

Legitimate Corruption: Ethics of Bureaucracy and Kinship in Central Asia

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What is legal is not always broadly regarded in society as moral and legitimate and what is illegal as immoral and illegitimate

Pardo, 2007, p. 125

Corruption is a word used pervasively to describe Russia and the former Soviet Union

Sievers, 2002, p. 101

Abstract:

The World Bank and Transparency International rank the Central Asian republics as highly corrupt.¹ This opinion is shared by international media and by NGO personnel and academics working on the ground in these countries. Yet, the kind of practices that are labelled as “corrupt” by these observers seem much too diverse to meaningfully be covered by the same term, such as illicit selling and buying of government contracts at the highest level; tax evasion in the millions; the faster processing of a passport for a relative; and a taxi driver bribing the traffic police. This presents both an analytical and an ethical problem. This article argues that condemning discourses on corruption are often used by the powerful both nationally and internationally to dominate colonised and marginalised groups. Such groups, excluded from or exploited within formal structures, rely on networks and communities for their livelihoods. The upkeep of these social relations comes into conflict with the imperatives of state law and bureaucracy. Anti-corruption thus becomes a weapon of the strong against the weak and aligns with a long history of colonial tradition of domination and vilification of those “yet-to-be-civilised.” Its focus on regions of the Global South such as Central Asia marks a continuation of colonial legacy but also the region’s continued marginality in the capitalist world system. This article posits that in order solve these analytical and ethical problems, we must be careful not to conflate a legal state-notion of corruption with a moral one thus accepting as default the perspective of the dominant groups running states and organisations.

Keywords: corruption, kinship, bureaucracy, Kyrgyzstan, Xinjiang, coloniality.

Introduction

The term of “corruption” is used to describe a wide range of very different practices that seem to share little beyond the label. It covers small scale bribing of traffic police, financial fraud in the millions, privileging friends or relatives for hiring, for tenders or for public services and resources along with various morally questionable behaviors. Haller and Shore see it as “a major theoretical challenge” to try to “theorize a phenomenon so polysemous and diffuse” (2005, p. 9). They question the term’s analytical usefulness but continue to use it as a generic term, as they see it as being “good to think with” (2005, p. 9; Zinn, 2005, p. 229). In this article, I seek to show that depending on who gets to define what corruption is and what falls under it, “thinking with” this concept will be good for some and bad for others. When corruption is defined by large international actors like the World Bank and United Nations in legalistic terms (i.e. in accordance with national state laws) but still retains connotations of immorality, then thinking with the term of “corruption” is

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1 Knack, 2007; OECD, 2017; Transparency International, 2012; 2008; Urinbojev & Svensson, 2013, p. 373)

good for national and global elites – those understanding, upholding and writing the laws (Van Schendel & Abraham, 2005, p. 7) – and bad for the underpaid, marginalised and exploited. This is certainly the case for the many in southern Kyrgyzstan and southern Xinjiang – part of Central Asia, a region notorious for high levels of corruption – who rely on social networks for their livelihoods and do not have secure positions within the formal systems. The very institutions from which they are excluded or within which they are marginalised and exploited define corruption legalistically and use it against these population groups to dismiss them morally, by branding a large part of the conduct they build on for their survival as corruption. In order to understand this double bind between marginalisation and moral dismissal, I draw on ethnographic descriptions from several Central Asian contexts to suggest a heuristic distinction between two basic moralities deriving from two different logics: that of state-bureaucracy on the one side and that of kinship or relatedness on the other. State bureaucracy, the foundation of the formal systems, demands for all to be treated equally disregarding particular social relations – in the words of Max Weber, “without consideration of the person.” But these social relations and personal connections are the very essence of kinship- or relatedness organisation. This brings the two systems into conflict, which from the perspective of bureaucracy is deemed “corruption”, “tribalism” and “nepotism” and from the perspective of kinship can be seen as “disloyalty” or “treason.” My argument draws on critical works on corruption by Jeremy Morris and Abel Polese (2014), Rustamjon Urinboyev and Måns Svensson (2013), Cynthia Werner (2000), Caroline Humphrey (2012), Wilhelm Van Schendel and Itty Abraham (2005), Dieter Haller and Chris Shore (2005), David W. Lovell (2005), Susan Rose-Ackermann (2010), Steven Sampson (2019) and others. What I seek to add is the development of a structural analytical tool to better grasp the circumstances under which people make their choices to carry out practices that are condemned as “corruption” by the formal systems. For many marginalised people in Central Asia, these practices constitute both an established way of being in the world and a rational mode of action given the social contexts they are a part of and the marginal and vulnerable positions they have within the capitalist world system.

