30 %*	20 %	14 %
Cape Verde	*9 %*	8 %	*9 %*	7 %	8 %	7 %	7 %	5 %
Ghana	16 %	16 %	19 %	26 %	26 %	*52 %*	34 %	36 %
Kenya	26 %	40 %	38 %	33 %	37 %	*64 %*	35 %	28 %
Lesotho	6 %	11 %	8 %	19 %	5 %	*35 %*	14 %	11 %
Madagascar	11 %	15 %	12 %	11 %	13 %	*31 %*	20 %	25 %
Malawi	19 %	22 %	15 %	25 %	23 %	*28 %*	23 %	20 %
Mali	25 %	31 %	35 %	35 %	36 %	50 %	*58 %*	56 %
Mozambique	10 %	11 %	11 %	19 %	18 %	*31 %*	20 %	16 %
Namibia	22 %	27 %	29 %	35 %	34 %	*44 %*	37 %	32 %
Nigeria	54 %	59 %	57 %	59 %	58 %	*75 %*	56 %	40 %
Senegal	19 %	20 %	22 %	22 %	19 %	27 %	*30 %*	22 %
South Africa	22 %	26 %	44 %	36 %	45 %	*48 %*	22 %	22 %
Tanzania	5 %	8 %	10 %	9 %	11 %	*34 %*	20 %	25 %
Uganda	25 %	25 %	34 %	36 %	38 %	*67 %*	60 %	35 %
Zambia	31 %	38 %	35 %	36 %	40 %	*70 %*	50 %	31 %
Zimbawe	42 %	40 %	49 %	49 %	49 %	*62 %*	44 %	25 %
Average	22 %	25 %	27 %	30 %	29 %	*45 %*	35 %	28 %

Source: Logan et al (2006: 35)

For each country the group perceived as most corrupt has been emphasized. Note that the police are perceived as the most corrupt public institution in eleven out of the fifteen countries. In the three West African French speaking countries, however, it is the tax collecting institutions that are considered the most corrupt. Here we also see that it is not only the perceptions of experts, but also the perceptions of the population that may move astray from actual incidence. Benin and South Africa in particular appear to be perceived much more corrupt than they are likely to be (cf. South Africa and Lesotho). This is not so surprising since such perceptions are likely to be influenced by a number of issues not directly reflecting corruption, such as the state of political debate in the country and what the citizens in general expect from public officials. Comparing the different public institutions, eventual police brutality is likely to feed into corruption perceptions too.

While we only have experience data from Ghana, we have no reason to believe that countries in Sub-Saharan Africa is an exception from the general feature of developing countries: the police are the public institution where the public experience most densely corrupt forms of transactions.[23]

5. *Patterns of petty corruption. Social anthropology observations*

So far we have looked at some of the quantitative data on corruption in African countries. They are all based on questionnaires of one kind or another. Here I will report from another form of research, mainly performed by social anthropologists.[24] Here the researchers engage directly with the research subjects in more "natural" situations. While strong selection bias is unavoidable, direct observations are possible. Moreover, it may be possible to detect patterns in both behaviours and beliefs that are not detectable when chopping up data in the isolated pieces formal questionnaires by necessity give rise to.

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[23] TI (2007a: 5), Andvig and Fjeldstad (2008: 12).

[24] Alas, there has been surprisingly little research interest in corruption among social anthropologists until recently. There are several reasons for this. One is that to brand anything as corruption, smells of open ethnocentrism – a major break of research ethics in this field. Moreover to walk around asking subjects directly about corruption leads easily the researcher into artificial or awkward situations and "sneaky" or dishonest behaviour. Nevertheless, it has proved possible to produce serious research with the approach based on frank research subjects.

The largest research project of this kind for Africa is reported in Blundo and Olivier de Sardan (2006).[25] They confirm that bribes - regular non-authorised payments to public officials - are a persistent part of the daily interaction between officials and citizens both in Benin, Niger and Senegal.

In one case study (ibid.: 177 - 182) one of the researchers followed a truck loaded with sheep from one end of Benin (Malanville) to another (Cotonou). The truck had to pass about sixteen control posts, each extorting an illegal fee. The size of the fee hinged upon what kind of police or (internal) customs officer who were involved, and on which assignment. In most cases the police officers demanded about 3US$ (2000CFA) and the customs officers half of that. The largest charges were made by the gendarmes – about 8US$. The prices were rather fixed, but negotiations were nevertheless taking place. In one case the police was on an assignment where they were not supposed to collect, but fraudulently attempt to charge about 5.5US$, but the driver successfully refused to pay.

According to standard rules of fair play officers from one station should have a fixed amount so if stopped twice within that station's control area, the second stop should be free or the truck should only pay half price to each. Some police stations were playing fair and sticking to the rules, others were not and demanded full price at all stops.

According to anecdotal evidence[26] regular extortion of person transport in Benin is not so common while proliferating in Senegal, where the police almost socialise older children to follow their procedures.

The richest fishing fields for the customs and transport monitoring police are connected to cross-border transport. At the ports and other stations that handle such transport, elaborate systems of paper handling had developed in all three countries. Together with the large economic values involved, the time pressures on the traders, and the ease by which custom officials may cause delays were all factors that made corruption in the custom organizations the economically most significant of the street level corruption accessible to observation by the social anthropologists in the three West African countries.

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[25] The theme consisted of six researchers and fourteen research assistants doing field and documentary work for two years in the West African countries Benin, Niger and Senegal.
[26] Observations made by Griet Seurs and presented at a U4 course on anti-corruption.

While not directly observed by the research group itself, Blundo and Olivier de Sardan (20o6:215) refer to estimates that indicate that the corrupt income generated at the customs stations constituted about twenty percent of the state budget. This was partly reflected in the yearly income of a custom official they were observing who dealt directly with cross-border trade. He earned about hundred thousand US$.[27]

Moreover, around each custom station the research group could observe rich underbrush of brokers. On average, for each custom official there appeared to be about four of them. Some were licensed, some were not. One group acted as a kind of spies for the leadership of the station to assess how much the lower ranks collected in order to check whether the leadership received its reasonable cut. It was also essential for the leadership to check on bribery rates and the de facto customs collection for wider reasons. If the customs officials were too strict with the latter, too few traders would show up. – As a part of new public management each customs station was assigned a fixed quota of customs to be collected - partly in order to reduce corruption. Given the competition for traders between the stations, however, the authors indicate that the reform had the opposite effect: to get more traders the effective tariffs had to go down. This went together with bribes.

Other brokers were mainly hired by lower-grade customs officials or by the traders themselves. In addition to organise the complex paper handling and bribe sequences for the traders, some brokers were able to organise smuggling alternatives, that is, to export or import the goods without any paper trail at all. The brokers' smuggling networks would often involve both custom officials and police at both sides of the border. Smuggling and corruption of customs officials may sometimes be complementary, sometimes alternative sets of action.

The size of the combined effects of smuggling and cross border trade between Nigeria and Benin, is indicated by the official statistics of the two countries Central Bureau of Statistics in Nigeria recorded 109.3 billion CFA francs worth of export from Nigeria to Benin. Benin only recorded about 5 billion CFA as imports from Nigeria.(ibid.: 214).

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[27] Informants told the researchers that the custom officials earned about 200–300 000 CFA a day on such posts. With 250 working days a year this should be around hundred thousand US dollars a year (ibid. 209). No wonder that such posts were bought and sold, but the authors don't report any capital values of the posts.

In addition to the brokers that did genuine, but to a large extent, corrupt services for the traders, a rich supply of fraudster congregated around the customs offices. For example some pretended to be brokers. As such they pretended they were paying custom officials to get the goods across the port, but run away with the money themselves. The necessary secrecy surrounding corrupt transaction made also large scope for frauds.

This possibility arose, of course, not only around custom offices. Around almost any office for public services crowds of unpaid (by the state) voluntary workers congregated. They sometimes did some of the works that the officials were supposed to do, sometimes they only defrauded the public. In Blundo and Olivier de Sardan (2006: 137 – 140) is presented a lively description of a *court* in Niger. It also supplied different forms of official identity papers, including nationality certificates. They retell a story where the informant got shanghaied by a non-employed broker who pretended he could connect him with the official who supplied nationality certificates. In fact that official could not, but she had organised a racket with the unemployed broker as a sideline of her regular job.

