

КРИМИНАЛЬНОЕ ГОСУДАРСТВО И КРИМИНАЛЬНАЯ ЭКОСИСТЕМА: НОВЫЕ АСПЕКТЫ ЭМПИРИЧЕСКОГО ИССЛЕДОВАНИЯ КОРРУПЦИИ

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Цель статьи — предложить новые пути исследования коррупции, избавившись от презумпции коррупции как отклонения или «провала» правительства. Опираясь на результаты нескольких исследований, которые проводили авторы в посткоммунистическом регионе, была разработана типология с четырьмя идеальными типами коррупции: 1) «мелкая» коррупция, когда частные субъекты подкупают государственных администраторов нижнего уровня за преференциальный режим; 2) захват государства «снизу вверх», когда частные лица подкупают или шантажируют политических деятелей более высокого уровня для больших выгод; 3) захват государства «сверху вниз», когда местный политический деятель формирует патрональную сеть и захватывает часть принадлежащего ему государства; 4) преступное государство, где коррупция монополизирована главой государства, создавшим патронную сеть с одной пирамидой и управляющим государством как преступной организацией. Авторами представляются несколько аспектов анализа, с помощью которых можно разделить типы коррупции, и предлагается эмпирическая программа исследований сосуществования различных типов коррупции в государстве (концептуализируется такое сосуществование, как криминальная экосистема). Подробно рассматривается преступное состояние и его возможное отношение к несанкционированной незаконности, т. е. к коррупции на более низком уровне действующих лиц вне сети с одной пирамидой. Авторы ставят различные исследовательские вопросы, которые должны быть изучены в странах с высокой степенью патронализма в посткоммунистическом регионе и за его пределами.

Ключевые слова: коррупция, криминальное государство, типология, исследование, посткоммунизм.

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CRIMINAL STATE AND THE CRIMINAL ECOSYSTEM: NEW ASPECTS FOR EMPIRICAL CORRUPTION RESEARCH

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This paper aims at proposing new ways for corruption research, doing away with the presumption of corruption being a deviance or “failure” of the government. Building on the findings of several projects we conducted in the post-communist region,

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we draw up a typology with four ideal types of corruption: 1) free market corruption, where private actors bribe lower-level public administrators for preferential treatment; 2) bottom-up state capture, where private actors bribe or blackmail higher-level political actors for larger gains; 3) top-down state capture, where it is a local political actor who forms a patronal network and captures the part of the state belonging to him; and 4) the criminal state, where corruption is monopolized by the head of state, creating a single-pyramid patronal network and operating the state as a criminal organization. We provide several aspects of analysis by which these types can be analytically divided, and then we propose an empirical research agenda for the coexistence of different corruption types in a polity (we conceptualize such a coexistence as a “criminal ecosystem”). Particularly, we elaborate on the criminal state and its possible attitudes toward unauthorized illegality, that is, the lower-level corruption of actors outside the single-pyramid network. In the end, the paper offers various research questions that are to be explored in highly patronalistic countries in the post-communist region and beyond.

Keywords: corruption, criminal state, typology, research, post-communism.

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While several scholars have talked about kleptocracies and the literature on corrupt leaders is widespread¹, empirical research and global corruption indices are still dominantly based on a presumption that corruption is a deviance of every system that the state indeed wants to eliminate in pursuit of more rational governmentality². Luca J. Uberti identifies this 'anti-corruption consensus' that sees corruption as a governance failure and maintains that it can be reduced through appropriate institutional reforms, such as strengthening the judiciary or designing corruption-proof regulatory regimes³. Transparency International (TI), for instance, publishes an annual Corruption Perception Index (CPI) which is used as an indicator of corruption in countless studies and books⁴. But if we look at what phenomena they focus on, we can find “bribery”, “meritocratic versus nepotistic appointments in the civil service” and “state capture by narrow vested interests”, on the one hand, and institutional guarantees like “ability of governments to contain corruption” and “adequate laws on financial disclosure” on the other⁵. In the paradigm CPI shares⁶, private influence over the content of laws and

rules — what we will call bottom-up state capture — and the influence over their implementation — what we will call free market corruption — are the two regarded forms of abuse⁷. Whereas the questions regarding guarantees imply the state does want to persecute corruption, just it may not have the “ability” to do so or it lacks the formal rules which otherwise would overrule informal impacts in general.

We hold that this approach does not make justice to regions like the post-communist one. For the lack of separation of the spheres of social action, including political, market and communal spheres⁸, creates a dominance of informal and personal relations⁹. Informality being a norm does not simply imply endemic corruption vis-à-vis the more or less democratic states which have been developed since the regime change. It means the presumption of treating corruption as a deviance does not hold. For that implicitly assumes the supremacy of the formal over the informal, that is, that public officials act and think *primarily* in accordance with their legal position and illegal “abuses of power” may happen only *secondarily*. In an environment of informality, the situation can be reversed: primarily informal networks can take over formal institutions operating them as façades for power and wealth accumulation¹⁰. This way corruption may become, not a deviance, but a constituting element of a regime.

¹ For example, see the seven articles on kleptocracy in the special section of January 2018 issue of *Journal of Democracy* (“The Rise of Kleptocracy [Special Section]” 2018).

² Baumann H. 2017. A Failure of Governmentality: Why Transparency International Underestimated Corruption in Ben Ali's Tunisia. *Third World Quarterly* 38 (2): 467—482; Fougner T. 2008. Neoliberal Governance of States: The Role of Competitiveness Indexing and Country Benchmarking. *Millennium* 37 (2): 303—26.

³ Uberti L. J. 2016. Can Institutional Reforms Reduce Corruption? Economic Theory and Patron—Client Politics in Developing Countries. *Development and Change* 47 (2): 317—45.

⁴ TI 2018b. Corruption Perceptions Index 2017. Transparency International. Available at: https://www.transparency.org/news/feature/corruption_perceptions_index_2017.

⁵ TI 2018a. Corruption Perceptions Index 2017 — FAQ. Transparency International. Available at: http://files.transparency.org/content/download/2184/13752/file/CPI_2017_FAQs_EN.pdf.

⁶ We present a more detailed critique of CPI in a paper submitted to *Intersections — East European Journal of Society and Politics*.

⁷ Knack S. 2007. Measuring Corruption: A Critique of Indicators in Eastern Europe and Central Asia. *Journal of Public Policy* 27 (3): 255—91.

⁸ Offe C. 2004. Political Corruption: Conceptual and Practical Issues. *Building a Trustworthy State in Post-Socialist Transition*. Ed. by J. Kornai, S. Rose-Ackerman, 77—99. Political Evolution and Institutional Change. Palgrave Macmillan US.

⁹ Ledeneva A. 2018. *The Global Encyclopaedia of Informality*. Vol. 1. UCL Press; Zhu Jiangnan. 2017. *Corruption Networks in China: An Institutional Analysis*. *Routledge Handbook of Corruption in Asia*. Ed. by Ting Gong, Ian Scott, 27—41. Abingdon, Oxford, UK: Routledge.

¹⁰ Baez-Camargo C., Ledeneva A. 2017. Where Does Informality Stop and Corruption Begin? *Informal Governance and the Public/*

The aim of this paper is to do away with the presumption of corruption being a deviance and propose new fields for corruption research to explore. Yet our paper is not pure theory or “imagination” as it relies on vast amount of research as well as detailed studies produced in projects one of the authors conducted on the case of Hungary¹¹ and on the post-communist region more generally¹². He proposed a sociological description of the case of Hungary as a mafia state and the projects were meant to verify that, while later the project grew into a larger scope and the model was generalized for the entire post-communist region¹³. Now we present some findings which may be of particular interest to corruption research. We show how the presumption of corruption being a deviance can be done away with, what kind of analytical framework can be built after it is rejected, and what kind of research questions can be formulated and explored in future studies, concerning post-communist countries or otherwise.

