

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

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I. Introduction

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

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

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

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

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

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

This paper does not have the ambition to tackle this complex bundle of questions related to corruption all at once and to provide definite answers. Its main aim is to conduct research regarding the link between the overall perception of the level of corruption and that of the quality of the ruling regime. It chooses to analyse a particular subset of regimes – the *neo-democracies* from Latin America (LA) and Central and Eastern Europe (CEE). This kind of choice is motivated not only by the fact that the two groups of countries persistently show relatively high rates of corruption and, respectively, high levels of intolerance towards this kind of nefarious practices (Transparency International 2001-2005, Diamond 1999), but also because the majority of governments in both regions have embarked upon the road to consolidating liberal democracy and market economy, and those elites have had comparably similar goals and achievements in this respect in the last few decades.

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

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

drawn regarding the future of democracy and the fight against corruption both regionally (in LA and CEE) and globally.

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

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

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

Most importantly, one should remember that the QoD can both be conceptualised as a *discreet* phenomenon, measurable at one point of time, and as a *continuous* development both temporally and notionally, depending on the degree of the political system democraticness and the range of qualities that the ruling regime enshrines. For instance, Arend Lijphart has argued that the QoD “refers to the degree to which a system meets such democratic norms as representativeness, accountability, equality and participation.” (1993: 149) Such definition of the QoD is to a certain extent reminiscent of an operationalisation of the various qualitative targets that a democratic political regime should meet, in order for it to be considered of a higher quality. However, the choice of ‘democratic norms’, such as representativeness, accountability, equality and participation, is a little bit vicarious, although not completely unjustified by the democratic theory,⁵ whilst the relationship between this

³ The recent preoccupation of *transitologists* and *consolidologists* has not so much been the stability of electoral democracy, but its deepening in terms of different essential and multifunctional qualities of the political regime. (Linz and Stepan 1996 a & b, Lijphart 1999, Schmitter and Guilhot 2000)

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

⁵ I am grateful to Philippe Schmitter for this observation, who made it in relation to a previous publication of mine (Andreev 2005).

set of principles of ‘better democracy’ has not been made entirely clear by the author.⁶ Finally, it is useful to mention that any definition of the QoD should not only refer to a given set of characteristics of the political system itself (i.e. about *liberal democracy*), but also about the notion of “quality”. In a recent overview of the significance of this concept in relation to the QoD, Leonardo Morlino (2003b) has pointed out that the term *quality* can lay stress on (a) the procedure as to how the political policy is organised, (b) the content of the regime’s structure and policies, and (c) the result of the government’s activity. Hence, it could be concluded that the notion of “quality” itself contributes substantially to the *multidimensionality* and diverse understanding of the concept of the QoD.

In terms of operationalisation, following the previous reflections, it is easy to conclude that the quality of democracy is almost never a static phenomenon, but a *moving set of targets*, which affects the different political regimes differently. However, in a recent publication (Andreev 2005), the author has hypothesised that, in order to be true to the meaning and significance of the QoD as a concept, one should first be certain that the regime in question is a *liberal democracy* indeed, and not some other kind of incomplete democracy or a mixed political regime.⁷ Secondly, it is presumed that it is appropriate to speak of the qualities of democracy (and even of *democracies*), rather than, merely, the quality of democracy. This is explained by the fact, that, while transiting to democracy, political regimes do not transform all at once, but certain set of institutions and sub-regimes of the political system consolidate first and then others would follow. Subsequently, during their lives as stable democracies, the political regimes might get de-consolidated either partially or fully. In sum, the qualities of democracy differ, sometimes substantially, from case to case. Moreover, these qualities are never concentrated at the same place within the political system, but are discernible at difference *sites* and in different *configurations*.⁸

A number of scholars, coming from different social science disciplines, have proposed a range of approaches towards describing selected qualities of the system of government. The predominant number of studies conceives of the QoD as the **quality of the political regime (QoR)** (Gasiorowski and Power, 1998; Rose and Chull Shin, 1998; Schmitter and Guilhot, 2000; Altman and Pérez-Liñán, 2001; Morlino, 1998 and 2003). Guillermo O’Donnell cautions, however, that, “Democracy should not only be analysed at the level of the regime. In addition, it must be studied in relation to the state – especially the state *qua* legal system – and in relation to certain aspects of the overall social context” (O’Donnell, 2000: 4). Juan Linz and Alfred Stepan, moreover, explain that, “Policy decisions by democratic governments and legislators certainly affect the **quality of life**, particularly in the long run, but ... the overall **quality of society** is only a small part of a functioning of democracy. ... There are problems specific to the functioning of **the state**, and particularly to democratic institutions and political processes, that allow us to speak of the quality of democracy

⁶ For similar attempt to operationalise the principles upon which a ‘good quality democracy’ should rest, see (Morlino 2003a). In a publication regarding the political regime in Italy, the author selects the “rule of law,” “accountability,” “responsiveness,” “freedom,” and “equality” as equally important principles.

⁷ For the exact procedure of how to accomplish this one may either turn to the same publication (i.e. Andreev 2005). For more extensive explanations and illustration one should refer to (Andreev 2003).