In addition to the existence of informal brokers basically simple procedures are frequently made difficult by the fact that the actual distribution of decision-making powers does not follow its formal distribution. Blundo and Olivier de Sardan observe that the informal internal organisations of the state frequently were combined with their formal structures, and interpenetrated with kin and political networks in so complex and opaque ways that outsiders often would not know how services were become elicited. Complicated informal structures make brokers useful at the time as the very irregularity of the mass of brokers was part of the complicated structure. Even the proper point of access is hidden for the regular citizen. In such situations there is no wonder that the specialist bribers may easily turn into fraudsters.

The authors suggest an additional explanation for the existence of brokers. A shared colonial history had left its imprint on the workings of the state in all the three countries in its harsh and despotic ways of treating the regular citizens when it is in its formal, Weberian modes. Brokers may soften and personalise the access. On the whole, when organising bribe payments for the simple services, their activities are basically fraudulent and based on organising delays in procedures in cooperation with regular public officials. In more complicated, large scale operation, the middlemen may , as we have seen, do some real services through their commissioned bribing, as Blundo and Olivier de Sardan (ibid.:190) describes for the custom

services in the port of Cotonou where the release of a used car has to pass seventeen points of bribe collections. To know how to do it without causing prohibitive delays, will of course demand specialized knowledge.

6.   *Petty embezzlement observed*

So far we have focused on forms of corruption petty corruption where the public has been directly involved, presumably bribing and extortion. Here I will look at empirical research into systems of regular, but small-scale embezzlement in the public sector. Again we find both relevant quantitative and qualitative information. It is in the nature of the case that here we have to look at the inside of the governmental apparatus. Quantitative information about its extent cannot be gathered by asking the public.

Recently a number of attempts have been made to follow public expenditure flows as they descend from their central ministries to their intended points of destination, so called public expenditure tracking surveys (PETS). It has mainly been done in order to study service levels at schools and local health institutions. The idea is that one look at a specific budget item, for example, non wage primary school expenditures. The size of the grant for the purpose is observed at the central ministry. Then a sample of schools from various districts is made, and the intended grants for each school are estimated. This is compared to what the schools actually have received. This difference divided by the size of the grant determines the degree of leakage. While there may be several reasons for the leakage it sets a kind of upper bound for the extent of embezzlement in the system.[28]

Note that this method presupposes that it is possible to have fairly precise accounts at both the central and local ends of the public expenditure flows. This may often not be the case, and particularly so in cases where large leakages may be expected. Nevertheless interesting leakage rates have been estimated for several public expenditure flows in some African countries. The classical case is the central government of Uganda's capitation grants for schools' non wage expenditures 1991-1995, analysed in Reinikka and Svensson (2004). They found an average leakage rate of about 87% with large variation across schools. Large schools in richer neighbourhoods had on average lower leakage rates. They argue that the leakage at the school

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[28] In addition the schools may, of course, steal money the parents may pay for their children's schooling.

and central levels were small, so most of the leakage appears to have taken place at the local and district levels. It is impossible on the basis of the data collected to determine how much has been embezzled for private enrichment, for patronage politics (often also leading to personal enrichment) or to other political priorities considered more important by local elites.

In Tanzania a similar study embracing several forms of disbursements showed a leakage rate of 57% for education and 41% for health expenditures (Gauthier, 2006: 27)[29]. For Ghana a leakage rate at about 50% for education and 80% for non wage expenditures (ibid.) has been estimated. In Zambia it was discovered, interestingly, that while the leakage rate for rule based educational grants was only 10%, it was 76% for discretionary non wage expenses. In Madagascar, surprisingly, higher estimated leakage rates were found for schools than health stations. The most striking result, however, was the dramatically higher rates found in the remote areas. For Kenya leakage rates were higher in the health than the educational sector, but more evenly distributed geographically. 80 % of the schools received too small grants, but only something small was nibbled away at each since the leakage rate for schools were only around 36%. The highest non wage leakage rate so far observed has been the health sector in Chad. There only 1% of expenditures reached the final destination. Already 73 % had been siphoned out at the regional level, so only 26% was left for the local officials to tap.

A recurrent result was that the leakage rates for wage expenditures were much lower. Public officials naturally are monitoring their own wages more closely. Delays were frequent however. In Rwanda 82 % of the teachers reported that they had wage claims on the government due to delays in payment (ibid.: 46). While delays could be due to central government lacking funds, delays could also be manipulated. In a country with high interest and inflation rates and with business-minded public officials, even temporary illegitimate access to funds is highly profitable.

Frontline public workers main form of embezzlement are their embezzling of their own time from the government. The absentee rates for teachers in Uganda were 27% and 37% for health workers (ibid.: 41).[30] Any prevalence of "ghost" workers – public officials that don't

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[29] The result here is somewhat surprising since it is reasonable to expect higher leakage rates for non wage health expenditures. They are more heterogeneous and constitute higher shares of total costs. A lower leakage rates in Tanzania compared to Ghana is as expected when looking at the other indicators of corruption levels.
[30] Here it should be noted that the absentee rates in Uganda was not significantly higher than in the more well-off India (Chaudury et al.: 92).

exist, but receive salaries, - is mainly due to embezzlement of public funds at higher levels. Here we have fewer estimates, however, but in the case of education in Uganda a survey assessed it to 20% of the staff (ibid.).[31]

In a study of health administration in two states in Nigeria, Lagos and Kogo (Das Gupta et al., 2003), the authors found evidence of significant leakage or delays in wage payment for the rural state (Kogo). 42% of the local health station staff had not received salaries the last six months before the survey ibid (ibid.: 65). This was not due to lack of funds. There was no correlation between resources budget towards staff salaries and their non-payment. The non-payment was apparently mainly due to leakage at the local levels. Private providing of health services increased where the leakage rates were higher. In the cases where the patients were not supposed to pay, this implied that they had to bribe in order to get their needed medical services.

The case show how embezzlement internal to the public sector at one level may induce higher corruption levels also externally. It also indicates that some of the street-level bribe collection should be considered as a decentralised form of tax collection. It increases when wage funds have been embezzled. Herrera et al (2006: 42) document how petty corruption is related to wage payments for public officials in Madagascar. When real wage payment for civil servants increased by 50% in the period 1995 to 2001, the fraction of the population who reported that they had experienced bribe paying, was reduced from 42% to 10%. During a political crisis in 2001 - 2002 ,when wage payment was uncertain and sometimes missing, the bribe rate increased to 44% again before falling down to less than 10% in 2004 as wage payments became certain and increased in value again.

While the data from Kenyamay be a partial exception, the embezzlement observations indicate that Herbst's geographical theory of the distribution of state power in larger African countries is worthy closer examination.

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[31] Most ghost workers are at the lower rings of the public hierarchy, since these jobs are easier to create. Some estimates about the number of ghost workers should be regarded in a critical light, since downsizing of public organizations have become a favoured policy in several multinational organizations. The perceived existence of a large number of ghost workers makes this an easier policy to implement.

7.   *A social anthropological observation on petty embezzlement in Malawi*

A completely different look into the internal mechanics of embezzlement operation in African public apparatuses has been provided by social anthropologists. As the outcome of a 14 months fieldwork living among civil servants in Malawi, Anders (2005) presents a fascinating portrait of their daily life. While hearing a lot of more or less convincing rumours about embezzlements, as a European he only got access to a few cases to observe by himself. One case was quite extensive, involving several different corrupt operations, but only lower instances were involved, since the operation was organised from the outside, by a private sector trader with political pull.

The civil servant involved, a "Mr. Banda", held a low health administration post (ibid.: 193 – 196) A truckload of maize provided by the World Food Programme, to be used a to improve the health situation of the very poor in his area of monitoring, came in his way. He embezzled it. That is, he stole this piece of public property. To be able to accomplish it, his administrative superior would have to get a cut, and the police had to be silenced and paid. So around this embezzlement act, several less valuable bribery transactions had also to be made. Mr. Banda himself was not sufficiently powerful and connected to organise all these transactions. This was done by the trader who bought the truckload. Banda himself used the income earned from the sale to build up his private business. The motivation for the embezzlement was then clearly mainly economic, although some fear of the private trader might have been involved.

The second case of embezzlement that is reported by Anders (ibid.: 197 – 201) was of different kind and of more modest proportions. "Mr. Phiri" was a fairly high ranking official and he was comparatively well-off. The mother of his long-time and close servant had died and was going to be buried in her home village. The servant could not provide the proper transport and neither could Mr. Phiri, since his car was broken and he could not afford to repair it in time. Mr. Phiri then requisitioned two government cars for the purpose, filled in all the proper papers for it. Everything would have been legal if the servant had been close family. While close, he wasn't family. Phiri's superiors knew all about the circumstances, signed the papers and approved the act. Nevertheless, Mr. Phiri had embezzled two government cars with drivers for two days. His motivation was a mixture of kindness and a desire of keeping his social status.