The paper is structured as follows. First, we develop a typology of corruption. We will make references to the vast literature on corruption, including findings about existing cases and conceptualization attempts. But each of our definitions will indeed be an ideal type which, as Max Weber explains, “is not a description of reality but it aims to give unambiguous means of expression to such a description”¹⁴. Indeed, we do not intend to provide types which fit precisely to real world cases but which give points of reference, and real world cases can be expressed in terms of congruence and deviance from the ideal

type¹⁵. Second, we will call attention to some further analytical dimensions of the four types we differentiate, including the conceptual separation of endemic and systemic corruption. Third, we will elaborate on the coexistence of various corrupt patterns in what we call a “criminal ecosystem”. Particularly, we will focus on an ideal type polity characterized by a criminal state, a corruption pattern where the presumption of corruption being a deviance does not hold, and how such a state can create balance between what we call authorized and unauthorized illegality. Finally, we explain in the conclusion how our ideas can be turned into research questions and which countries should be considered as empirical research targets.

1. The Four Ideal Type Corruption Patterns

To create an analytical framework which can be used as basis for cross-country comparison, we must keep in mind the global range of corruption research. For even if it is created for the proper analysis of post-communist regimes, the framework must be able to encompass corruption in Western countries as well. Such a wide scope is essential also to clarify the differences between Western types of corruption, which empirical corruption research usually deals with, and types of corruption which are more common in the post-communist region.

An analytical framework must conceptually delimit the range of phenomena it aims at capturing. For this purpose, we can accept TI's well-established definition for corrupt practices, that is, “the abuse of entrusted power for private gain”¹⁶. This means we are solely interested in how the public sector, i.e. political power, is used to attain illegitimate gains. Inclusion of purely private phenomena as some have suggested¹⁷ is logically possible but unnecessary in the post-communist region, where the rudimentary separation of the spheres of social action has resulted in more government-enmeshed private sectors by Western standards¹⁸.

Private Crossover in Mexico, Russia and Tanzania. *Slavonic & East European Review* 95 (1): 49—75; Hale H. E. 2011. Formal Constitutions in Informal Politics: Institutions and Democratization in Post-Soviet Eurasia. *World Politics* 63 (4): 581—617; Jancsics D. 2015. “A Friend Gave Me a Phone Number” — Brokerage in Low-Level Corruption. *International Journal of Law, Crime and Justice* 1 (43): 68—87.

¹¹ Magyar B., Vásárhelyi J., eds. 2013. Magyar Polip — A Posztkommunista Maffiaállam [Hungarian Octopus — The Post-Communist Mafia State]. Budapest: Noran Libro.; Magyar B., Vásárhelyi J., eds. 2014. Magyar Polip 2 — A Posztkommunista Maffiaállam [Hungarian Octopus — The Post-Communist Mafia State]. Budapest: Noran Libro.; Magyar B., Vásárhelyi J., eds. 2015. Magyar Polip 3 — A Posztkommunista Maffiaállam [Hungarian Octopus — The Post-Communist Mafia State]. Budapest: Noran Libro.; Magyar B., Vásárhelyi J., eds. 2017. Twenty-Five Sides of a Post-Communist Mafia State. Budapest: CEU Press.

¹² From Free Market Corruption Risk to the Certainty of a State-Run Criminal Organization (Using Hungary as an Example). *Stubborn Structures: Reconceptualizing Post-Communist Regimes*. Ed. by B. Magyar, 461—86. Budapest — New York: CEU Press.

¹³ See our upcoming book, *The Anatomy of Post-Communist Regimes: A Conceptual Toolkit* (planned to be published in 2020).

¹⁴ Weber M. 1949. *The Methodology of the Social Sciences*. Illinois: The Free Press of Glencoe.

¹⁵ Collier D., Laporte J., Seawright J. 2008. Typologies: Forming Concepts and Creating Categorical Variables. *The Oxford Handbook of Political Methodology*. Ed. by J. M. Box-Steffensmeier, H. E. Brady, D. Collier. Oxford New York: Oxford University Press.

¹⁶ Corruption Perceptions Index 2017. Transparency International. Available at: https://www.transparency.org/news/feature/corruption_perceptions_index_2017.

¹⁷ Hough D. 2016. “Here's This Year's (Flawed) Corruption Perception Index. Those Flaws Are Useful.” *Washington Post* (blog). January 27, 2016. Available at: <https://www.washingtonpost.com/news/monkey-cage/wp/2016/01/27/how-do-you-measure-corruption-transparency-international-does-its-best-and-thats-useful/>.

¹⁸ Karklins R. 2005. *The System Made Me Do It: Corruption in Post-Communist Societies*. M. E. Sharpe; Lane D. 2007. Post-State Socialism: A Diversity of Capitalisms? *Varieties of Capitalism in Post-Communist Countries*. Ed. by D. Lane, M. Myant, 13—39. Studies in Economic Transition. London: Palgrave Macmillan UK.

Next, we need to perform a *sociological disaggregation* of the general definition to isolate its structural elements, which can be used as dimensions of the analytical framework. As corruption is, above all, a form of action and cooperation of people, the structural elements can be found by focusing on (1) *the actors* who take part in corruption and (2) *the type of connection* between these actors.

As for the former, we may differentiate three general levels of actors: *private sector*, *public administration*, and *governmental actors*. The two latter levels are both part of the public sector, yet their differentiation is crucial. Public administration (bureaucracy) only implements the law, enforces it and takes part in the regular operation of state institutions, whereas governmental actors make the law and regulate the public administration. All the three general levels can be further disaggregated into sublevels but here the only distinction we shall make is between *low and high level* actors. In the private sector, low level means the ordinary citizen or small and medium sized enterprises, high level means major entrepreneurs. (When a major entrepreneur routinely colludes with governmental actors, he may also be called an *oligarch*¹⁹.) In public administration, we define low level actors as administrators whose task is to be in direct, day-to-day contact with private citizens. High level actors are the bosses of these administrators, i.e. the heads of governmental departments or leaders of state enterprises, who regularly remain in the background from the citizens' point of view. Finally, among governmental actors, low level refers to regular members of the legislation or the regulatory body of a local government who are not part of the executive branch. The executive, in turn, includes the high level actors of national or local government, like a mayor, the prime minister or the head of state. (Governmental actors include elected officials or people appointed by them, such as non-partisan ministers or under-secretaries.)

Turning to *the types of connections* between these actors, there are three dimensions by which we can classify. First, *the actor's role* in corruption: he can be the *demandeur*, who initiates the corrupt transaction; the *supplier*, who abuses his public position; or the *server*, who is a subordinate with the task to carry out or facilitate the corrupt transaction²⁰. The second dimension is the *regularity* of connection, that is, whether such transactions between certain actors are made routinely or only occasionally. Finally, every connection between people is either voluntary, done between equal parties, or takes the form of subordination, where the will of one party dominates that of the other in the transaction.

Having defined both the actors and the types of connections between them, we can draw up the analytical framework. In Figure 1, the set of circles represent the actors of an ideal type regime and, with fillings and arrows, we attempt to capture two ideal type *corruption patterns*, that is, actors of which level are in what connection with each other. These schematic depictions should not be understood in an exclusive manner; saying, for instance, that in free market corruption must be an elite private actor who is connected to two non-elite public administrators (because that case is being depicted). Rather, these are to be seen as *examples* of the given corruption pattern, demonstrating the typical structure and forms of transactions belonging to it.

While it is logically possible to delineate a high number of different corruption patterns in our analytical framework, here we define only four which are the most prevalent in the countries of the post-communist region²¹. The first pattern we depict is *free market corruption*, which is the form global corruption indices are mostly concerned with. Here, private interests hold an illegitimate sway in state and local government decisions concerning the allocation of resources, procurements, concessions, and entitlements. As a result, illegal barter deals are concluded between discrete private actors and members of public administration at various levels of seniority. Free market corruption consists of a series of individual phenomena: an official responsible for a decision accepts or requests financial or other benefits for handling a case in a manner advantageous to the private actor. A regime may be considered *corrupt* if there is a high occurrence of such incidents or if civil administrative or business matters can only be managed through *bribes*. However, it must be noted these actions under the pattern of free market corruption are *occasional*, that is, happen case-by-case when one decides to take part in a corrupt transaction and are not organized as a group function on either side. Also, instances of free market corruption are *voluntary* on both parts of the deal. From this respect, it is indifferent whether the bribes are requested by members of the public administration or they are simply willing to accept them. The *corrupt service* is being supplied by members of the public administration, abusing their position, whereas the private actors accepting it are in demand for such transactions. Both parties are free to reject the offer for corrupt service, although an honest private actor may find himself in a disadvantaged position vis-à-vis corrupt private actors if he does so.