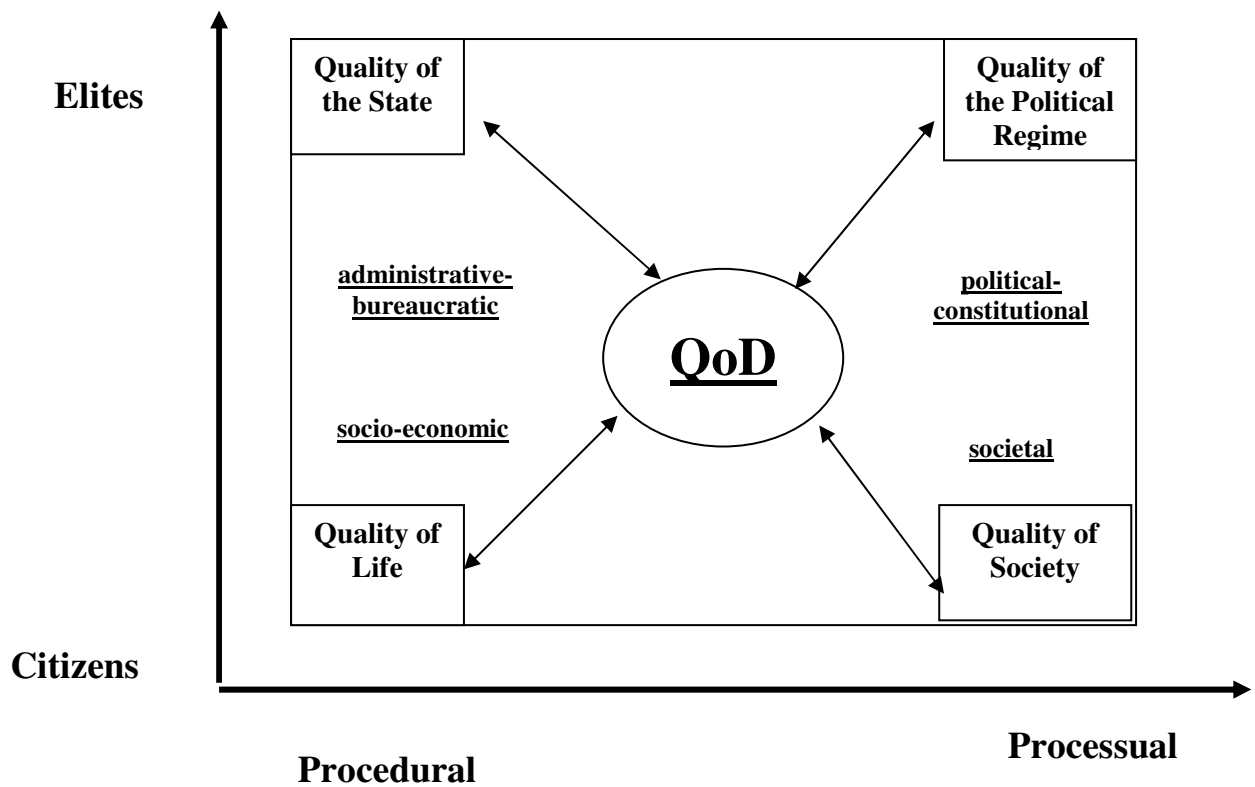
⁸ Here I share the perception of Nikolas Luhmann and Philippe Schmitter about the structure of the political (and social) systems as combinations of *subsystems* (see Luhmann 1986 and 1995) or *partial regimes* (see Schmitter 1992 and 1996, Schmitter and Guilhot, 2000).

separately from the quality of society” (Linz and Stepan, 1996b) Alongside, the expanding academic literature on the QoD, as well as on the quality of the state (QoS) and society (QoSOC), there is also an even faster growing research, particularly in classical economics and in economic sociology and anthropology, on the **quality of life (QoL)** (Sirowy and Inkeles, 1990; Morris, 1991; Emizet, 2000).

This series of scholarly investigations and academic sources, bearing direct relevance to the QoD as a system of governance, could tentatively be unified and graphically presented as in the following scheme:

Diagram 1

The Quality of Democracy and Its Various Dimensions



(Source: Andreev 2005: p.8)

As regards the measurement of the QoD, this has been a challenging task for most political scientists. Although the research on this topic has rapidly taken off in the recent years, still much work lies ahead. A great number of scholars have preferred to concentrate on the *performance* of the government, civil society and political institutions within a democracy (Foweraker and Landman 2002; Foweraker and Krznaric 2003). As typical indicators of democratic performance have been selected (a) the regime’s endurance and longevity, (b) the government efficacy and (c) the delivery of liberal democratic values (Foweraker and Krznaric 1999). Furthermore, when trying to conduct such evaluation of the QoD, it is important to differentiate between *intrinsic* and *extrinsic* qualities of the political regime (Ibid, Andreev 2005). The *intrinsic* qualities might be linked to the observance of the procedural principles

of democracy and to the congruence with the constitutional type of the political system. The *extrinsic* qualities should account for the international security and regional integration position of a given polity, for example. It should be noted, however, that it is very difficult to analyse the regime separately from the state, civil society or the international environment. That is why the selection of *intrinsic* as opposed to *extrinsic* qualities of the political regime is always arbitrary to some extent.