Mr. Phiri's act is, despite its insignificance as an act of corruption, an important pointer toward a mechanism that contributes to making petty corruption more frequent in African countries than in comparable countries elsewhere.

When contemplating the various bits and pieces of information about petty corruption, bribes and embezzlement we have gathered here, an obvious question to raise is whether they are compatible or not? Given their nature, a strict statistical test is of course out of question, but still it should be answered. Konold (2007) wonders, for example, how to combine the impression gained from Blundo and Olivier de Sardhan's research group that corruption is involved in most, if not all citizen-public servant transactions with the modest bribe perceptions and experience percentages for Senegal found in the Afrobarometers, round three.

She suggests that respondents in the surveys may seriously underreport their experiences (ibid.: 13). Paying bribes is, after all, an illegal activity. Since the 1-2-3 surveys were executed by government institutes this effect may have been stronger in this case, explaining the overall lower rates of reported bribes in this survey. - If so the, experts' guess-mates may not be so wrong after all? Alternatively, by deliberately searching for corrupt transactions the selection bias in Blundo and Olivier de Sardhan's project may have become so serious that it seriously overestimates the prevalence of petty corruption. Alternatively, as suggested above, their beliefs may not reflect actual frequencies, but the frequency of concerns, suspicions and deliberations about corruption showing their omnipresence.

Whatever may finally prove to be closest to the truth, it may suffice here to point out that so far, we have empirical grounds for the claims that:
- Petty corruption varies significantly across African countries and across the different public administrations.
- Petty corruption is, however, a common feature of citizen- public official transactions in most African countries and in most administrations inside any given country.
- The mechanics and forms of motivation of petty corrupt acts and transactions appear quite similar in the different African countries as does their distribution where

the police or tax administrations have the highest incidence while post offices and primary schools have the lowest. (The extensive embezzlement of school resources documented by PETS was mainly performed at local political levels).

- Petty corruption appears to be more prevalent in African than other comparable countries.

8. *Why so high incidence of street level corruption in many Sub-Saharan countries?*

From one point of view, this may not be such an interesting question at all. If we assume that most individuals are pursuing their private economic interests everywhere, as we do in neo-classical economics, they should be expected to participate in corruption at every opportunity. The question then is how many opportunities that arise and how easy it is to get away with it. There is no reason to believe that opportunities are more numerous in African countries than elsewhere at the moment[32], but most states in Africa are considered relatively weak. If so, that should apply to their monitoring apparatuses too. Corruption should then be more common in African countries simply because it is easier to get away with it there. Hence, high levels of corruption could simply be explained by weak states.

But extensive corruption is one of the major characteristics of a weak state, so without introducing more distinct hypotheses about the way states operate, how their agents interact, we have not reached much further. Moreover, the assumption about pure income maximisation is too extreme. Corruption is not sufficiently common and varies too much to validate it.

To start to explain the incidence of petty corruption in the African countries it may prove fruitful at first to abstract from the large scale corrupt transactions where elaborate organisations, hundreds of millions of US$ and high level politicians are involved. Blundo and Olivier de Sardhan (2006: 48) has argued that it is possible to some extent to abstract from the political level:

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[32] A couple of decades ago the number of public officials in many African countries was large compared to the size of their economies. This could give rise to a high number of opportunities compared to the size of total populations, but the size of the public apparatuses today is not excessive today Goldsmith (2000). Large scale retrenchment of the state apparatus has taken place in many African counties. This process in Malawi has been described lively in Anders (2005). In this case it appears to have gone hand in hand with increasing corruption rates, that retrenchment may have stimulated.

even if the visibility and the forms taken by corruption tend to depend on the specific nature of different types of political regime, no single type, be it authoritarian or pluralist, military or civil, is more likely than the others to engender corruption.

That is, petty corruption is operating much in the same way in the fairly democratic Senegal, in Benin that has had a Marxist regime for long and in the more "traditional" regimes of Niger. Customs officers, for example, were everywhere behaving in very similar manners. That the best approach to any explanation of corruption is from the starting point of a regular citizen has also been argued by Bayart (1993: 238) : "Contrary to the popular image of the innocent masses, corruption and predatoriness are not found exclusively amongst the powerful. Rather, they are modes of social and political behaviour shared by a plurality of actors on more or less a great scale."

The fact that the institutional forms of petty corruption are the same and frequent and independent of the political forms of rule, may allow us to abstract temporarily from the latter when analysing petty corruption. Since states are directed from above, however, it is highly unlikely that the incidence of petty corruption in reality will be uninfluenced by the ways the political system work.

8.1   Distribution of different modes of micro-coordination and petty corruption

In order to understand what may be somewhat exceptional with (petty) corruption in African countries, we may backtrack a little. In Andvig (2006) I have argued that one approach to explain corruption as well some of the concern about it, is to note that citizens have available only a limited set of modes of micro-coordination. In order to understand petty corruption, we need to look at three.[33]

A mode of micro-coordination specifies a set of rules for the engagement between at least two persons, a decision-making, information and motivational structure guiding the actions of the agents operating in that mode. The ones we are going to look at here is

1)   **Bureaucratic modes of transaction**, which still direct most private and public output in modern societies. Here is specified a set of positions, to which is allocated a set of tasks, a decision-making structure where superiors may give orders to incumbents of lower-level positions, formal prescriptions for which position may interact with which, rules

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[33] Hence, I will not discuss the political modes of coordination I outlined there.

for remuneration, and so on. Formally, the main motivation is obedience to superiors' orders and empathy for the organization's aims.

2) **Family-friendship coordination** is a transaction mode where personal links between the individuals involved are the key. For example, if altruism is involved, that altruism should only apply to a single person as a close friend, a wife or lover. If generalized, it may even lose value. While often demanding rough long-run reciprocity, the exchange in values should not be too finely calculated in people's personal space, at least not in the short run. In large clan structures the personal link between the participants in the transaction will not imply that they know each other personally, only that there is a particular, defined and mutually recognized kin tie that makes them behave differently inside compared to outside of the dyad. While friendship relations are horizontal (but may be asymmetric) the family relations can often be hierarchical. If so, the superior/inferior positions are not formally independent of the personal ties involved, but defined by them. Supply of public goods have often been organized on that basis.

3) The **market coordination mode** is like the bureaucratic mode, but unlike the family-friendship mode, in the sense that personal ties between the participants should in principle be immaterial. For example, the price charged should ideally be the same whether you sell a good to friend or foe. Like friendship coordination, but unlike hierarchy, the relationships between participants are basically horizontal. Economic gain is the main motivation, whether that is the private motivation of the individual participants or it is on behalf of a hierarchy. Most large market transactions are taking place across hierarchies or family units. Note that inside a hierarchy the members' market transactions when acting as members will be centrally controlled. Neither personalized nor generalized altruism is normally any significant motivation, as it may become in political or family-friendship transactions. Unlike family-friendship transactions the exchange of values in market transactions should reflect finely calculated reciprocity. If not, one party is either exploited or cheated.

In different societies the actual distribution of transactions across modes may differ as well as the citizens' views about where and how strict the proper division between modes should be. In many situations strong normative views may be held. For example, in most societies prostitution is considered as an improper intrusion of the market mode into the sphere of family-friendship activities, but the line may be more or less blurred and the crossing more or less frowned upon. In the case of prostitution it is obvious that a crossing of the spheres of friend-

ship-family and marked transactions may be directly profitable. The regular bribing of public bureaucrats has a similar structure. Here it is the market mode that intrudes in the bureaucratic modes of coordination. Certain spheres of bureaucratic decisions should be isolated from the sphere of markets. That is also a key feature of a Weber state.