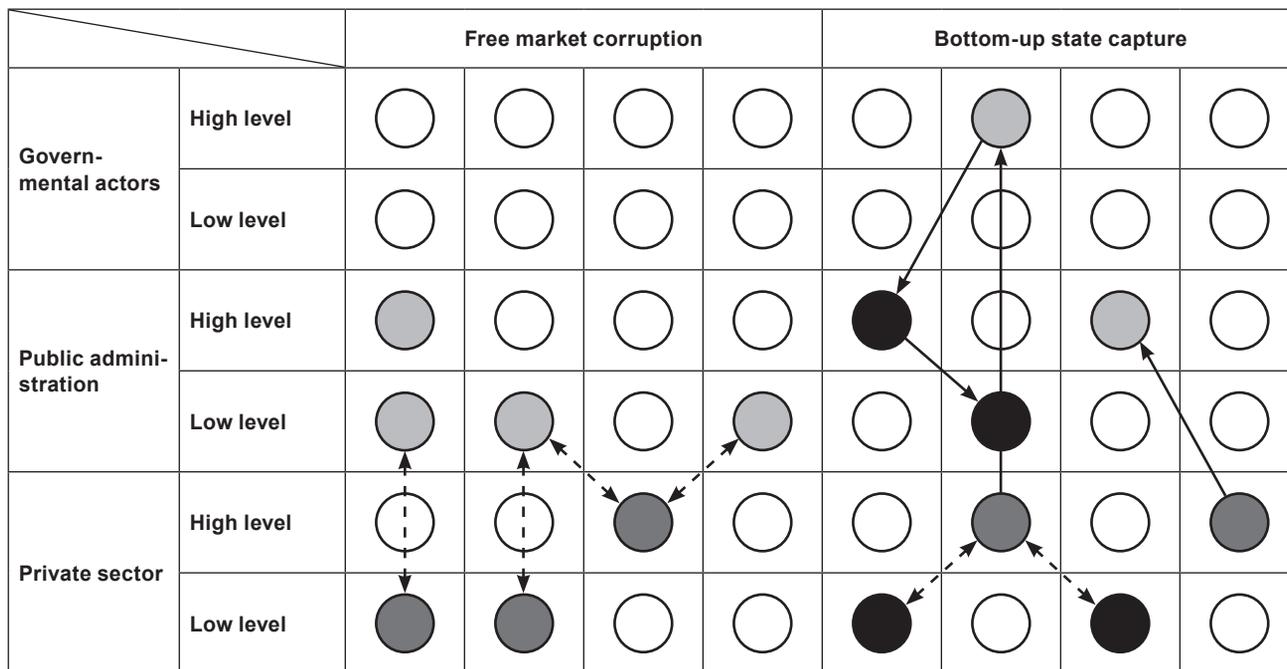
The term "free market" in the name of this pattern refers to (1) that it contains voluntary transactions and (2) that it is also *competitive*. As for the latter, where both corrupt supply and demand are numerous, private actors can compete in the amount of bribe they offer

¹⁹ Magyar B. 2016. *Post-Communist Mafia State: The Case of Hungary*. Budapest: CEU Press.

²⁰ Gambetta D. 2002. *Corruption: An Analytical Map. Political Corruption in Transition: A Sceptic's Handbook*. Ed. by S. Kotkin, A. Sajó, 33—56. Budapest — New York: CEU Press.

²¹ In our upcoming book *The Anatomy of Post-Communist Regimes*, six forms are going to be differentiated, two of which are now excluded for the sake of brevity.

Figure 1. Schematic depiction of bottom-up corruption patterns*



* Legend: ● : demander of corruption; ○ : supplier of corruption; ● : server of corruption; ○ : no role.
 Continuous line: regular transaction; dashed line: occasional transaction; double arrow: voluntary transaction; single arrow: subordination.

and the public actors, in the amount they ask²². In more monopolistic examples, like that of a public procurement tender, only private actors can compete and the public actor can reap higher rents. Naturally, the illegal nature of such transactions constitutes a structural hole between corrupt supply and demand which often necessitates a so-called *corruption broker*, who makes a functioning corruption market possible²³.

Bottom-up state capture means what corruption literature simply refers to as “state capture”²⁴. In this case, corruption vertically reaches the higher layers of public sector, namely governmental actors, and begins to show signs of a regular nature. The actors cooperation becomes more complex not only on the side of corruption supply but also on the side of corruption demand, given that the corruption partners from the private sector are in many cases oligarchs or criminals of the organized underworld. We need to distinguish between these two groups: while criminal organizations carry out illegal “economic” activities supported by

illegitimate access, oligarchs on the contrary usually conduct lawful economic activities, but mostly with illegitimate access.

In spite of its regular nature, bottom-up state capture can be rightfully diagnosed when only some segments of public authority are captured and not the governmental structure *in its entirety*. Also, at this level, *political competition* may still continue. The transfer of political power is still possible under constitutional circumstances, and the oligarchs still maintain their relative autonomy as they are not infinitely tied to certain political actors. In fact, the relationship between these two actors can be described as *subordination* (Figure 1) for the will of the oligarch overrules that of the politician who becomes dependent on his financier — hence he is captured²⁵.

During bottom-up state capture, *servers* of the corrupt transaction enter on both the private and the public administration level. As for the former, servers are subcontractors or suppliers of the oligarch who are in occasional and voluntary business relations with him (and are beneficiaries of the oligarch's illegitimate market position). People in the public administrations are in a subordinate position to governmental actors for they are state employees and can be removed if they fail to comply with the formal rules (laws) or the informal commands of the politicians.

²² Diaby A., Sylwester K. 2015. Corruption and Market Competition: Evidence from Post-Communist Countries. *World Development* 66 (February): 487—99.

²³ Jancsics D. 2015. “A Friend Gave Me a Phone Number” — Brokerage in Low-Level Corruption. *International Journal of Law, Crime and Justice* 1 (43): 68—87.

²⁴ Hellman Joel S., Jones G., Kaufmann D. 2003. Seize the State, Seize the Day: State Capture and Influence in Transition Economies. *Journal of Comparative Economics* 31 (4): 751—73.

²⁵ For more on such dependence in the example of the anomalies of party financing in Hungary, see Magyar (2016, 6—10).

Both free market corruption and bottom-up state capture contain bottom-up forms of corruption. In such cases, the demander of corrupt service is situated in the private sector whereas the supplier, either in a government or the public administration. In turn, we now depict two top-down forms of corruption in Figure 2, namely *top-down state capture* and *criminal state*. In these forms, the roles of supplier and demander are merged: it is the governmental actor who abuses the office and he does it for his own gain. Other beneficiaries, namely those in friendly or (quasi) kinship relation with the actor are sometimes dubbed as “cronies”, constituting a so-called “crony capitalism”²⁶. TI itself has used this latter term for Viktor Orbán's Hungary in their 2016 CPI report²⁷. But in the post-communist region, such corrupt relationships are not voluntary and without subordinating relations as the term “crony” (“friend” or “pal”) would imply. Instead, these informal ties of relationship tend to be organized into patron-client patterns of subservience, that is, *patronal networks*²⁸. As opposed to traditional networks of *patronage* where actors, in spite of their great disparity in wealth, are in a fundamentally voluntary and mutually beneficial relationship with each other²⁹, in *patronal* politics the governmental actor is dominant and subordinates actors on the levels below him, creating *informal networks* which take over formal institutions and use them as façades.

In case of *top-down state capture*, patronal subordination of lower-level actors is initiated either by a single actor — such as a mayor of a municipal government — or by a group of actors — such as a party. In either case, patronal subordination extends primarily to people in the public administration and secondarily to the private sector. This means a sequence of events: firstly, a person or a group enters the sphere of governmental actors; secondly, they fill up the hierarchy of their domain with their clients (a process that may be called *patronalization*) to be able

to dispose over its public (coercive) instruments in a discretionary manner; and thirdly, this power is used to patronize certain economic actors. Naturally, there are economic actors who enter such relationships voluntarily, and those with activities not specific to the captured part of the public administration (a local government, certain ministries etc.) can decide not to enter into voluntary relations. As for those whose activity is specific, however, they need to accept the conditions set by the local patrons.