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

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

TABLE 1

Common Measures of the QoD

Author	Indicators
Lijphart (1999)	<ul style="list-style-type: none"> - Women’s parliamentary representation - Women’s cabinet representation - Family policy - Rich-poor ratio - Voter turnout - Satisfaction with democracy - Government distance - Voter distance - Corruption index - Popular cabinet support
Valenzuela (1992) and O’Donnell (1994)	<ul style="list-style-type: none"> - Absence of “reserved domains” - “Horizontal accountability”
Huntington (1991) and Przeworski, <i>et al.</i> (1996)	<ul style="list-style-type: none"> - GDP per capita (and PPP)

	- Political stability and regime's survival rate
Gasiorowski and Power (1998)	- Democracy persistence (and consolidation)

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

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

Corruption has been a notoriously difficult concept to pin down, not only because of its multiple characteristics and possible manifestations, but because of its dynamism as a social and political phenomenon. One of the most popular definitions of corruption is the one frequently used by the World Bank authorities, which is “the use of public office for private gain.” However, as has been pointed in numerous publications and by many specialists, this notion is not enough to grasp the scope and depth of the problem. Corruption can take many *forms*: bribery, embezzlement, fraud, extortion or, simply, transfer of influence and patronage to do or return favours. The *mechanism* of performing corrupt activities can either be vertical, i.e. “upward extraction” or “downward redistribution” (Amundsen 2000), or horizontal, i.e. “transfer of influence and money.” Corruption could also be a *limited* (one-time) activity or a *continuous* process. It can be *petty* or *grand*, *organized* or *unorganised*. Corrupt activities could be carried out by *individuals* and *groups*, as well as by *institutions*. Conversely, corruption could target either individuals or groups of individuals, or both at the same time. Acts of corruption could arise in both political and bureaucratic offices. Hence, one could refer to *political* and *other kinds of* corruption.

To make a strict and narrow definition of corruption that restrict corruption to particular agents, sectors or transactions is deviously hard and can, ultimately, be problematic. What could one do, however, is try to operationalise the concept of corruption for the purpose one's research and cases analysed. In the present paper, I primarily try to focus on *systemic corruption* carried out by public officials in both Latin American and Central and Eastern Europe. One useful definition, which I found on the website of the Parliamentary Monitoring Group in South Africa is "***any conduct or behaviour in relation to persons entrusted with responsibilities in public office which violates their duties as public officials and which is aimed at obtaining undue gratification of any kind for themselves or for others***" (PMG 2003). This could be regarded as a parsimonious working definition of corruption, which can be used further on in this paper.

In order to be able to link such ample and elusive concepts as the QoD and corruption, one should identify the notions' *focus* and should be able to *operationalise* them. As regards the QoD, as already submitted in the previous two sections, the focal point of this concept is the newly democratised *political regimes* in LA and CEE. Consequently, the QoD is primarily operationalised as the quality of the regime

(QoR). Concerning the notion of corruption, its research focus is on the manifestations of *systemic (or political) corruption* in both regions. What is left to be done is to try to operationalise this latter concept.

One possible way of operationalising systemic corruption is by describing (1) the conditions favourable to the rise of corruption, and (2) the end results of corrupt activities. In terms of structural and other conditions leading to corruption of the political system, one could point out at:

- Concentration of decision-making power: non-democratic regimes
- Lack of government transparency in decision-making
- Large amounts of public capital involved in a project
- Self-interested closed cliques and "old-boy" networks
- Weak rule of law
- Poorly-paid government officials
- An apathetic and uninterested, or gullible and easily led *demos* that does not scrutinise the political process sufficiently

At the same time, systemic corruption could lead to:

- Cronyism
- Lobbying
- Bribery
- Nepotism
- Rent seeking⁹

One practitioner, having worked in Tanzania, describes political corruption as ***Monopoly + Discretion – Accountability - Transparency*** in running the affairs of government and state power in the management of the resources of a country (Hoseah 2002:1). This summarises in plain terms the above two sets of operational factors related to the process of systemic corruption. In addition, it should be pointed out, that corruption at the level of the political regime could be manifested both *during* and *between* elections. At the first instance, the evidence of corruption can, for instance, alienate citizens from the electoral process, while, during the second period, they might continue to be voiceless in matters that concern the period spanning two consecutive elections (Ibid: 2). Overall, during elections, corruption reduces the opportunities for representation of ordinary citizens and blurs the responsibility of rulers to be accountable to the population equally, while, in-between elections,

⁹ The above lists related to the conditions leading to and the outcomes of corruption are by far not exhaustive. However, they are indicative of the possible factors that could be used to operationalise systemic corruption. More definitions and examples of corruption are available at <http://www.wordiq.com/definition/Corruption>.