Fredrik Barth (1967) analyses a more complex case where some, and different from the usual ones operating in modern economies, normative restrictions on what is the proper field for market transaction are combined with non-normative restrictions to create spheres between different forms of economic activities that proved very profitable to break.[34] He analyses a Sudanese Fur village economy where local labour might not be bought in a market, due to ethical or status restrictions. The major food crop may only be eaten locally due to high costs of transport, a restriction evidently of a non-normative kind. Millet could either be consumed directly or used as input in beer brewing. Beer may only be brewed by a wife. While transport costs for beer were not so high compared to its value, a regular market for it was not allowed to arise. Selling beer became a form of prostitution, since beer was so personal. Beer might, however, be used as a necessary input for work parties both in the millet and - it was discovered – in the tomato fields. Unlike millet, dried tomatoes could be sold and transported catching high prices. This is discovered by a Sudanese village equivalent of the lobbyist/consultant in the shape of an outside Arabic entrepreneur with considerable transport capacity. He is allowed to settle with his wife who makes beer for work parties in the tomato fields and he sells dried tomatoes with considerable profit. In fact he earns twenty times the regular earnings on the field. By breaking spheres, he creates a Fur-kind equivalent to corruption, a local labour market.

Like the Fur local allocation of labour, a modern Weber-like state is based on an exceptionally sharp division between the different modes of transaction, a division determined by a set of fairly unambiguous laws or rules. Regular bribing means that bureaucratic decisions are bought and sold, that is, the market mode is intruding into the fields of bureaucratic mode. Rules are also working to establish barriers the other way. Commands by state officials directed against the public and outside their legally stipulated ones for the official in question, are prohibited. But rules may be broken, and more easily so when they can not be formulated

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[34] I discuss this case here because it makes it possible to look at key aspects of the Weber state in relation to which corrupt behaviour normally is defined with a different set of normative glasses.

too clearly, as they may not in the case of the police. A profitable form of transgression in this direction is what we have defined as extortion.

Where the lines actually are drawn in the case of modern states, may differ substantially across countries, however. Some standardization has taken place. The scope of market transactions has increased while the scope of bureaucratic transactions has decreased almost everywhere, including in most African states. And nowhere do we find the vast scope for bureaucratic transactions as we did under the former socialist countries. The legal expansion of market transactions connected to the supply of public goods has been going together with increased concern for the illegal intrusions of the market mode, for corruption.

What about the family friendship modes? To erect barriers against their intrusions into bureaucracy from the outside is also part and parcel of the construction of Weber-like states: and a clear-cut field of bureaucratic decisions. As argued in Andvig and Moene (1994) this state form may be quite fragile. Not only may it be invaded from the outside by the market mode. Family-friendship mode is an even more frequent intruder. Moreover, the hierarchic forms of the family-friendship mode have historically been much longer the basis for the internal operation of the state than the impersonal bureaucratic mode and may still be able to completely drive out the bureaucratic mode in so called patrimonial states).[35]

Like the situation in the Darfur mountain villages of Barth, the present-day family-friendship-hierarchy-market barriers of the Weber state would not only give rise to forces that undermine them directly through illegal, corrupt means – like the selling of beer – or more roundabout legal strategies may evolve. If a sufficient number of outside or inside entrepreneurs are attracted, we may surmise that the legal roundabouts to circumvent the barriers will break them down and making way for more direct, formerly corrupt transactions: The women may sell beer freely and the men (and women) buy field hands.

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[35] Note that corruption may occur in such systems too. The ethical concerns may at a deeper level be closely related, but the acts considered corrupt may be the opposite. A fascinating aspect of corruption is that whatever the transactional structure, a corrupt act is when an individual further his own private interest against some form of common good. That is, it reflects a perennial dilemma in human behaviour: Should I further the interest of myself or the group in the cases when they conflict? Consider a high-ranking official in a state when the top leader shifts. According to the ethics of a Weber-state he should now shifts his loyalty to the new incumbent leader, not in secret support the old. If he does, he is disloyal, and maybe led into corrupt acts if the former boss tempt him into acts that will work against the new leadership. In a system based on personal loyalty, however, such a shift will be considered disloyal, a corrupt act where the official reneges on his duty to the old leader for serving his own private advantage: keeping his job. Note that embezzlement will be corruption under both sets of ethics.

While not corruption in the strict sense, since no hierarchies or political agencies are involved, the case illustrates the point that the set of market transactions in any given society is likely to be contained by a set of rules or norms whose very existence makes them profitable to break. Rules against corruption are one such line containing market transactions. The Sudan case also illustrates the fact that *where* the line is drawn, may be quite arbitrary, but have important economic consequences. Hence, in the case of corruption, it is difficult to define any action as intrinsically corrupt. Corruption has to relate to a given set of legal rules or shared norms.

8.2   How conflicting specification of coordination modes may give rise to corruption

While a wide variety of institutional patterns in family organization may be found in the different African countries and between districts inside countries, most express strong family values. Having constructed an index of the strength of family values based on questions from the World Value Survey, Alesina and Guiliano (2007: 41) found that the two countries from Sub- Saharan Africa they had in their sample (Nigeria and Zimbabwe) expressed the greatest beliefs in family ties. Given the large share of rural employment, the small scale of most industrial enterprises, it is evident that a larger share of production in African countries is also family-organised than in other regions. Somehow it appears reasonable that if there is some special mechanism at work in African countries that may be related to the institutional patterns of family organisations and/or its colonial history.

One mechanism is related to the fact that the proper field for the family mode in much African ideology is much wider than in the standard European view. This leads it into overlapping (and therefore potential conflict) with both the proper field of the market mode and the bureaucratic mode, when looked at from a Weber or OECD point of view. The way the family mode transgresses the bureaucratic mode is simple and direct: it leads to a form of patrimonial governance (Medard, 2002). When the family mode and market mode conflict, the conflict may give rise to complex brokerage and spill over into a conflict between the market and bureaucratic mode, that is, corruption.

To get a grasp on some of the mechanisms involved, let us take a look into the processes of land allocation and corruption in Kenya. Here all the three modes are in conflict. I will first focus on some processes at the lower, local level. This is a case where two legal systems of

land ownership are allowed to co-exist for a prolonged period. Moreover, the modern bureaucratic modes of transactions are allowed to have considerable feedback on the family-based systems for allocating land. In fact, the principles of family-based land tenure even became formulated by formal, bureaucratic procedures. Nevertheless, the ruling normative conflicts about the principles for land allocation have contributed both to extensive corruption in the land allocation processes and to embezzlement of both public and so-called tribal land.

The key event giving rise to this situation was the rapid introduction of formal, rule-based bureaucratic procedures in former non-state areas at the end of the 19th century when Kenya became an English colony. To some degree the two systems of landholding were made compatible till the mid 1950s by the colonial bureaucracy applying them to different geographical areas: The settler areas, given most of the better agricultural land, were based on English law, while the remaining areas were supposed to follow local tribal laws as interpreted by the colonial administration.[36] A key modification of the English law was, however, that all land in the last analysis belonged to the crown, not only as a legal theory, but in practice. Another important feature was the considerable bureaucratic powers that were handed over to the designated middlemen between the systems, the chiefs. They were supposed to control the family-based, native economies on behalf of the colonial administration. [37] A key modification of most of the tribal laws compared to actual pre-colonial land tenure was to overemphasise the collective aspects of ownership, which made it easier to give specific pieces of land to settlers.

Since the mid-1950s there has been an explicit aim of moving towards individual, private ownership of land (clearly formulated before independence in the so-called Swynnerton plan). It was accepted by the post-colonial government. Even if the professed desired flow of ownership changes is toward individual private ownership, the de facto flow in certain areas may even in some cases be in the direction of traditional forms. Still 70% - 80 % of land is held under customary systems of ownership and use, while 10 % is classified as government land and only 20% is held privately (Njuguna & Baya, 2001). The customary systems differ according to tribe and the kind of land used. Some indigenous systems of land allocation, such as the ones of the Kikuyu tribe, traditionally allowed a decentralised system of ownership of

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[36] This is many ways an over simplification. For example, large parts of the coastal area were subject to a third set of laws. It is, of course, impossible to go into the historical complexity of the development here. A useful survey of the evolution of agrarian law in Kenya is Okuth-Ogendo (1991)

[37] Mamdani (1996) claims that the despotic nature of the local rule has had lasting effects on post colonial governance.

land bordering on private ownership (Kenyatta, 1938). The same applies for example to the Mbeere (Glazier, 1985).[38] Nevertheless, any sale of land had to be confirmed by a council of elders in a boundary ceremony. Sales like any other method of transfer should conform to a family-based set of norms.

The contradictory tenure principles made scope for embezzlement at both the bureaucratic and family-based ends. Note that the areas under customary use are also owned by the government, and hence may ptentially be reallocated under some bureaucratic rule. Let us first look at the family end. Glazier (1985) describes several mechanisms of land grabbing at the local level as at least in part triggered of by the prospects of individual ownership to land when principles of land ownership conflict.