In top-down state capture, the captured part of the *state apparatus begins to be operated by the informal network*, systemically working by informal rules over formal ones. Still, top-down state capture faces several *limitations* due to the fact that the patron does not possess the monopoly of political power³⁰. His ability to use the government is limited: he rules over only a certain part of the state and cannot patronize other parts. First, this makes linked actions of corruption, where the cooperation of several state institutions would be necessary, less attainable. Second, the patron's position is dependent on political turns. An opposition victory can easily remove him, making it practically impossible to further sustain his patronal network. This is particularly true in post-communist countries where, indeed, the competition of political parties is often the façade for the competition of patronal networks³¹.

Finally, the lack of power monopoly means the patron can hardly disable institutional checks. Constitutional limits on power concentration as well as effective law enforcement have the ability to contain informal networks and prevent the patron from yielding exclusive political power and making the entire state his private domain³². Yet it is worth mentioning that, when the initiator of top-down corruption is a mayor, he can turn the local government into a racket which is almost like a “state in the state”. The famous — albeit not post-communist — example of such *geographically limited patronal rackets* is the case of Kevin White, the mayor of Boston for sixteen years (1968—1984) who carried out top-down state capture in his municipality and managed to patronize virtually all levels of Boston's local government³³.

²⁶ Djankov S. 2015. Russia's Economy under Putin: From Crony Capitalism to State Capitalism. Peterson Institute for International Economics; Sharafutdinova G. 2010. Political Consequences of Crony Capitalism inside Russia. University of Notre Dame Press Notre Dame, IN.; CRCB. 2016. Competitive Intensity, Overpricing, Corruption Risks and Crony Capitalism in Hungary 2009—2015. Corruption Research Center Budapest. Available at: <http://www.crcb.eu/?p=1083>.

²⁷ TI. 2017. “Corruption Perceptions Index 2016 — Hungary Still in Decline”. Transparency International. Available at: <https://transparency.hu/en/news/cpi-2016-magyarorszag-tovabbra-is-lejtmenetben/>.

²⁸ Eisenstadt S. N., Roniger L. 1980. Patron—Client Relations as a Model of Structuring Social Exchange. *Comparative Studies in Society and History* 22 (1): 42—77; Hale H. E. 2015. Patronal Politics — Eurasian Regime Dynamics in Comparative Perspective. Cambridge: Cambridge University Press.

²⁹ Boissevain J. 1966. Patronage in Sicily. *Man* 1 (1): 18—33.

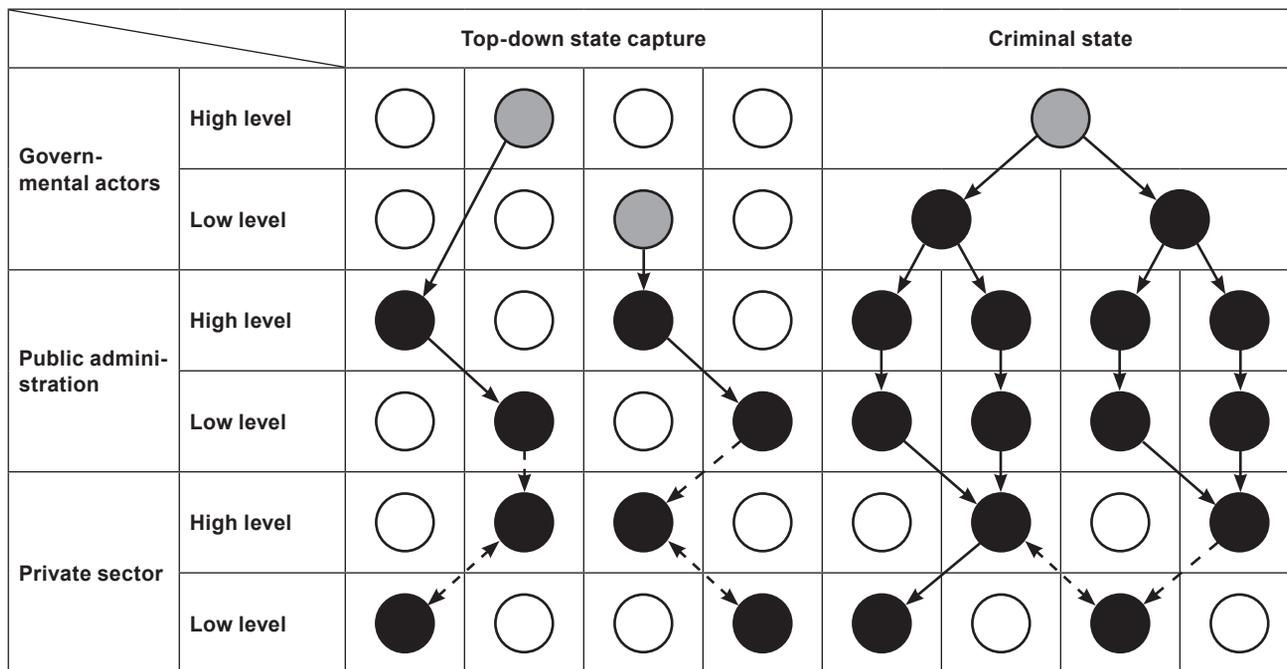
³⁰ Wedeman A. 2018. Does China Fit the Model? *Journal of Democracy* 29 (1): 86—95.

³¹ Hale H. E. 2015. Patronal Politics — Eurasian Regime Dynamics in Comparative Perspective. Cambridge: Cambridge University Press.

³² Hale H. E. 2011. Formal Constitutions in Informal Politics: Institutions and Democratization in Post-Soviet Eurasia. *World Politics* 63 (4): 581—617; Zhu Jiangnan. 2017. Corruption Networks in China: An Institutional Analysis. *Routledge Handbook of Corruption in Asia*. Ed. by Ting Gong, Ian Scott, 27—41. Abingdon, Oxford, UK: Routledge.

³³ Schabert T. 1989. Boston Politics: The Creativity of Power. Walter de Gruyter.

Figure 2. Schematic depiction of top-down forms of corruption*



* Legend: ● : demander + supplier of corruption; ● : server of corruption; ○ : no role.

Continuous line: regular transaction; dashed line: occasional transaction; double arrow: voluntary transaction; single arrow: subordination. (Note: In criminal state, all governmental actors are subordinated to the chief patron, that is, the head of executive, so we decided not to represent every governmental actor with circles for the sake of clarity.)

The final corruption type we identify is the *criminal state* pattern. Our terminology is similar to that of Friedrichs³⁴ but he uses the term “criminal state” in a broader sense, and defines four types of criminal states (including, for instance, states which commit crimes against humanity). In contrast, we call a state criminal if it features a top-down corruption pattern based on (1) informality and patron-client relations, just like top-down corruption and (2) the possession of unconstrained political power. The latter enables the head of executive, the *chief patron*, to disable checks and balances and *turn the state into the business venture* of his patronal network managed through the instruments of public authority³⁵.

The criminal state is built by the development of a so-called *single-pyramid patronal network*. First, actors of the public administration are deprived of their autonomy to make corrupt offers to private actors

or accept bribes in exchange for favorable treatment. Rather, they are subordinated to the chief patron's will and treat favorably those who are appointed from above, i.e. the clients of the chief patron. Second, a single pyramid means that the multi-pyramid scheme, which characterizes the politically competitive landscape of party state corruption, comes to an end. When a regime is described by the criminal state pattern of corruption it implies that political opposition, including formal parties and NGOs, have been repressed and essentially turned into what all formal institutions are for the informal network: *façades*³⁶.

Third, the building of the single pyramid network extends to the private sector as well, subjugated by the legislative and regulatory means the chief patron now disposes on. Drawing upon his monopoly of power, the chief patron breaks the relative autonomy of major entrepreneurs and oligarchs aiming to discipline, domesticate and settle them into his own chain of command³⁷. As opposed to state capture when the oligarch is the capturer and the politician is the captured one the term “oligarch capture” would be a more fitting description for this reversed situation in the criminal

³⁴ Friedrichs D. O. 2009. *Trusted Criminals: White Collar Crime In Contemporary Society*. 4th ed. Belmont, CA: Cengage Learning.