corruption erodes the institutional capacity of government as procedures are disregarded, resources are siphoned off, and officials are hired or promoted without regard to performance – and this rapidly reduces the trust in government. (Rose-Ackerman 1978 and 1999, Torsten, Tabellini and Trebbi 2001)

Coming back to the key principles characterising the emergence of different types of corruption and the methods of combating this negative practice, one can hardly escape the notion of *good governance*. This concept can both help, but, also, make more difficult, the operationalisation of both systemic corruption and the QoD. For instance, it is virtually impossible to come with a single and authoritative definition of what does good governance mean – i.e. as something different from ‘bad governance’ and opposed, for that matter, to bad and corrupt government. Most scholars, including the representatives of major donor and financial institutions, like the IMF, the World Bank and the UNDP, agree that good governance has something to do with accountability, transparency, the rule of law, responsiveness, and, even, with participation and efficiency. (Clayton 1994, Goetz and Philip 2000, Pharr and Putnam 2000, IMF 1997, UNDP 2005, World Bank Group 2005) Nevertheless, most of the time not all good things go together, especially in times of intense social transformation and political regime transition as in post-autocratic LA and CEE (Schmitter 1994, Offe 1996). Consequently, both the definition and operationalisation of good governance still leaves much to be desired, that is why, this concept will sparsely be used in this paper.

Few political scholars have tried to explicitly link the instances of corruption with the declining quality of the political regime. Even fewer have attempted to analyse and measure this phenomenon comparatively, e.g. across several polities and regions, as well as across time.¹⁰ The bulk of research in this respect has been done by practitioners from the international institutions, who had to come up with both indicators and working hypotheses about the effects of corruption on the governing system (Tanzi 1998, Hellman *et al.* 2000, Abed and Gupta 2003, World Bank Group 2005, UNDP 2005) A non-negligible amount of data on corruption and democracy has been gathered by two particular NGOs with a global focus: Freedom House (www.freedomhouse.org) and Transparency International (www.transparency.org). Although the methodology used and the quality of the data of both organisations could be criticised a lot, most political scientists have turned to and used these two sets of data at some point of time, in order to conduct research on corruption, democratisation and related topics. The composite index of World Audit (www.worldaudit.org), features the countries’ ranking in democracy (political rights and civil liberties), press freedom and corruption. The results of the first two indexes are replicated Freedom House countries’ ranking, a polity’s status regarding corruption is supplied by the Transparency International (the so-called CRIndex).

In Appendix I, the countries from CEE and LA are ranked according to their place in the World Audit classification for the periods 2003-04 and 2004-05. With the following presentation it is aimed to draw some preliminary conclusions regarding the advancements made by both CEE and LA countries with respect to the QoD and the fight against corruption. The index of press freedom is considered a valuable addition to the political democracy and CRI indexes, as the content of the news and process of

¹⁰ For exceptions see Lijphart 1999, Treisman 2000, and Monitola and Jackman 2002.

distribution of information material are thought to be of great relevance to promoting better quality and corruption-free democratic regimes across the world.¹¹

In Table 1, forty CEE and LA countries are ranked according to their overall scores with respect to their level of democracy (political rights and civil liberties), press freedom and perception about corruption. These countries are gathered together in six groups, which present, in turn, the relative progress achieved by each polity in relation to the above three factors of systemic governance. The period covered is the most recent one registered by World Audit, i.e. during 2004-05.

Table 1

Country Democracy and Corruption Ranking for 2004-05

Country	Democracy Rank	Press Freedom Rank	Corruption Rank
Group 1			
Chile	18	19	17
Estonia	20	23	28
Slovenia	21	15	28
Uruguay	22	21	25
Costa Rica	23	27	35
Hungary	24	29	36
Group 2			
Slovakia	25	30	49
Czech Republic	25	31	43
Poland	27	27	58
Latvia	31	23	49
Bulgaria	35	35	46
Panama	36	36	53
Lithuania	44	25	38
Group 3			
Brazil	50	51	51
Peru	51	47	58
Mexico	53	51	55
El Salvador	53	62	43

¹¹ It remains however doubtful, whether the FH and TI indexes featuring in the World Audit are the best representation for the operationalisations of the QoD and systemic corruption, as developed in the previous and current sections of this paper.

Croatia	55	54	58
Argentina	59	50	97
Nicaragua	59	54	86
Dominican Republic	59	58	76
Serbia & Montenegro	63	60	86
Bolivia	65	54	110
Romania	66	66	76
Ecuador	66	62	100
Albania	70	67	99
Macedonia	71	69	86
Honduras	72	68	102
Paraguay	73	71	128
Group 4			
Bosnia and Herzegovina	101	76	72
Colombia	107	91	52
Armenia	110	99	72
Georgia	111	81	121
Russia	119	109	79
Guatemala	121	89	110
Moldova	121	91	102
Venezuela	126	113	102
Ukraine	129	113	102
Group 5			
Belarus	137	141	66
Cuba	143	149	53

Generally speaking, Groups 1 and 2 include consolidated liberal democracies from CEE and Latin America. The number of such countries from both regions is virtually equal, and it features medium and small political units in terms of population. Group 3 is the largest one (16 countries), and it consists of newly established liberal democracies and regimes in transition. In this group, one would encounter the most populous and dynamic societies of LA, such as Argentina, Brazil and Mexico. Groups 4 and 5 comprise fledgling political regimes, which aspire to become democracies, or purely autocratic regimes, like Belarus and Cuba.