One source of conflict is conflicts between ownership claims based at different tiers of the "traditional" patrilineal family structure. Since the formal bureaucracy has accepted extensive landholding rights at the high, clan-level, and tied clans to geographical areas, a piece of land may at the same time "belong" to a clan and to a member of another clan who also "owns" it by being in his and his narrow patrilineage's possession. Here "modern" bureaucracy has created contradicting traditional principles. In many cases the contradiction are solved by either bribing the courts, the council of elders, or both. That is a market transaction.

Glacier (1985) notes that as land scarcity developed, the competition for land combined by the multiple ownership rights at both the individual and clan level was reinforced by the individualisation process: If you did not make a claim for your land, others would do so since several were likely to have some claimable rights. Given the resources necessary, both the legal costs and the bribes necessary for witnesses and judges, individual claims would often be formulated at the clan level. In fact, the competition for land in effect partly created the clans since both financial costs and witness statements needed a pooling of resources (Glazier, 1985). The leaders of the clan's litigation process would then at times use their leadership positions to embezzle parts of the land won for themselves or their close family. The possibility of selling

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[38] One of the reasons why individualized land-holding was not accepted by the colonial authorities was that would make it illegal to expropriate native land and sell/give it to settlers (Okuth-Ogendo:54)..

it sometimes increased the motivation and the likelihood of successful embezzlement, since a sale by itself could make the ownership rights of the new owners somewhat more secure.[39]

This situation points to another source of conflict: market and family transactions would in many cases lead to conflicting claims. To put it simply, any transfer of land, such as a sale, should be confirmed by councils representing the traditional authority, but that authority could not really give away its rights of transfer, so if the buyer of the land planned to sell it, that should also be confirmed by the council representing the former "seller". Either the confirmation was granted or not, a sale could easily be contested. The decisions of the councils have frequently been influenced by bribes. (Okuro, 2002). Even so, the incentives of selling and buying land with questionable ownership existed since the very act of buying sometimes could give the new owner more protection than the seller had. The market for land as it evolved undoubtedly got some "lemon" characteristics (Akerlof, 1970) where possessors would try to sell the land with the most questionable ownership characteristics. The outcome was a further stimulus to land disputes and the bribing of the traditional councils as well as the formal courts and a thinning out of the market itself.[40]

In the larger cases of embezzlement at the clan level, the leaders of the land claim organisations were often chiefs. Given their middleman position, they could convert (and misuse) their formal bureaucratic power into power in their family networks and in the inter-clan competition, and then embezzle "crown" land, in the first instance for the clan. If they did so, it would be family-based embezzlement. Then they could embezzle the new clan land for their own possession. The existence of the traditional family-based rules for land allocation made it easier for the chiefs to embezzle land for themselves since they could disguise the nature of the transaction.[41]

The coexistence of different land allocation principles have certainly opened up new opportunities of commercial corruption through the bribing of "traditional" councils and modern courts. Commercial corruption has also in other ways been instrumental in moving a piece of

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[39] Glazier reports that if a land holder was able to get a formal sector loan on his land, by itself reduced the contestability of the ownership.

[40] Ensminger (1997) notes the surprising decline in formal land titling and reemergence of traditional tenure in Kenya. She explains it mainly through the high transaction costs of the titling process itself including its eventual bribe costs, particularly for small holdings. If the market for land thins out the need for registration also declines.

[41] Here again I mainly follow Glazier. Later the chiefs' role probably has become less important and the key actors have probably been the Ministry of Lands and Settlement, the Provincial Administrations and KANU politicians. Okuro (2002) gives a glimpse into more recent processes.

land from one rule system to another and thereby aided in hiding the nature of a land grabbing transaction.

So far we have seen land grabbing from the family end and the chiefs have been mainly seen as embedded in their kin network, although their power is based on a modern state. Embezzlement may, however, arise at the purely modern, bureaucratic or political end. In the simplest case a public official may just grab a piece of land owned by the government, maybe bribe a few officials who register the land titles, pay a nominal fee and then claim private ownership. To hide the transaction the land is likely to be titled to friends or family, however. This is pure embezzlement of a formal organisation, but it is made possible by the public ownership of land. That public ownership may sometimes be due to the absence of private ownership, again due to the tribal possession.

In other cases the official may be bribed by outsiders to gain ownership to the public land.[42] In practice the deals may often be more complex playing on interactions between modern and family-based transactions, and involving some kind of reciprocity or payment for political services. For example, an official who has his family origin in tribe A may have to make some reallocation disposals in an area of tribe B, and he may give a slice of that area to an official from B who is in a position to make some reallocation disposals in A, of which he gives a slice to the official from A. Here "traditional" values play a role because the A-property is more worth for the A-official and the B-property for the B-official. The reason is that the risk of counterclaims is higher when owning private property in "foreign" lands. In addition, this two-ways gifts-giving reduces the probability of being caught in simple land grabbing.

Even more involved procedures may arise in areas which are under both customary tenure and some bureaucratic rule. For example, by turning on a sleeping bureaucratic rule, squatters holding land in a traditional way may be chased away. That achieved, the land has come under effective hierarchical, state control. Again, the bureaucratic rule may be turned off again, and the land may be given away/sold below market price for a bribe or officials may alternatively embezzle the land themselves. After either operation the land may become private property, and thereby increase in value. Officials may transfer land from the individual title-holder to a traditional group- holder, back to government land and from there into his private

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[42] The giving away of the Westland market and parts of Karura forests in Nairobi are well-known examples where this type of transaction is suspected (Klopp, 2000).

"pocket". While commercial in form, the ultimate motivation for most of these transactions may rather be short-term political control.

The coexistence of different judicial principles stimulated corruption and embezzlement by intensifying the external incentives for land grabbing and by increasing the number of possibilities where the opportunities arose. Their contradictions may also have done something to the workings of intrinsic motivation, leading to some kind of anomie effects[43] For example, if a council of elders has to decide whether a piece of land should be given either to A or B, but tradition told that A should have the x-rights and B the y-rights, either decision would be wrong. Then it might as well be given to the one who paid the largest bribe. When considering one claim based on patrilineal rights and another claim on a preceding sales history, if not believing in either system of property rights, the judge may as well decide on the basis of bribe size. Since anomie both affect the intrinsic, fixed moral "costs" of a corrupt transaction of the perpetrators of corruption and the most important part of its monitoring apparatus through its effects on other members of the organisation, it is an important, but difficult-to-trace mechanism.

The focus in this section has been on a theoretical analysis of fairly "petty" corruption in land administration. In the following I will look more closely at land grabbing at the political level and present some empirical evidence.

9. Forms of corruption at the political level

So far we have focused on so called petty corruption, interactions between lower placed public officials, citizens and enterprises. However disorganized, a state has some ability to centralise decisions and resources. Each state has a single government army; the small amounts of taxes that are collected from single citizens and enterprises are aggregated into considerable sums even for the poorest state. Anything aggregate, may be manipulated to a considerable degree, even stolen from the centre. The agents who are in position to fight for the control of the centre or possessing that control are the politicians. By moving around the apex of

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[43] Glazier (1985: 229) cites an early report of pre-1910 council response: "the influence of the chief seems usually to have been dominant. The elders who were traditionally qualified to exercise judicial functions were driven into an attitude of apathy, of sulky acquiescence or even hostility."

the centralised system as a state is, they have key roles in how the public apparatus respond to citizens including the petty corruption of the lower ranks.

Moreover, their position at or around the supply centre of collective goods and collective action, the specific forms of their competition, give scope for forms of corrupt actions or transactions not available to other public officials. At the same time the form of political competition impacts the incentives and the restraints. In particular, to form a winnable coalition, bribes of either friends or foes or both may be necessary. The forms of competition will hinge upon how the constituency looks like: the whole population, mainly urban dwellers, mainly one tribe or all, mainly the rich or educated? The competition may either be peaceful or potentially violent, intra-palace or in open fields such as in democratic elections.