³⁵ The definition of criminal state is similar to that of “mafia state” of Magyar (2016), but it is not identical to it. As we are going to explain it in our upcoming book *The Anatomy of Post-Communist Regimes*, there can be criminal states which are not mafia states, as the criminal state corruption pattern is only one of the four components of a mafia state. To mention just one other component now, which also needs to be a clan state (cf. Wedel 2003).

³⁶ Scheppele K. L. 2018. *Autocratic Legalism*. *University of Chicago Law Review* 85 (2): 545—583.

³⁷ Lanskoj M., Myles-Primakoff D. 2018. *Power and Plunder in Putin's Russia*. *Journal of Democracy* 29 (1): 76—85.

state³⁸. A network of subcontractors and suppliers extends this patron-client relationship to the lower reaches of the private sector as well, which also means protection monies are collected from both high and low level private actors.

The concept of “kleptocracy” has been offered as an alternative for the pattern we define as the criminal state (example: Walker and Aten; Lansky and Myles-Primakoff). However, as Wedeman explains, kleptocracy in recent literature has been dominantly used for a “more decentralized and oligopolistic” system of corruption where “[the] chief of state and his inner circle do not control [...] oligarchs [...] but instead run their own shadowy 'business' empire while playing oligarchs against one another and taking a cut of their gains”. This model does not fit the criminal state pattern we describe. Rather, kleptocracy refers to a specific form of top-down state capture where the head of state wants to abuse state power for his private gain but he is limited in opportunities. Also, we would argue that etymologically the term “kleptocracy” is broader than the “criminal state”, for the latter more obviously refers to the case when the entire state is subjugated and run as a criminal organization, whereas a kleptocracy only means that elected leaders are primarily interested in stealing.

2. Towards a More Complex Analysis: Analytical Dimensions of the Ideal Type Corruption Patterns

A summary of the main characteristics of the four types can be seen in Table 1. The main point we want to make is that corruption may take a top-down form in post-communist countries. Such cases are not characterized by the bottom-up fashion of private actors approaching the political sphere with their claims, but it is the political regime that milks the private actors as well as the taxpayers by way of contracts and, in case of a criminal state, privileges ensured to its subjugated oligarchs. Furthermore, we added the dimension of nature of corruption to the table, extending a continuum from the small scale, low value transactions of private actors and low level members of state bureaucracy in free market corruption — that is, *petty corruption* — to the large scale, high value transactions of governmental actors in a criminal state — that is, *grand corruption*³⁹.

These four types can be used to identify existing patterns of corruption, or more precisely to describe existing cases in terms of congruence and deviance from them. However, there are further analytical dimensions which these types can be divided by, revealing further aspects which can be made subject of future corruption research.

First, we may point out a difference that should be made between *systemic and endemic corruption*. In the literature, “systemic” is used synonymously with “endemic” and refers to “corruption integrated as an essential aspect of the political, social and economic system”⁴⁰. This understanding, however, obscures the difference between the case when corruption is widespread and the case when corruption is made a system by an organizer from the top. For example, the former case can be socially accepted forms of free market corruption, such as “gratitude money” given to doctors in most of post-communist countries in Eastern Europe⁴¹. These transactions are scattered, made occasionally and they are face-to-face, with each pair of actors making corrupt transactions without being part of a corruption network. It is crucial to distinguish such cases from state enterprise collusion, bottom-up and top-down state capture, and the criminal state. For in those types, corruption is systematized by someone, that is, organized as a group function or network with permanent relations and a complex corruption scheme. Hence, it is worth to make the following differentiation: (a) corruption is *endemic* if it becomes a social norm — that is, an informal understanding that governs the behavior of social actors — without the organizing action of a central will and resulting in a large number of occasional transactions between various people; (b) corruption is *systemic* if it is developed into a scheme — that is, a corrupt machinery of permanent relations — due to the organizing action of a central will and resulting in regular transactions between certain people. (Also, if we want to define opposites for endemic and systemic, we may use the terms “sporadic” and “non-systemic” respectively.)

Another feature that appears in Table 1 is the medium of corrupt exchange. Here, we need to differentiate two dominant types of payments: kickback money and protection money. We can define them as follows: (1) *kickback money* is the payment, monetary or otherwise, that is given informally and voluntarily in exchange for the supply of a corrupt service, whereas (2) *protection money* is the payment, monetary or otherwise, that is given informally and non-voluntarily upon the extortion of a patron. Kickback monies may include any kind of bribes, paid regularly in free market corruption. Protection money is extorted from the subordinated

³⁸ Markus S. 2017. The Atlas That Has Not Shrugged: Why Russia's Oligarchs Are an Unlikely Force for Change. *Dædalus — Journal of the American Academy of Arts & Sciences* 146 (2): 101—112.

³⁹ Moody-Stuart G. 1997. *Grand Corruption: How Business Bribes Damage Developing Countries*. Oxford: WorldView.

⁴⁰ Beke M., Cardona F., Blomeyer R. 2013. *Political and Other Forms of Corruption in the Attribution of Public Procurement Contracts and Allocation of EU Funds: Extent of the Phenomenon and Overview of Practices*. Brussels: European Parliament Policy Department. Available at: [http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-JOIN_ET\(2013\)490676](http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-JOIN_ET(2013)490676).

⁴¹ Kornai J. 2000. Hidden in an Envelope: Gratitude Payments to Medical Doctors in Hungary. *The Paradoxes of Unintended Consequences*. Ed. by L. Dahrendorf, Y. Elkana. Budapest: Central European University Press.

Table 1. Main characteristics of the four corruption patterns

	Nature of corruption	Direction of corrupt action	Distribution of corrupt transactions	Form of corrupt networks	Economic nature of corruption	Entry of suppliers / servers	Regularity and scope of corrupt actions	Medium of corrupt exchange
Free market corruption	Petty corruption  Grand corruption	Bottom-up	Non-centralized	n.a.	Competitive	Voluntary	Ad hoc and partial	Kickback money
Bottom-up state capture		Bottom-up	Moderately centralized	Parallel verticals	Oligopolistic / locally monopolistic	Coercive/ voluntary	Temporary/ permanent and partial	Kickback money
Top-down state capture		Top-down	Partially centralized	Parallel verticals	Oligopolistic / locally monopolistic	Coercive	Permanent and partial (vassal chains)	Protection money
Criminal state		Top-down	Centralized	Single vertical	Monopolistic	Coercive	Permanent and general (vassal chains)	Protection money

servers in the private sector and the public administration, who may not receive any extra payment for facilitating corruption but they are not fired from their job or are not prosecuted in politically selective law enforcement. While kickback money involves primarily monetary transactions (bribes), protection money in top-down state capture or a criminal state involves primarily favors, fulfillment of specific duties, by the subordinated actors.

This leads us to a third aspect, *the time dimension of corrupt exchanges*. In free market corruption, collusion ends with the corrupt act, whereby both participants are paid off. In a successful case, the private actor has been given the corrupt service and the public administrator, the kickback. In case of cronyism, payment for the parties does not need to happen at the same time. Indeed, the literature notes that the relation between cronies can usually be described by reciprocity, involving “an act by party A to give something of value to party B without knowing when or if B will reciprocate, or to reciprocate an earlier favor given by B”⁴². Thus, what literature identifies as “cronyism” can be understood as *mutual investment in favors*, given and accepted voluntarily by both parties. In a criminal state, the situation is different because it is characterized by patron-client relations, where clients are coercively subordinated to patrons. In a developed single-pyramid patronal network, the “payment” of a stooge, in form of companies which are *de jure* given to him, is not reciprocated immediately to the chief patron. But as the chief patron has *de facto* power over the stooge's property, he can dispose over them at a later date.

Closely related to this are the dimensions of *autonomy* — which refers to the free entry of the participants into corruption — and *dependency* — which refers to the exit options of corrupt participants.

When corrupt transactions are occasional, as they are in voluntary forms of corruption, autonomy of actors is fully retained and no chains of dependency are formed. In cases of regular transactions, there is a higher chance of dependency, especially because the more illegal acts are committed, the more the parties can blackmail each other, forcing them to continue to make corrupt exchanges. As for autonomy, the partial nature of captures allows some participants to retain a relative autonomy, a bargaining position and a competitive edge. But in a criminal state, the chief patron is the *monopolist of autonomy*. This means that (1) he is the only one who *de facto* answers to nobody in the polity and (2) who can delegate partial autonomy, with limited authorization, to sub-patrons in the patron-client network. Thus, the *sub-patrons* are both patrons and clients: clients to the chief patron but patrons to the lower-level clients in the adopted political family.

