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For more information on the research project, please visit [fletcher.tufts.edu/Institute-for-Human-Security/Research/Building-State-Legitimacy](http://fletcher.tufts.edu/Institute-for-Human-Security/Research/Building-State-Legitimacy)

## CHEYANNE SCHARBATKE-CHURCH

Cheyenne Scharbatke-Church is a Professor of Practice at The Fletcher School of Law and Diplomacy, Tufts University and the Principal of Besa, a social enterprise that seeks to catalyze strategic change. She works with implementers and donors such as the US State Department on the nexus of corruption and conflict as well as evaluation in conflict settings.

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# Corruption, Justice and Legitimacy

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## PRELIMINARY FINDINGS

- Anti-corruption programs in fragile and conflict-affected states often rely on a formulaic recipe based on an inaccurate diagnosis of the problem.
- Analysis starts with the recipe rather than the context. This obscures central drivers of corruption, such as social norms, political culture and feedback loops.
- Corruption in fragile and conflict-affected states form complex, adaptive systems that are resilient, serve many functions and are based on factors that are interconnected. These factors must be taken into consideration if strategies are to be effective.

## FORTHCOMING FINDINGS

- How corruption undermines internal legitimacy of the police and courts in Uganda, focusing on:
  - The effects of where the ‘demand’ for corrupt acts originates,
  - How different types of corruption (e.g. monetary, political interference) impact perceptions of legitimacy,
  - Whether the relationship between corruption and legitimacy is direct or indirect.
- How corruption functions as a system in Northern Ugandan police and courts
- The primary drivers of corruption within this system
- The entry points to effect change

## Study Overview

The Corruption, Justice, and Legitimacy (CJL) project advances innovative approaches to corruption analysis in fragile and conflict-affected contexts. Focusing on the criminal justice sector, the project supports more holistic efforts to diminish corruption in core state activities related to human security. Building upon prior research for the U.S. Department of State Bureau of International Narcotics and Law Enforcement, the CJL project has discovered that the principal-agent theory of change which dominates Western aid policy rarely alters corruption dynamics. The project puts policy makers' assumptions about corruption's effects on state legitimacy to evidential tests, and generates nuanced analysis of the dynamics of the corruption-legitimacy relationship. This is prerequisite to designing effective anti-corruption responses.

## Methodology

Led by Cheyanne Scharbatke-Church, Professor of Practice and Diana Chigas, JD, Professor of Practice at The Fletcher School, the project has followed a two-stage research process: (1) The research team conducted a meta analysis of OECD DAC-funded corruption projects to generate initial findings; (2) The team tested these findings through micro-level qualitative research in Northern Uganda, which involved 90 interviews with citizens, justice sector actors and civil society. This qualitative data informs analysis that employs systems thinking to map causal loops of how corruption functions in Northern Uganda. This map will inform entry points for intervention and policy recommendations.

## Explanation of Key Findings

Despite significant anti-corruption development assistance and the global attention reflected in Sustainable Development Goal 16, the international community's toolbox for fighting corruption remains remarkably limited. While donor agencies have little evidence to weigh the effectiveness of existing tools, they continue to apply them across contexts.

This research suggests that the limited achievements of anti-corruption programs in fragile and conflict-affected states stems from a problem-strategy mismatch: Policy makers apply a simple response to a complex, systemic problem that is inseparable from the socio-political context in which it takes place. **Current anti-corruption responses are predominantly simple** because they:

### conflate enablers with causes

While opportunities and incentives are enablers, they are not the *reasons* why corruption occurs; other forces interact with enablers to determine whether people and institutions seize opportunities for corruption.

### focus on the individual transaction

Simple approaches focus predominantly on the individual as the main unit of analysis, seeking to understand (and alter) *individuals'* incentives to engage in corruption from a rational (cost-benefit analysis) perspective. By drawing the boundaries of analysis at the individual, it becomes hard to understand the way the multiple drivers of corruption interact.

### apply recipes

Simple approaches use recipes across contexts, as best practices are useful ingredients when developing a response. They take the model, rather than the context, as the starting point for analysis.

Weak program design reinforces many of the simplistic aspects of current anti-corruption programming. Our review showed that *anti-corruption program design was weak* in several areas: relevance, project logic, clarity of change, and strategies linking the goal to the wider vision. All of these weaknesses contribute to assumptions going untested, and to the ongoing dominance of recipe-based responses to corruption.

We posit that *corruption in fragile and conflict-affected states is actually a complex, adaptive system*, and therefore requires a complex response. Complex systems share certain characteristics that resonate clearly with the reality of corrupt contexts.

Practically, a shift in paradigm, from the simple to the complex, would require changes in the way we analyze and develop anti-corruption strategies and programs:

- Broader and more systemic analysis that seeks to identify the functions and dynamics of corruption in the larger socio-political context
- Implementing strategic, emergent design and adaptive monitoring
- Pursuing multi-dimensional strategies