9.1   Political bribes under potentially violent tribal competition

In a number of African countries may the potential of violent opposition impact the incentives and effects of political bribing. Alas, the number of actual conflicts on the continent makes this sometimes a realistic situation. Although scarcely applying the term "corruption" Jean-Paul Azam (2001, 2006, 2008) has analysed it in several models. He focuses on two groups that have their organizational basis and legitimacy outside the state apparatus, but competing for its control.[44] He sometimes looks at the extreme case where one group is in temporary control and may employ the state apparatus (particularly its military part) to further its group interests. The other group – the "opposition" – may be wholly denied access to the state; or the controlling group may transfer a share of the public goods, public positions and public income to members of the opposition group. In many African countries, some form of collective instrument for gaining access to land is also frequently involved: a share of land is put in the pot, increasing the value of the prize gained or lost in the extra-state group competition. This is an institutional feature that may stimulate both corruption and armed fighting. After a

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[44] The following exposition represents an interpretation of his models. The key point here is that when the central management of the state is made to serve the aims of outside groups, high corruption levels (as seen from the perspective of the state) can be expected. Seen from the point of view of the competing groups themselves, the normative grid fixed by the state may appear arbitrary, and rules will be violated as part of the fight. Seen from the point of view of the state, many of these violations represent corruption. Relation-based corruption will be especially prominent. The likely effects of corruption on conflict probability would hinge upon how its components are related to the group struggle. Azam considers transfers mainly from the perspective of the competing extra-state groups, and so corruption disappears from view.

group has gained control, many of these transactions will be corrupt when regarded from the vantage point of view of the formal state.

Azam assumes that the opposition group has the potential capacity to organize a violent rebellion, whether or not it currently has actual control of some instruments of violence. Hence, the models assume the existence of at least two centrally directed organizations that may operate behind the back of the formal public institutions, sometimes using the latter as instrument. Such ethnic groups, "clans", "tribes", even "nationalities" are relation-based and may supply individual insurance, mutually supporting values, and so on, not only collective decision-making units that "produce" violence. Azam's models have mainly West African experience in mind, but such groups are quite prevalent in other African countries that are characterized by relation-based (family) production and insurance systems. They seem relevant to the post 2007-election outbursts of violence in Kenya

As just mentioned, Azam assumes that there exists a coalition of ethnic groups that controls the state. That group relates to another coalition of ethnic groups that might rebel, applying military force, like the governing coalition. The controlling coalition may spend the income from the state, T, on military force, D, on the potential rebels, G, or on itself, A (i.e. $T = D + G + A$).[45] The conflict between the controlling and potentially rebelling coalition is modelled as a lottery where the probability that the rebels will succeed and take control of the state is determined by the resources of force the rebels are able to muster, compared to the control coalition. The model addresses potential civil war situations. The force gathered by the rebels, F, must exceed a certain threshold before the probability of their winning can rise above zero. Unless there are some pre-existing groups with a certain geographical concentration, this threshold may be passed only with difficulty.[46]

Seen from the point of view of the ruling group – which owes its legitimacy to conditions outside the state – we could interpret G as a bribe to the rebel group to dissuade it from arm-

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[45] A is not made explicit, but without it the discussion would not make much sense. A may be interpreted variously, but a likely interpretation would be as a kind of rent that accrues to the leadership of the state-controlling coalition through its "ownership" of the state. It is reasonable to assume that a large share of A represents corruption.

[46] That is when passing the threshold of civil war-like situation. The start-up groups may be very small like Taylor's start-up group initiating the civil war in Liberia in 1989. They may have many different forms of glue and test out the possibility of passing the threshold by trial and error. I am not aware of any systematic study of such start-up groups, where both failures and successes are recorded. When reaching the data threshold for the civil war definitions they have already become successful.

ing. Depending on circumstances it might "bribe" the leadership or the followers in the potential rebel coalition, using the state as the obvious instrument of redistribution[47]. These bribes would tend to reduce the possibility of conflict. **G** corruption would reduce the rebels' incentive for seizing power since they have already received the part of the rent that would eventually accrue them as power-holders, and their own expected future net rents would be reduced since, if they won, they would expect to have to pay a similar amount to the opposition in order to maintain control.

If, on the other hand, the ruling coalition spends its net state rents on itself, the other form of corruption (**A**); that would clearly stimulate conflicts since (1) it would leave the controlling group with a smaller, less well-armed military force, thereby increasing the probability that rebels might win, which in turn would raise the probability of the outbreak of conflict, and (2) it would increase (or keep) the size of the catch that rebels might grab, and hence strengthen their incentives for rebelling. How the corrupt income is spent is crucial for its impact on conflicts.

However, there is a problem in interpreting **G** simply as a *flow* of corrupt income within this model, since it then may easily be adjusted upwards or downwards. This is problematic because the ruling coalition then cannot pre-commit to **G** and let it stay at that level whatever the level of force, **F**, chosen by the rebel coalition. That is, the ruling coalition cannot pre-commit **G** to the level necessary for the rebels to decide not to arm. And if it cannot pre-commit, that means that the government coalition has an incentive to spend all its income either on its own military forces, or grab the rent for its own use, depending on the **F** it observes. If it observes **F** = 0, the government coalition will keep so much of the rent itself that the rebels will arm in any case, so as to catch that large rent – and no peace-inducing, arms-saving corruption will emerge.

To apply redistribution as an instrument to prevent civil war, the government coalition has to pre-commit, making it unable to adjust the level of **G** to the observed level of the force-relevant expenditures controlled by opposition groups. This pre-commitment might be done in several ways – for example, by allocating public investment in ways that may favour the po-

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[47] While seen from the perspective of the ruling group, **G** represents bribes, from the point of view of the Weber grid some of the redistribution may not be bribes but legitimate expenditures like investment in schools, roads or health clinics in "rebel" areas, in addition to the regular bribes of the members of the opposition.

tential rebel coalition. When schools and health clinics are built in rebel-controlled areas they are there, and it is hard to refuse to pay the teachers and doctors. It takes time before roads in rebel areas become totally unusable. This was the form of pre-commitment Azam had in mind. The strategy had been applied successfully in Côte d'Ivoire by Houphouët-Boigny. While corruption is bound to evolve around the administration of schools and clinics in countries where corruption is common, most of this form of "bribing" the potential rebel coalition would not be deemed "corruption" under a Weber grid.

Another method of pre-commitment more closely tied to corruption in a Weberian sense is to allocate a certain number of rent-generating positions (or administrative units) in the government to members of the ethnic groups of the opposition coalition.[48] In this way, members of the opposition can collect their own bribes in the same way as members of the government. Here the redistribution of income is by implication.[49] It is the members of opposition groups holding positions in the state who actually collect the corrupt income.

In another, somewhat more complex model, Azam (2006, simplified in 2008) focuses on the relative income-generating versus fighting abilities of the two contesting groups, and models more explicitly the credibility of government income transfers. This credibility may now vary in degree, but it is still assumed to be exogenous. Azam applies the new set-up to explain why a government controlled by a relatively "rich" group may need to redistribute income to the "poor" in order to keep the peace. If redistribution becomes less credible, the government will have to transfer more; however, if credibility falls below a certain level, the only remaining device to keep the peace or win the fight is the accumulation of force. If, by contrast, the poorer group controls the government, it is likely not to redistribute to the potential rebels, but to rely on military force. Hence, redistribution including corruption is an issue mainly when the richer coalition is in power. Since this redistribution will have a large share of corrupt components, ruling coalitions from richer areas may tend to be more corrupt (and perhaps also win democratic contests when transfer in corrupt items increases their chances of winning),

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[48] According to widespread rumours in Kenya around 2000 Kikuyus were allowed to keep all the rents they could catch in the Nairobi Town Council during the Kalenjin rule of former president Daniel Arap Moi. This and other power-sharing devices may partly explain the absence of any serious violent rebel organizations during his rule, except for the coup attempt of 1982. The present grand coalition after the violent outbursts in the winter 2008 suggests extensive bribe-sharing arrangements (Mars Group.

[49] If the positions were not secure, or control of the units could easily be revoked, such licenses to bribe could, of course, not be applied in any pre-commitment strategy. It is easier to dish out positions as part of a pre-commitment strategy when the potential rebel groups are tied to geographical areas.

whereas ruling coalitions from poorer areas will tend towards military forms of ruling with less corruption and more use of force.

As in the preceding model, corruption may increase or reduce the probability of conflict, depending on whether the corrupt income is collected by officials from the poor or by the government coalition, assuming that the rulers are from the rich area. On the other hand, the model suggests another mechanism that points to conflict-enhancing effects of corruption. While an exogenous parameter in the model, the level of credibility is likely to be influenced by the rates of corruption (according to the Weber grid). Whatever level of redistribution from the power-holding group the two coalitions have agreed upon, it is meant to be implemented through the state apparatus. If that is permeated by corruption, the credibility of any commitment will be low. Hence, when the power is held by the richer group, a high level of corruption will go together with a high likelihood of civil war.