Finally, the dimension we may pay attention to is *the separation of spheres of social action*. Naturally, corruption already implies collusion and therefore some kind of relation between the political and the economic sphere. But in case of free market corruption, just as in case of *lobbying*, the rewards of political actors remain within their sphere of social action. Simply put, *politicians do not become entrepreneurs and entrepreneurs do not become politicians*⁴³. But in case of the three other types of corruption, we can no longer speak about “entrepreneurs” and “politicians” in the Western sense but rather oligarchs and *poligarchs*, respectively. Accordingly, a *collusion* of the spheres of social action takes place. Members of the economic elite, formally separated from the sphere of political action, get informal political power, whereas members of the political elite, formally separated from the sphere of economic action, get informal economic power and

⁴² Khatri N., E. W. K. Tsang, T. M. Begley. 2006. Cronyism: A Cross-Cultural Analysis. *Journal of International Business Studies*, 37(1): 61—75.

⁴³ Holcombe Randall G. 2018. *Political Capitalism: How Economic and Political Power Is Made and Maintained*. Cambridge: Cambridge University Press.

become poligarchs. True, the strength of collusion is not the same in every case; in case of captures, which are partial, only some of the actors in the economic sphere (or the political sphere) become oligarchs (or poligarchs) which means that there remain parts of each sphere that is not colluded. It is only in case of a *criminal state* when there is a complete collusion of the spheres of economic and political action, where the chief patron becomes the main poligarch of the country and gains control over the entire economy through his single-pyramid patronal network.

3. The Coexistence of Corruption Types: Possible Attitudes of the Criminal State toward Unauthorized Illegality

While we have analytically separated the four ideal types, they can naturally coexist in a polity. Indeed, every polity has a *criminal ecosystem*⁴⁴, which may be defined as the community of illegal public and private actors in a defined geographical area, interacting as a system. Naturally, this can be seen even if we understand corruption as a deviance and analyze, say, the coexistence of petty corruption and state capture, or state capture and organized crime⁴⁵. But doing away with that presumption reveals a new research field: *to analyze the coexistence of authorized and unauthorized illegality*. As we explained above, a criminal state means that the chief patron as the head of executive power runs the state as a criminal organization, and the members of the informal patronal network engage in illegal acts as part of the proper functioning of the state accordingly. But they may do so only if their illegality is *authorized*, that is, permitted by the chief patron who commands law enforcement not to persecute their acts. However, actors who engage in illegal acts outside the single-pyramid patronal network and without the chief patron's permission commit *unauthorized illegality*.

The chief patron must have some kind of *attitude* or strategy toward unauthorized illegality. Describing the possible attitudes, we can turn to Charles Tilly and his seminal work *Trust and Rule*, in which he analyzes the coexistence of formal governmental structures and informal “trust networks” (criminal gangs, secret societies, religious sects etc.)⁴⁶. Tilly understands this coexistence as a function of the bottom-up attitude of informal actors toward the state and the top-down attitude of the state toward the informal actors.

⁴⁴ We take the term “criminal ecosystem” from Moisés Naim, who uses it in an article as a figure of speech but does not define it (Naim 2012). Without any relation to our topic, the term has also been used in the scholarly literature on cybercrime (Yang et al. 2012).

⁴⁵ Dickie J. 2014. Mafia Republic: Italy's Criminal Curse. Cosa Nostra, 'Ndrangheta and Camorra from 1946 to the Present. Sceptre.

⁴⁶ Tilly Ch. 2005. Trust and Rule. New York: Cambridge University Press.

Lower-level types of corruption, while not necessarily “networks” but certainly informal and require the trust of the parties, would be described by Tilly as engaging either (a) in “concealment”, meaning the actors try to avoid “detection and manipulation by the authorities”, or (b) in “clientage”, meaning the actors acquire “protection by intermediate authorities [...] at a price”. On the other hand, the state — in Tilly's terms — is able to choose from three “modes of control”: repression, toleration, and facilitation, marking a range from negative through neutral to a positive attitude by the state.

We may add a fourth mode as well: *takeover* of the preexisting illegal groups or networks and integrating them into the criminal state by replacing and subjugating the actors currently involved in them. This mode is qualitatively different from the other modes which do not break the autonomy of trust networks: rather, they treat them as closed, autonomous entities which the state attacks, leaves alone, or helps, but does not try to reorganize their internal workings and force their members to serve a new master. In contrast, takeover means the breaking of autonomy, whereby the chief patron gains control over the trust network, its management and incomes.

A simple hypothesis that can be formulated is that the criminal state takes the attitude of *toleration* and leaves the corrupt networks alone if the cost of repression/takeover would surpass its benefits (such as the income that could be collected if the networks were taken over). A corresponding hypothesis, in turn, would be that the chief patron becomes *repressive* and tries to eliminate lower-level corruption if it recognizes it as an unnecessary disturbance and challenging competitor.

What happens in case of *facilitation* is that the criminal state “settles over” an existing network and starts taxing it without breaking its autonomy. In other words, the leaders of the members (or rather its more important members or “kingpins”) are not replaced and they can continue to function, whereas the criminal state's authorities will no longer pursue them if the network pays his taxes and remains within the agreed boundaries of operation. Tilly calls this kind of coexistence *brokered autonomy*, which he defines as an arrangement “in which leaders of trust networks yield resources and compliance to rulers in return for significant autonomy within their own domains”.

Facing the overwhelming capacity of the chief patron to crack down on its enemies, it is rational from existing criminal networks to enter into a brokered autonomy instead of fighting the domination attempt. Our hypothesis goes as follows: if (a) they do fight the domination attempt or (b) they break their informal contract by expanding beyond the agreed boundaries or (c) they become an unbearable risk to the power monopoly of the adopted political family, the network is either repressed or taken over. In case of *takeover*, the previously decentralized corruption business is put under his supervision. The

Table 2. Modes of control of unauthorized illegality and the result in a criminal state

	Action of the criminal state toward unauthorized illegality	The form of coexistence (the result of state action)
Repression	attack/restraint	segregation (eliminated unauthorized illegality or “private banditry”) ⁴⁷
Toleration	leave alone	segregation (no more molestation of the illegal actors)
Facilitation	settling over it	negotiated connection (brokered autonomy of the illegal network)
Takeover	breaking its autonomy	integration (illegal network managed by the adopted political family)

case is similar to nationalization of a legal activity by a constitutional state, after which the political elite can centralize or decentralize the monopolized function. In a criminal state, where corruption is one of the state's primary functions, this monopolized function can be centralized or decentralized. If it is centralized, that means that the chief patron himself manages and taxes these networks; if it is decentralized, then the corruption opportunities are handed out to loyal sub-patrons in the form of “concessions” or a “franchise system”, meaning none other but authorization to illegality. (Those receiving the opportunities can then, in turn, gather and monopolize the various channels of corruption on a local level under themselves.) Corruption concessions are limited, not only geographically but also to the given economic activity. It would be an educated guess to expect that the chief patron centralizes corrupt businesses which are linked to already centralized industries with high profits, such as natural resource extraction, whereas he decentralizes corruption businesses linked to industries with low centralization and lower profits, such as certain retail activities.

Table 2 sums it up how we can use Tilly's terminology to describe the coexistence of a criminal state and unauthorized illegality. According to him, the situation can be understood by three broad ideal types of relation: (1) segregation of the illegal elements from the public sphere (such as when the state takes on an inimical attitude); (2) negotiated connection between the illegal elements and the public sphere (such as in case of brokered autonomy); and (3) integration of illegal elements and the public sphere. In case of non-criminal states, integration would mean that actors of unauthorized illegality — that is, all illegality in a non-criminal state — become legally accepted. In a criminal state, integration means takeover, or when the illegal network remains illegal just it is run by the adopted political family hereafter.