What is interesting about the information provided by Table 1 and Appendix I is that there seems to be a high correlation between the democracy and corruption rank of countries. It is not surprising, however, that the democracy and press freedom indexes

are correlated even tighter together, as they are produced by the same organisation, the FH, and there are, in principle, good reasons to believe that democratisation promotes press freedom and *vice versa*. What could also be said about both the CEE and LA countries is that, in the majority of cases, these polities appear to score slightly better in terms of their quality of democracy than with respect to their efforts to tackle corruption. This is generally true for all groups of countries, except for group 5 and, to a certain extent, group 4, where autocratic regimes seem to either check upon corrupt practices more successfully, or debates about corruption are virtually not held domestically and/or such information is not available internationally.

The general picture that emerges from this empirically-based study is that both the post-communist CEE countries and their Latin American counterparts (some of which have started their democratisation several decades earlier) evince similar traits and tendencies with respect to the quality of democracy and the perceptions about corruption. Although press freedom is highly correlated with democratisation, there seems to be a **time lag** between the achievements made in terms of better quality democracy and the perception about corruption. What could additionally be said is that both democratisation and the fight against corruption are highly dynamic processes. More longitudinal surveys, conducted both nationally and internationally, are needed to be carried out, in order to provide more categorical answers regarding the emergence of a **causal link** between the QoD and corruption in a transitional setting.

In the next section, I am going to explore one of the main mechanisms through which legitimacy, or trust, for the political regime and its institutions is created. Special attention is paid to the possible factors that appear to be relevant to the elites and citizens during systemic transformation, especially with respect to *both* the consolidation of liberal democracy and the counteraction of instances of corruption.

IV. Types of Legitimacy and Modes of Legitimation

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

The support, granted by both individuals and organisations, may vary substantially, depending on the circumstances. Hence, it should not be perceived as a clear-cut and fixed point, but more as a *continuum*. Authors, working on legitimacy issues, have indicated it can also be both *general* (for the overall political system) and *specific* (for individual policies) (Easton 1965: 311-19; Blondel 1995). At the same time, acts of government can be perceived as legitimate for what they achieve (*substantive*

legitimacy) and for how they do it (*procedural legitimacy*) (Weber 1946) Thus, legitimacy implies the existence of a trade-off between efficiency and stability, on the one hand, and normative justice and political style, on the other (Lipset 1983; Diamond and Lipset 1994)

In terms of definition, Seymour Martin Lipset posits that “legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society” (Lipset 1984: 88) Philippe Schmitter defines legitimacy, on his part, as “a shared expectation among actors in an arrangement of asymmetric power, such that the actions of those who rule are accepted voluntarily by those who are ruled because the latter are convinced that the actions of the former conform to the pre-established norms. Put simply, legitimacy converts power into authority – *Macht* into *Herrschaft* – and, thereby, simultaneously establishes an obligation to obey and a right to rule” (Schmitter 2001: 2). At the same time, Sheldon Wolin asserts that the “fundamental political riddle [governing Western political thought] has been ‘how to combine vast power with perfect right’” (quoted in Connolly 1984: 9) In this sense, it might be argued that the problem of the EU is how to convert limited (but rapidly increasing) supranational powers into legitimate political authority and right.

Alongside the complicated question of defining what legitimacy actually is, political scientists have also puzzled over the possible methods of assuring legitimate authority for a government. This process is called legitimisation, and it is different from the concept of legitimacy, which is the *object* of this act. In his classical work “The Theory of Social and Economic Organisation”, Max Weber identifies three ways of legitimisation (or “three pure types of legitimate authority”): *rational*, *traditional* and *charismatic* (Weber 1964: 328). In more recent times, Fritz Scharpf has made a useful point that legitimacy can be secured either on the input or output side of government: *input legitimacy* implying democratic selection of office holders, public consultation and electoral approval political programmes, while *output legitimacy* referring to directly meeting public needs and values, and ensuring that policy follows public opinion and attitudes (Scharpf 1997).