Part of the motivation for Azam's models is to understand the situation when contesting ethnic groups are fighting for state power while also possessing their own decision mechanisms for redistribution, production and allocation of publicly delivered goods and services, such as security, working outside the state apparatus. While this is not modelled explicitly, in order to understand whether the government coalition will choose to grant licenses to bribe or actually deliver goods and services to rebel group members, it may be important to distinguish between the leadership and the ordinary members of the coalition.

If the key problem is to prevent the leadership of the rebel coalition from opting for conflict, the licence to bribe is likely to be preferred, since that will be to their immediate advantage. Schools and health clinics, however, will be more to the advantage of the rank and file, and will act to prevent them from joining a rebellion. It may also weaken the rebel leaders' hold on the group through patronage, since they receive less in bribes to redistribute.

That would also happen with the licenses to bribe extraction, if corruption has become a cause for policy dissatisfaction. When the leaders indulge in corruption, this may weaken the motivation of the rank and file to join them in a rebellion. In this case, the rulers might bribe the rebel leaders in order to prevent their rank and file from joining. If, on the other hand, the rebel followers are less concerned about their leaders' corruption, this could backfire: earning corrupt income gives the leaders scope for their own redistribution to followers, which may

boost their power and popularity. However, if it is the poorer group that gains power, it will be less able to redistribute rents to the out-of power group and will have to rely more on force to stay in position. The last model is clearly inspired by the 2002–03 rebellion in the Ivory Coast and the post-World War II history of Nigeria. Alternating between rulers from richer areas with some democratic credentials but characterized by extreme corruption, and military rulers based on support in poorer area almost seems to have been the rule. Aspects of Kenya's history may also fit this pattern as pointed out by Azam (2008).

Azam's articles are mainly theoretical. Particularly interesting, in my view, are his ideas about how the conflict *potential* of an economy could have important effects on whether or not open conflict may emerge. Among the mechanisms working during peace but likely to be influenced by the shadows of war are the various forms of corruption. If the level of corruption is high in a period prior to a civil war, this may be because it is an active cause – or, conversely, it may be conflict-reducing, but not sufficiently so. If it is low, this could be because the fear of conflict may induce the ruling coalition to collect less of its state control rents for private consumption, but to spend these rents on weapons, schools or health clinics instead.

A more direct way for the government group would be to bribe potential violent opposition groups directly for not opposing the regime, but to serve it. A variation of this strategy can be discerned in the handling of the famous "Bakassi boys" from South-Eastern Nigeria. In an interesting article based on extensive and obviously dangerous field work, Meagher (2007) describes how this group of young men, originally shoe producers, arose because the authorities were unable of containing violent crime in their area. The police were too corrupt and inefficient to contain the violent and frequent crime that developed making life unbearable. The Bakassi boys then arose as a violent vigilance group, ruthless, but honest and outside the control of the authorities - partly because it grew extremely popular. It developed into a violent, uncontrollable and therefore potential political opposition group with violence making capabilities. The group was in the end hijacked into the service of established politicians. Key leaders were jailed or fraudulently discredited. Then some were bribed, became political clients, and the remaining parts of the organization were added to the regular police and behaved in similar manners. Needless to add their popularity evaporated.

9.2   Traces of colonialism: The large scale land grabbing in Kenya

As mentioned in the introduction, the obvious change-minimising transition from colonial to independent rule was to supplant the governor with a president. That was what happened in many countries after a while. This implied that at least the formal decision-making power was exceptionally centralised in the majority of African states, including Kenya. More specifically, it was inherent in colonial expansion, particularly when so rapid as the ones that took place in East Africa, that land allocation rights were centralised in the governor. This was again transferred to the president.[50]

Decision –making on land allocation was of course not the only decision- making resources that was centralised in the presidency which frequently could give rise to elaborate schemes of embezzlement and other forms of political corruption. Here I will focus on centralized land grabbing, however, since it illustrates fairly clearly a distinctly African turn on otherwise fairly general forms of resource-demanding political competition. Aspects of the customary land ownership systems in African countries had also a role to play, together with the fact that a larger share of the population remains rural there than elsewhere. The political forms of embezzlement, extortion and stealing of land deserves separate analysis. In Kenya it has been extensive.

The land in Kenya is classified into three or four types types: *trust lands* (80%, mostly arid land) that in principle are allocated to some form of local groups that should distribute and redistribute land according to ruling local customs, *alienated public land*, (land already allocated to some public purpose), *non-alienated public land* and *private land*. In the final analysis all land is government land, however. The president may in principle hand over non-alienated public land, reclassify trust land to alienated public land, and reclassify alienated to non-alienated public land. In practice, trust land is held by county councils on behalf of the local groups and most of the grabbing of rural land has had those as focus.

Unlike many African countries, land scarcity ruled in Kenya already when it became independent in 1963. The scarcity was partly induced by European settlers that had chased large

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[50] In surprising detail the institutional solutions were kept after independence. Regarding allocation of urban land, the colonial government had initially applied a auction system, which still is formally the preferred system, but it had gone totally out of use during World War II and had in practice been supplanted by a system of direct grants by local plot allocation committees. The granting of land was supposed to satisfy a number of public use criteria that was partly followed in colonial times, but not any longer (Ndungu Report (2004: 7). The report suggests that the latter method was chosen since it made it easier to redistribute land politically.

number of Kenyans away from their land. That process gave in the end rise to the Mau-Mau rising in the 1950s. Unlike other freedom struggles the outcome in terms of land for the fighters involved came almost to nothing. The result has become an extremely unequal distribution of land and a number of still simmering ethnic conflicts with focus on land distribution. It has been reinforced by the later, spectacular land grabbing processes. The violent outburst in 2008 has made the outside world more aware of them.

In the beginning land grabbing was centralised, political and dominated by a few and large decisions made by the president. The most important ones were focused on agriculture. Unlike the former British governor, Kenyatta, as an African, had his constituency in Kenya. In the end it proved to be narrow, consisting mainly of his family and already well-off Kikuyus. Altogether the Kenyatta family got control of about 500 000 hectares of land (Kinyanjui, 2007: 73). In the early Moi period, the land grabbing was again dominated by a few, but large decisions. Not that many agents and transactions seem to have been involved. That was to change.

According to Ndungu (2006: 5) while 200 000 illegal titles to land were created between 1962 and 2002, 98% of those were created between 1986 and 2002. This does not imply that land grabbing before 1986 was unimportant. It was in this period that the Moi and Kenyatta families acquired their vast land holdings, reinforcing the skewed land distribution initiated by the colonial rule. While the higher number of the later instances of land grabbing signals that the grabbing process had become more decentralised, a large fraction of it was still located at the office of the president and its timing was clearly related to political processes.

Substantiating Klopp (2000) Ndungu confirms (Ndungu, 2006: 4) that the incidence of land grabbing started to rise when foreign aid froze in the early 1980s. Land grabbing had grown as a substitute for regular patronage, land instead of money was distributed in order to gain political support. The combination of economic stagnation of the early 1980s (Mwega and Ndung'u, 2008: 328) and the dismantling of a number of price controls (ibid.: 343) may have reduced the scope for other forms of patronage. Land grabbing was also less monitored by foreign donors. The World Bank may also have been less worried about this corruption process from an ideological point of view. Many occurrences could be considered as stealthy forms of privatisation

The number peaked around election time, another indication of its political patronage character. Moreover, Ndungu could document that all major politicians, including Raila Ondinga, Moi's long time enemy, had been involved in the land grabbing (Ndungu report, 2004: 89). The methods of land grabbing have varied as have their degree of illegality, size, complexity and economic value. Naturally, the easiest objects have already been allocated, so the complexity has increased.

How is land grabbing related to corruption? It is not obvious that the grabbing of land by itself is corruption, although a successful operation of some size will normally demand the bribing of officials in several public organisations. In most cases, however, the end of the operation is that some public or trust lands become private. This may be regarded in two ways. Public land may be considered as belonging to the government. In that case, land grabbing may be considered as an embezzlement process where at least that part of the value of the land that is not fed into the public budget, has been embezzled. Another way to look at it - the one the Ndungu commission seems to ascribe – is to consider the public land as owned by the public. Then this transfer of land into private hands should be looked at as a kind of theft, but a form of theft that is tied to the thieves' positions in the public apparatus. In principle this is the same case as a policeman who is in a position to steal from a prisoner.