Segregation, negotiated connection and integration describe the *basic patterns of the criminal ecosystem* in a given polity. In a criminal state, in case of segregation, we can see an ecosystem of a strong criminal state and low or moderate unauthorized illegality, either because the state does everything it can to eliminate it (repression) or because it was so insignificant in the first place that the criminal state left it alone (toleration). In case of negotiated connection, the criminal ecosystem can be described by — pushing the biological metaphor further — the pattern of *parasitic symbiosis*: the adopted

political family settles on preexisting illegal networks and forces them to comply and pay a tax, but in exchange they can keep their autonomy and their illegal businesses are no longer molested by law enforcement and other legal agencies. Finally, in case of integration, the appearance of the criminal state transforms the criminal ecosystem in a way that formerly unauthorized illegality becomes authorized and blossoms under the management of the adopted political family.

Conclusion: Toward the Empirical Research of Top-Down Corruption Patterns

The aim of this paper was to present some research fields that could be explored should corruption research done away with the presumption of corruption being a deviance. While implicitly this presumption has already been rejected by scholars who speak about kleptocracy, and also the last years have seen several conceptual as well as methodological innovations in corruption research⁴⁸, making the rejection of the corruption-as-deviance presumption explicit and recognizing its consequences for empirical research is yet to happen. We provided a typology of four ideal type corruption patterns as well as a general analytical framework which can be used to identify the elements to be researched in the future. We underlined the distinction between endemic and systemic corruption, protection and kickback money, and other important dimensions by which future research can be organized.

The field which is completely unseen in the corruption-as-deviance paradigm is the coexistence of authorized and unauthorized illegality. We proposed that Charles Tilly's pioneering work on trust networks is an ideal analytical framework for assessing this relationship, in which the top-down pattern of criminal state can be distinguished from the bottom-up pattern of free market corruption. We contributed a definition of the criminal

⁴⁷ This expression is used by Eric Hobsbawm (1965) in his description of ordinary bandits vis-à-vis the mafia. Indeed, the expression “protection”; money comes from that people living under the authority of the mafia are requested to pay money in exchange for the elimination of private banditry. That is, the mafia does not allow anyone else to rob them (Gambetta 1996).

⁴⁸ Ledeneva A., Bratu R., Köker Ph. 2017. Corruption Studies for the Twenty-First Century: Paradigm Shifts and Innovative Approaches. *The Slavonic and East European Review* 95 (1): 1—20.

ecosystem and tried to show how this concept can be a fertile basis for future empirical research.

Data collection on corruption, corruption perception or actual cases of abuse of entrusted power for private gain must have (implicit) presumptions as to what it regards its research object and in what analytical framework it wants to put it in. Doing away with focus on bribery and other bottom-up forms of corruption should open up the way for researchers to refine old data collection techniques or develop new ones for probing top-down cases. Indeed, relying on a big data analysis of Corruption Research Center Budapest (CRCB) on Hungarian public procurements we have already published a study that shows how such patterns can be detected⁴⁹. To cut a long story short, the paper argued that certain effects like out-of-control overpricing can only occur under the conditions of a criminal state, where the initiator of systemic corruption, the chief patron, monitors and coordinates the stages of tailoring the project planning, invitation to tender, and assessment to a specific person/company. Therefore, while traditional measures like change in “corruption risk”, measured traditionally by the presence of competition and public notice, are only proxies of corruption a big data approach can highlight phenomena that imply the existence of a top-down corruption pattern.

However, the prerequisite of any empirical research is a clear research question (RQ). We now list a few RQs that may be used as basis for future papers. The most general RQ goes as follows: What is the relationship between corruption and the state? Second, one may ask the following: Is there authorized corruption? How the state helps such corruption? This calls for the integration of research on (politically) selective law enforcement into corruption research. Third: If the state is a criminal state, how does it relate to lower types of corruption? Fourth: Is there a relation between the attitude of the criminal state toward unauthorized illegality and (a) country size, (b) state power, (c) the amount of natural resources, (d) Western linkage or leverage? Indeed, we can formulate four separate questions with 1-1 of these variables, and each of them is worth analyzing alone (as well as together). As for (a), it may be hypothesized that in a larger, federal state the dominant attitude of the rulers is more likely to be toleration or facilitation, as the costs of eliminating or taking over corruption networks all over the country would be too costly. Relatedly, we can say for (b) that the stronger the state,

⁴⁹ From Free Market Corruption Risk to the Certainty of a State-Run Criminal Organization (Using Hungary as an Example). In *Stubborn Structures: Reconceptualizing Post-Communist Regimes*. Ed. by B. Magyar, 461—86. Budapest — New York: CEU Press.

the more likely it is to eliminate alternative networks of corruption whereas a weaker state is more likely to avoid costly “wars” and broker autonomy with local kingpins. For (c), we would think that a criminal state decides whether to bother with lower-level corruption if it can yield *relatively* high profits. Therefore, if a country rich in natural resources (and where the prime beneficiary of resource extraction is the state) the adopted political family should be more likely to leave networks alone, as it collects high rents already which dwarf benefits from network takeovers. Whereas in a resource-poor criminal state, the rulers would need to settle over or tax most of the country's networks, and collect rents for the adopted political family through those resources. Finally, (d) is related to the idea of Levitsky and Way⁵⁰ who argued that higher Western linkage and leverage encourages democratization. We may hypothesize, then, that the same factor creates an incentive for criminal states to eliminate lower-level corruption and bribery — which Western governments and experts, sharing the corruption-as-deviance presumption, focus on.

Which countries or regions are the best targets for such research? We would say that the ones which are most patronalistic, mainly because of their past⁵¹. According to Hale, in the post-Soviet region many countries belong to this group, namely Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Moldova, Romania, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. We would add that countries that post-communist countries with high Western linkage and leverage should also be considered, like the Czech Republic⁵², Poland and Hungary⁵³ which also have also become EU member states. Furthermore, our analytical framework and proposals could be applied to patronalistic countries of other regions: like post-communist nations of Sub-Saharan Africa, Brazil in South-America, and also Singapore, Mongolia and China in Asia. Any of these countries should make fine objects to test our hypotheses, either in single-country or comparative research.

⁵⁰ Levitsky S., Way L. 2010. *Competitive Authoritarianism: Hybrid Regimes after the Cold War*. Cambridge University Press.

⁵¹ Magyar B., Madlovics B. 2019. *Stubborn Structures: A Path Dependence Explanation of Transitions in the Postcommunist Region*. Manuscript accepted by Social Research.

⁵² Innes A. 2014. The Political Economy of State Capture in Central Europe. *Journal of Common Market Studies* 52 (1): 88—104.

⁵³ Magyar B. Parallel System Narratives: Polish and Hungarian Regime Formations Compared. In *Stubborn Structures: Reconceptualizing Post-Communist Regimes*, 611—55. Budapest — New York: CEU Press.

REFERENCES

- Baez-Camargo C., Ledeneva A. 2017. Where Does Informality Stop and Corruption Begin? Informal Governance and the Public/Private Crossover in Mexico, Russia and Tanzania. *Slavonic & East European Review* 95 (1): 49—75.
- Baumann H. 2017. A Failure of Governmentality: Why Transparency International Underestimated Corruption in Ben Ali's Tunisia. *Third World Quarterly* 38 (2): 467—482.