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

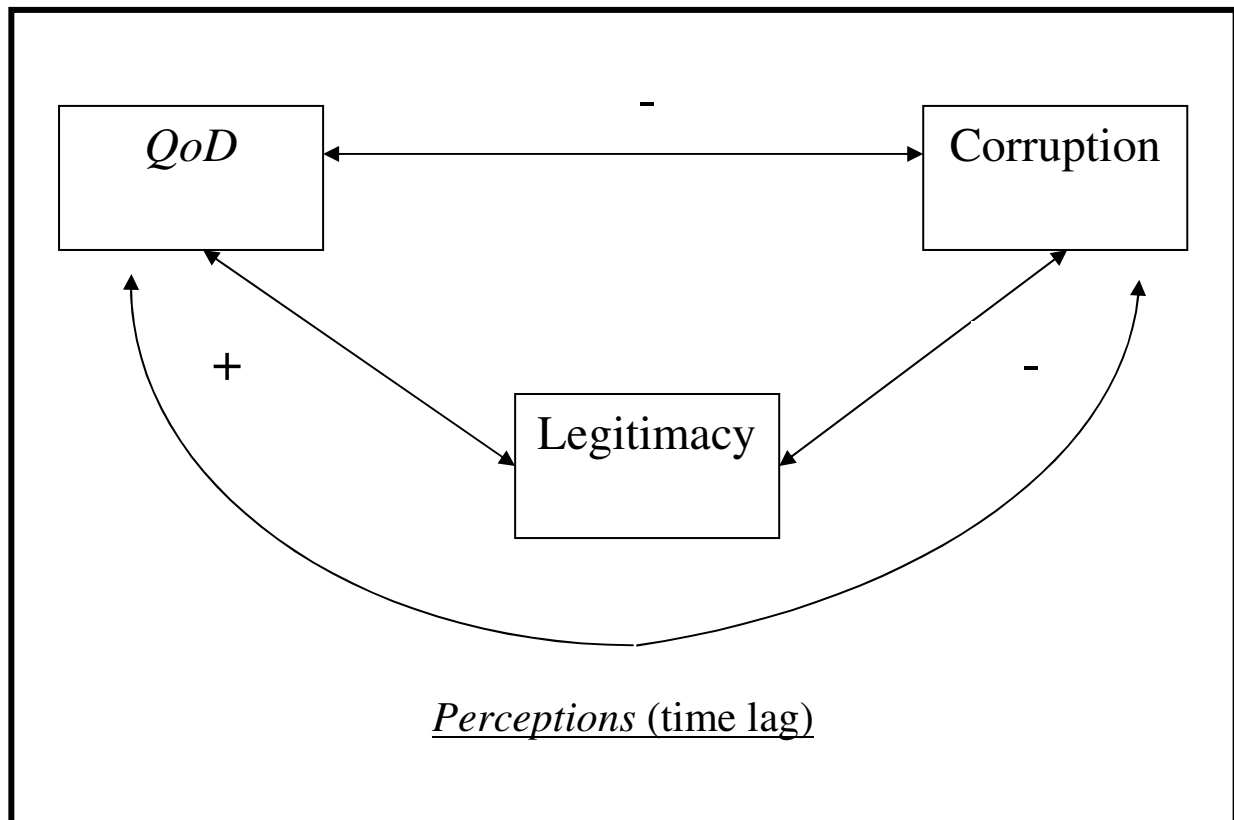
- 1) *Output legitimacy*: Efficiency and effectiveness of the ruling regime’s problem-solving ability and capability; **government for the people**;
- 2) *Input legitimacy*: Direct democratic legitimisation of national/international politics through citizen participation and representation; **government by the people**;
- 3) *Constitutional legitimacy* Legitimisation achieved through the implementation and internalisation of legal norms and conventions, **government of the rule of law**

These are all rational ways of legitimating any decision-making process and governance regime. It remains a weak point of contention among social scientists

whether the other two modes of legitimisation discovered by Max Weber – *traditional* and *charismatic* – could serve contemporary rulers well, especially over a long period of time. It is increasingly presumed that both rulers and citizens are eventually rational actors; hence, they would opt for some type of legitimacy from the list above, or, better for a mixture of them.

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

Figure 1



My guess is that not only the research on the QoD has gained popularity relatively recently among social scientists, i.e. with the substantial increase of the number of the consolidated liberal democracies during the 1990s and 2000s, but also because of the greater availability of census data about the perception of the population and elites about the structure and performance of governments in CEE and LA (i.e. the New Democracies and Latino Barometers). One important thing that should additionally be