Particularly in the case regarding trust lands land was also grabbed by extortion – and policemen often have been guarding the land grabbing incidences receiving some small share. In most cases the end situation is again a transfer of land into private ownership. In a few cases, however, private ownership has only been an intermediate step where the land then has been transferred into the possession of public organisations at above market prices. Here public funds only have been embezzled.

An interesting aspect of the history of the land grabbing process in Kenya was the increasing number of officials and agencies that have become involved from the 1980s on. While certainly centrally inspired, it is likely also to reflect a looser, somewhat less authoritarian style of government, a loss of discipline. We have seen this described for Malawi in Anders (2005) where the more "democratic" style of internal governance (compared to thestricter Banda rule went together with increasing employment of (particularly lower ranking) public officials. When discipline was loosened, patronage was broadened. Even if lowly paid, to have a posi-

tion in government improved your chances to eke out a living – why not supply poor members of your family with that possibility, when possible?

As long as it was economically possible a dramatic increase in public employment took place in a number of African countries. In countries like Ghana and Nigeria the yearly rate of growth in the number of public officials in 1975 - 1983 was 15% (Oluwu, 1993: 232). Decentralised land grabbing started later and lasted longer where it was extensive since it was not restrained by the public budgets and foreign donors as the increase in public employees through patronage.

The economic values involved in the land grabbing process in Kenya implies that it is probably the largest, sustained corrupt political corruption process ever taking place in the country. Looking only at a handful of fairly recent illegal excisions of forests where the values have been estimated to 18.4 billion Ksh (about 260 million US$ or more)by Kenya Land Alliance and Kenya National Commission on Human Rights (2006: 1). The basis of information for their estimates is in the Ndungu report. And this is only a few of more than 200 000 cases. So far, I'm not aware of any attempt to estimate the total value and economic effects of the land grabbing patronage, however. Among the fairly obvious effects should be mentioned:

- Increased depletion of forest land that is exceptionally important ecologically and for the local climate in Kenya.
- Increased inequality of land ownership with its contribution to the number of the absolute poor. High tribal antagonisms that have caused costly violent conflicts such as the one in early 2008.
- Reducing the security of land ownership, particularly for the poor.
- Worsening of the state of slums in the cities.
- Worsening traffic solutions in the cities and elsewhere.

– Looking back at our statistics on petty corruption: How will this large political corruption process be reflected in the citizen's reported bribe experiences? Few of the land grabbing transactions are likely to be recorded when respondents are asked about their experiences: some bribing of courts a police and local administration. The overall structuring process with its focus on the president's office is likely to remain unrecorded.

A smaller process of land grabbing has also been analysed for Zambia (Brown, 2005). There it was the speeding up the market-based reform of 1995 that increased the incidence of land grabbing. The reform intended, inter alia, to make it easier to convert customary to private land. One way to do it is to claim some public purpose for buying customary land and making it private. The increase in value of the land, if privatised, made for strong incentives for the conversion. Frauds and land grabbing became more common. The local chiefs were more central than in Kenya and were frequently bribed in order to accept the conversion.

9.3   Some other sources of corrupt income at the political level. International aspects

Most of the sources of corrupt income for politicians are the same in African countries as elsewhere and well described in Moody Stuart (1996): illegal commissions on large public procurement contracts, consultancies to act as middlemen. He further the sizes of procurement contracts and consultancies the different political levels kick in. His description is partly based on insider experience from African countries.

In several exceptionally large cases the central bank has been involved: The so-called Goldenberg scandal in Kenya from the early 1990s where it has been estimated that the Kenyan state was embezzled for an amount between 600 – 1000 million US$ (Warutere, 2005), the central Bank of Kenya was heavily involved.. Here an export support scheme organised through the bank so that one private firm (Goldenberg) could tap it almost unhindered. The profits were then fed back into the political leadership and to a large extent spent on nfluenceing the 1992 elections. Presumably, both the political and private agents involved transferred something into their private coffers, too. The transaction could alternatively be classified as a bribing scheme initiated by private actors or as an embezzlement scheme where private agents got some commission to do their part.

The scheme was based on foreign exchange restrictions not at work now. The rationing of foreign exchange made central banks once important nexuses for corrupt transactions and distribution of patronage in many African countries until the early 1990s. By itself the dismantling of key foreign exchange restrictions was a strong reason to expect corruption to decrease in this period. A number of subjective judgments made by experienced observers suggest that the opposite was happening. Other forces were probably stronger. In Kenya we recently got the large so called Anglo-Leasing scandal. This was a case where the officials in-

volved – mainly politicians – were not satisfied with a commission from the winner of the procurement competition. They wanted the whole value of the contract. Roughly that was done by inventing a company that was supposed to do the task and locate it abroad in a country where financial secrets were well protected (Mars Group, 2007), - a real-life emperor's – new- clothes- story. Presumably this was easier to implement in a more liberal financial system. In Mozambique the privatisation and liberalisation of several banks opened up for a widespread of position determined thefts from members of the political elite. (Hanlon, 2004).

10.   Conclusions

The key to understand corruption, as I see it, is to understand the character of modern, Weberian states, or private enterprise bureaucracies for that matter. The Weber state is in many ways a peculiar construction that relies on sharp barriers between its bureaucratic and political transactions on the one hand, and family- friendship and market transactions on the other. Its incentive structure is also peculiar in the sense that its officials need some notion of public service, some shared aim that motivate them to supply public goods and services.

I share Medard's (2002) view that when looking for mechanisms that may explain why corruption levels stay high, maybe higher, and with stronger negative economic effects in most African countries than elsewhere, we have too look at reasons why it has proved harder to develop a Weber state there than elsewhere.

One prominent reason is the colonial legacy. When transferred to independence, it made state policies harsh and power formally centralised. This contributed to a situation where governments were hold in low esteem in most African countries. Within this shared colonial background interesting variations may have been at work. Treisman (2000) has some econometric results that may suggest that British colonial heritage may yield lower corruption propensities. Acemoglu et al (2001) indicate that a large settler population may have been advantageous.

A second set of mechanisms that may have been at work in most African countries, but somewhat less elsewhere is the extensive power of kin-based organizations and ideology. They intrude more strongly and directly both in the operations of the bureaucracies and polities. Family ideology also contributes to the low legitimacy of public organization held by officials and citizens alike. This makes the mutual, decentralised monitoring among public

officials weak. In practice it is this form of monitoring that is likely to be the most efficient instrument in preventing corruption proper. If not directed strongly from a centre, it appears that in this situation where officials have most of their loyalty outside, centrifugal forces tend to operate. When some African states became somewhat less authoritarian, corruption tended to have increased. This seems to have been the case at least since the 1990s in Kenya, Malawi as well as in Zambia and the Ivory Coast.

The presence of family norms does not imply that the population overall has not accepted at all the Weber state ideologically. When asked questions about various forms of nepotism, the large majority of the respondents in all the African countries that participated in the Afrobarometer survey (round 3), considered the nepotism option clearly as morally wrong (Armah-Attoh et al., 2007: 3). Nor does the absence of Weber state and the presence of a version of family ideology, precludes condemnation of many corrupt acts. African peoples as people elsewhere have responded strongly against obvious misuse of political power for private advantage.[51]

Nevertheless family-inspired ideology seems to influence the incentives for acquiring income corruptly. That said and as noted by Anders (2005), more often than not may bribes may be spent in wholly selfish ways. This has probably been the case way back, but there appears to be a tendency today that bribe (as well as legitimate) incomes are less frequently and extensively shared now than some years back. Both the increase in corruption as well as the tendency to not share may be due to an anomie-like situation. When the family loyalty and state ideology both operate, the official may solve the dilemma by catching the bribe and go to the bar.

Smith (2007: 138 -139) describes an event that indicates that corruption may be sometimes be accepted, if shared. If not, social explosions may erupt. He tells a story from Nigeria in 1996. Rumours of child kidnappings had been circulating in Owerri, the Imo state in Nigeria for long. On local TV the freshly severed head of the child was displayed. The population believed it was done by members of the local elite, the fast-growing rich, who had not shared

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[51] Smith (1964) analyses the development of governmental structures in the Hausa states since the 14th century and find a number of instances where the population respond negatively when embezzlement and bribe levels are increasing.

any of their corruptly acquired income. They burned down the local hotel, a meeting place for the rich, and all the cars outside. Corruption is wrong, but if it happens, it should be shared.

The Botswana low corruption case suggests that these kin-related mechanisms may not work the same way everywhere; that the *patterns* of colonial history, pre-colonial political systems, present access to resources and recent economic policies may interact in ways that give large scope for variation between the different African countries' corruption experiences.

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