- Beke M., Cardona F., Blomeyer R. 2013. Political and Other Forms of Corruption in the Attribution of Public Procurement Contracts and Allocation of EU Funds: Extent of the Phenomenon and Overview of Practices. Brussels: European Parliament Policy Department. Available at: [http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-JOIN_ET\(2013\)490676](http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-JOIN_ET(2013)490676).
- Boissevain J. 1966. Patronage in Sicily. *Man* 1 (1): 18—33.
- Collier D., Laporte J., Seawright J. 2008. Typologies: Forming Concepts and Creating Categorical Variables. *The Oxford Handbook of Political Methodology*. Ed. by J. M. Box-Steffensmeier, H. E. Brady, D. Collier. Oxford New York: Oxford University Press.
- Corruption Perceptions Index 2017. Transparency International. Available at: https://www.transparency.org/news/feature/corruption_perceptions_index_2017.
- CRCB. 2016. Competitive Intensity, Overpricing, Corruption Risks and Crony Capitalism in Hungary 2009—2015. Corruption Research Center Budapest. Available at: <http://www.crcb.eu/?p=1083>.
- Diaby A., Sylwester K. 2015. Corruption and Market Competition: Evidence from Post-Communist Countries. *World Development* 66 (February): 487—99.
- Dickie J. 2014. Mafia Republic: Italy's Criminal Curse. Cosa Nostra, 'Ndrangheta and Camorra from 1946 to the Present. Sceptre.
- Djankov S. 2015. Russia's Economy under Putin: From Crony Capitalism to State Capitalism. Peterson Institute for International Economics.
- Eisenstadt S. N., Roniger L. 1980. Patron—Client Relations as a Model of Structuring Social Exchange. *Comparative Studies in Society and History* 22 (1): 42—77.
- Fougnier T. 2008. Neoliberal Governance of States: The Role of Competitiveness Indexing and Country Benchmarking. *Millennium* 37 (2): 303—26.
- Friedrichs D. O. 2009. Trusted Criminals: White Collar Crime In Contemporary Society. 4th ed. Belmont, CA: Cengage Learning.
- From Free Market Corruption Risk to the Certainty of a State-Run Criminal Organization (Using Hungary as an Example). *Stubborn Structures: Reconceptualizing Post-Communist Regimes*. Ed. by B. Magyar, 461—86. Budapest — New York: CEU Press.
- Gambetta D. 2002. Corruption: An Analytical Map. *Political Corruption in Transition: A Sceptic's Handbook*. Ed. by S. Kotkin, A. Sajó, 33—56. Budapest — New York: CEU Press.
- Hale H. E. 2011. Formal Constitutions in Informal Politics: Institutions and Democratization in Post-Soviet Eurasia. *World Politics* 63 (4): 581—617.
- Hale H. E. 2015. Patronal Politics — Eurasian Regime Dynamics in Comparative Perspective. Cambridge: Cambridge University Press.
- Hellman J. S., Jones G., Kaufmann D. 2003. Seize the State, Seize the Day: State Capture and Influence in Transition Economies. *Journal of Comparative Economics* 31 (4): 751—73.
- Holcombe Randall G. 2018. Political Capitalism: How Economic and Political Power Is Made and Maintained. Cambridge: Cambridge University Press.
- Hough D. 2016. "Here's This Year's (Flawed) Corruption Perception Index. Those Flaws Are Useful". *Washington Post* (blog). January 27, 2016. Available at: <https://www.washingtonpost.com/news/monkey-cage/wp/2016/01/27/how-do-you-measure-corruption-transparency-international-does-its-best-and-thats-useful/>.
- Innes A. 2014. The Political Economy of State Capture in Central Europe. *Journal of Common Market Studies* 52 (1): 88—104.
- Jancsics D. 2015. "A Friend Gave Me a Phone Number" — Brokerage in Low-Level Corruption. *International Journal of Law, Crime and Justice* 1 (43): 68—87.
- Karklins R. 2005. *The System Made Me Do It: Corruption in Post-Communist Societies*. M. E. Sharpe; Lane D. 2007. Post-State Socialism: A Diversity of Capitalisms? In *Varieties of Capitalism in Post-Communist Countries*. Ed. by D. Lane, M. Myant, 13—39. Studies in Economic Transition. London: Palgrave Macmillan UK.
- Khatri N., E. W. K. Tsang, T. M. Begley. 2006. Cronyism: A Cross-Cultural Analysis. *Journal of International Business Studies*, 37(1): 61—75.
- Knack S. 2007. Measuring Corruption: A Critique of Indicators in Eastern Europe and Central Asia. *Journal of Public Policy* 27 (3): 255—91.
- Kornai J. 2000. Hidden in an Envelope: Gratitude Payments to Medical Doctors in Hungary. *The Paradoxes of Unintended Consequences*. Ed. by L. Dahrendorf, Y. Elkana. Budapest: Central European University Press.
- Lanskoy M., Myles-Primakoff D. 2018. Power and Plunder in Putin's Russia. *Journal of Democracy* 29 (1): 76—85.
- Ledeneva A. 2018. The Global Encyclopaedia of Informality. Vol. 1. UCL Press; Zhu Jiangnan. 2017. Corruption Networks in China: An Institutional Analysis. *Routledge Handbook of Corruption in Asia*. Ed. by Ting Gong, Ian Scott, 27—41. Abingdon, Oxford, UK: Routledge.
- Ledeneva A., Bratu R., Köker Ph. 2017. Corruption Studies for the Twenty-First Century: Paradigm Shifts and Innovative Approaches. *The Slavonic and East European Review* 95 (1): 1—20.
- Levitsky S., Way L. 2010. *Competitive Authoritarianism: Hybrid Regimes after the Cold War*. Cambridge University Press.
- Magyar B. 2016. Post-Communist Mafia State: The Case of Hungary. Budapest: CEU Press.
- Magyar B. Parallel System Narratives: Polish and Hungarian Regime Formations Compared. *Stubborn Structures: Reconceptualizing Post-Communist Regimes*, 611—55. Budapest—New York: CEU Press.
- Magyar B., Madlovics B. 2019. Stubborn Structures: A Path Dependence Explanation of Transitions in the Postcommunist Region. Manuscript accepted by Social Research.

- Magyar B., Vásárhelyi J., eds. 2013. *Magyar Polip — A Posztkommunista Maffiaállam* [Hungarian Octopus — The Post-Communist Mafia State]. Budapest: Noran Libro.
- Magyar B., Vásárhelyi J., eds. 2014. *Magyar Polip 2 — A Posztkommunista Maffiaállam* [Hungarian Octopus — The Post-Communist Mafia State]. Budapest: Noran Libro.
- Magyar B., Vásárhelyi J., eds. 2015. *Magyar Polip 3 — A Posztkommunista Maffiaállam* [Hungarian Octopus — The Post-Communist Mafia State]. Budapest: Noran Libro.
- Magyar B., Vásárhelyi J., eds. 2017. *Twenty-Five Sides of a Post-Communist Mafia State*. Budapest: CEU Press.
- Markus S. 2017. The Atlas That Has Not Shrugged: Why Russia's Oligarchs Are an Unlikely Force for Change. *Dædalus — Journal of the American Academy of Arts & Sciences* 146 (2): 101—112.
- Moody-Stuart G. 1997. *Grand Corruption: How Business Bribes Damage Developing Countries*. Oxford: WorldView.
- Offe C. 2004. Political Corruption: Conceptual and Practical Issues. *Building a Trustworthy State in Post-Socialist Transition*. Ed. by J. Kornai, S. Rose-Ackerman, 77—99. Political Evolution and Institutional Change. Palgrave Macmillan US.
- Schabert T. 1989. Boston Politics: The Creativity of Power. Walter de Gruyter.
- Scheppele K. L. 2018. Autocratic Legalism. *University of Chicago Law Review* 85 (2): 545—583.
- Sharafutdinova G. 2010. Political Consequences of Crony Capitalism inside Russia. University of Notre Dame Press Notre Dame, IN.
- TI 2018a. Corruption Perceptions Index 2017 — FAQ. Transparency International. Available at: http://files.transparency.org/content/download/2184/13752/file/CPI_2017_FAQs_EN.pdf.
- TI 2018b. Corruption Perceptions Index 2017. Transparency International. Available at: https://www.transparency.org/news/feature/corruption_perceptions_index_2017.
- TI. 2017. "Corruption Perceptions Index 2016 — Hungary Still in Decline". Transparency International. Available at: <https://transparency.hu/en/news/cpi-2016-magyarorszag-tovabbra-is-lejtmenetben/>.
- Tilly Ch. 2005. *Trust and Rule*. New York: Cambridge University Press.
- Uberti L. J. 2016. Can Institutional Reforms Reduce Corruption? Economic Theory and Patron—Client Politics in Developing Countries. *Development and Change* 47 (2): 317—45.
- Weber M. 1949. *The Methodology of the Social Sciences*. Illinois: The Free Press of Glengoe.
- Wedeman A. 2018. Does China Fit the Model? *Journal of Democracy* 29 (1): 86—95.
- Zhu Jiangnan. 2017. Corruption Networks in China: An Institutional Analysis. In *Routledge Handbook of Corruption in Asia*. Ed. by Ting Gong, Ian Scott, 27—41. Abingdon, Oxford, UK: Routledge.