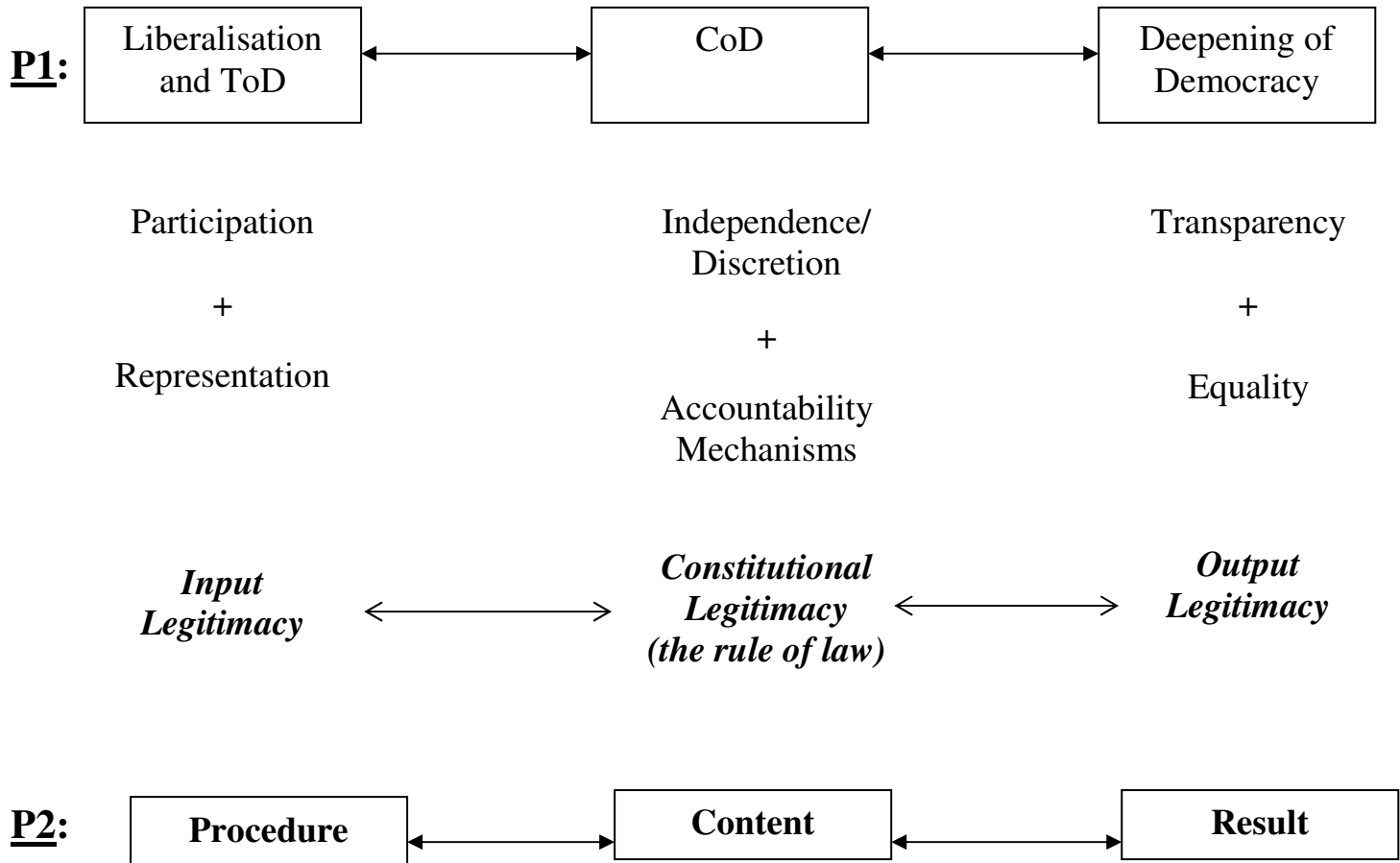
mentioned is that, when talking about perceptions about either legitimacy, or the QoD, or corruption, one should definitely take into account the *distortion effects* that the provision of information (either via the media or popular discourses) and the timing of reporting about various perceptions can have on the overall picture regarding the link between these three factors. For instance, it is not uncommon, especially in dynamic, transition circumstances as in CEE, that corruption may decline in absolute terms (as, for example, a drop off of the incidents of corruption reported officially and/or amounts of bribes received), but the perception among the general population and the media that the levels remain still intolerably high (Holmes 2003, Mungiu Pippidi and Ledeneva 2005). Therefore, it is appropriate also to speak of *time lags* between when the effects of democratic or anti-corruption reforms sink in and the change of perception among citizens, being those who will eventually grant legitimacy to the ruling regime.

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

What appears to be equally important is the *sequencing of transformations* (Schmitter 1994, Offe 1996). In order to grasp the dynamics of building better quality democracies and the fight against corruption in transitional societies, I propose to disentangle both processes into democratisation (P1) and qualitative changes within the political regime (P2) (see Figure 2). The possible types of legitimacy that provide the support for the ruling regime at different point of the transformation are listed as follows: input legitimacy during the liberalisation and transition phases, constitutional legitimacy (or the rule of law) during the consolidation period, and input legitimacy during the deepening of democracy. These three types of legitimacy are thought to promote participation and representation (during liberalisation and transition to democracy), independence of institutions and elite accountability (during the consolidation of democracy), and transparency and equality (during the deepening of democracy). The qualitative changes that occur both with and within the regime are seen to be procedural, content- and output-based (see Morlino 2003b). These three sets of P2 transformations are in turn related to the three phases of P1 as shown in Figure 2.

Figure 2

P1: Democratisation & Types of Legitimacy



P2: Qualitative Changes within the Political Regime

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

What could be concluded from the reflections made regarding corruption, legitimacy and the QoD in this section is that there exists strong theoretical and empirical evidence about the relationship between these three phenomena in any socio-political and historical circumstances. Because dealing mostly with perceptions, however, the reported positive or negative impact of corruption, legitimacy or the QoD on the other two elements should be considered carefully and, may be, with a degree of criticism. Both the *time-lag* between obtaining tangible results and registering a change in perception about a problem and the *time-horizons* within which political actors operate regarding their policies should also be taken into account. A key issue that requires much more investigation and analysis is the matter of *sequencing of transformations*, and particularly as regards the link between democratisation and legitimisation, on the one hand, and the qualitative changes that take place within the political regime, on the other. Following the discussion above and the empirical evidence about the CEE and LA countries in the previous section, one is tempted to venture a hypothesis: isn't it that corruption does not affect the legal procedures and the structure institutions of liberal democracy so much, especially after transition, but it has a significant impact on its everyday operation and the life of society as a whole, and thus it affects the QoD? Looked through the legitimisation *problématique* lenses, input and constitutional legitimacy seems to be important as far as democratisation gets well-advanced and the regime consolidates, while output legitimacy needs constant attention and upgrading – as the efficiency, and from there, the perceived quality of the regime is at stake.

APPENDIX I

Country Democracy Rank (2003-04)

	Democracy Rank	Political Rights	Civil Liberties	Press Freedom	Corruption
<i>Albania</i>	66	3	3	50	75
<i>Argentina</i>	61	3	3	39	75
<i>Armenia</i>	109	4	4	65	70
<i>Belarus</i>	121	6	6	82	58
<i>Belize</i>		1	2	23	
<i>Bolivia</i>	59	2	3	30	77
<i>Bosnia and Herzegovina</i>	94	4	4	49	67
<i>Brazil</i>	51	2	3	38	61
<i>Bulgaria</i>	34	1	2	30	61
<i>Chile</i>	39	2	1	22	26
<i>Colombia</i>	104	4	4	63	63
<i>Costa Rica</i>	24	1	2	14	57
<i>Croatia</i>	48	2	2	33	63
<i>Cuba</i>	133	7	7	94	54
<i>Czech Republic</i>	31	1	2	23	61
<i>Dominican Republic</i>	52	2	2	33	67

<i>Ecuador</i>	65	3	3	41	78
<i>El Salvador</i>	53	2	3	38	63
<i>Estonia</i>	23	1	2	17	45
<i>Georgia</i>	112	4	4	54	82
<i>Honduras</i>	68	3	3	51	77
<i>Hungary</i>	26	1	2	23	52
<i>Latvia</i>	27	1	2	18	62
<i>Lithuania</i>	24	1	2	18	53
<i>Macedonia</i>	67	3	3	50	77
<i>Mexico</i>	54	2	2	38	64
<i>Moldova</i>	109	3	4	59	76
<i>Nicaragua</i>	61	3	3	40	74
<i>Panama</i>	35	1	2	34	66
<i>Paraguay</i>	116	4	3	55	84
<i>Peru</i>	50	2	3	35	63
<i>Poland</i>	30	1	2	18	64
<i>Romania</i>	60	2	2	38	72
<i>Russia</i>	116	5	5	66	73
<i>Slovakia</i>	31	1	2	21	63
<i>Slovenia</i>	19	1	1	19	41
<i>Ukraine</i>	125	4	4	67	77
<i>Uruguay</i>	20	1	1	30	45
<i>Venezuela</i>	125	3	4	68	76
<i>Yugoslavia (Serbia and Montenegro)</i>	63	3	2	40	77

Country Democracy Rank (2004-05)

Country	Democracy Rank	Press Freedom Rank	Corruption Rank
<i>Albania</i>	70	67	99
<i>Argentina</i>	59	50	97
<i>Armenia</i>	110	99	72
<i>Belarus</i>	137	141	66
<i>Bolivia</i>	65	54	110
<i>Bosnia and Herzegovina</i>	101	76	72
<i>Brazil</i>	50	51	51
<i>Bulgaria</i>	35	35	46
<i>Chile</i>	18	19	17
<i>Colombia</i>	107	91	52
<i>Costa Rica</i>	23	27	35
<i>Croatia</i>	55	54	58
<i>Cuba</i>	143	149	53
<i>Czech Republic</i>	25	31	43
<i>Dominican Republic</i>	59	58	76
<i>Ecuador</i>	66	62	100
<i>El Salvador</i>	53	62	43
<i>Estonia</i>	20	23	28
<i>Georgia</i>	111	81	121
<i>Guatemala</i>	121	89	110
<i>Honduras</i>	72	68	102
<i>Hungary</i>	24	29	36
<i>Latvia</i>	31	23	49
<i>Lithuania</i>	44	25	38
<i>Macedonia</i>	71	69	86
<i>Mexico</i>	53	51	55
<i>Moldova</i>	121	91	102
<i>Nicaragua</i>	59	54	86
<i>Panama</i>	36	36	53
<i>Paraguay</i>	73	71	128

<i>Peru</i>	51	47	58
<i>Poland</i>	27	27	58
<i>Romania</i>	66	66	76
<i>Russia</i>	119	109	79
<i>Serbia & Montenegro</i>	63	60	86
<i>Slovakia</i>	25	30	49
<i>Slovenia</i>	21	15	28
<i>Ukraine</i>	129	113	102
<i>Uruguay</i>	22	21	25
<i>Venezuela</i>	126	113	102

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