This article is organised into two parts called “corruption” and “anti-corruption”. The first part, “corruption,” draws selectively on my own fieldwork data collected during research on local economic practices in southern Kyrgyzstan (for a total of 6 months in 2007, 2010, 2014 and 2016) as well as fieldwork in southern Xinjiang (for 21 months in 2010-2011, 2013, 2014, 2015 and 2016) for two different projects on kinship and cross-border trade respectively. It shows how certain practices, condemned as “corruption” from a legal state perspective, can be both rational and ethically sound choices for people with limited access to the formal systems and their resources. This is especially true in contexts like Central Asia where the population is highly vulnerable to the volatile fluctuations of the capitalist world system. In the second part, “anti-corruption,” I situate the Central Asian experience within the global multi-million-dollar anti-corruption industry (Sampson, 2010; 2019). The industry adopts a state perspective as an unreflected default to define corruption legalistically and judges it according to bureaucratic logics of morality. This definition opens the concept up to misuse by the powerful against the marginalised, as non-adherence to the formal system is in itself morally condemned.

My conclusion is that in order to take local perspectives and the hardship of marginalised peoples at the fringes of the capitalist world system seriously, and avoid turning research into a tool for elites against the exploited, we must free it from the constraints of the state perspective and bureaucratic morality. Therefore, we need to distinguish legalistic notions of corruption from moralistic ones and allow for a local, non-bureaucratic understanding of morality. Legalistic definitions of corruption that define as corrupt what transgresses the law and formal systems must be clearly distinguished from moral definitions that see as “corrupt” practices that are deemed wrong by a given local population, even when some of these practices (such as lobbying, exploitation and tax avoidance) are formally legal.

Corruption

Corruption in Central Asia

Corruption has often been described as a widespread phenomenon in Central Asia.² The few international media outlets that report on the region with any regularity show a pronounced interest in high-profile corruption cases. Then-president of Kyrgyzstan Almasbek Atambaev's involvement in the disappearance of millions of dollars for a Chinese managed modernisation of Bishkek Thermal Power Station in 2013³; late Uzbek president Islam Karimov's daughter's sentence for corruption⁴; the involvement of Kyrgyz top customs official Raimbek Matraimov in money laundering and tax evasion⁵ have all been extensively discussed. The national presses in Central Asia, too, regularly cover corruption scandals that have brought down politicians of all levels within the last two decades.⁶ Bribing and nepotism are recurring topics at the bazars and tea houses I have frequented in southern Xinjiang and Kyrgyzstan, where locals share their experiences involving customs officers, traffic police, bazar authorities, university administration and local government officials (cf. Humphrey, 2012; Haller & Shore, 2005, p. 6). In the Kyrgyz part of the Ferghana Valley, Uyghur, Chinese and Uzbek traders I talked to lamented the excessive bribing and therefore preferred to handle their affairs through social connections rather than via the official bureaucratic paths whenever possible.

Both governments and large international organisations promote anti-corruption as a top priority in their efforts to develop the region. In 2015, local state media in Xinjiang Uyghur Autonomous Region (PRC) announced that more than 700 local state officials had been charged with corruption (VoA 2015). This was the beginning of a long-standing purge of local minority elites by the CCP, during which much land, resources, labour and market shares were secured by Han-Chinese companies close to the government (Steenberg & Rippa, 2019). In 2017-2019, during the mass incarceration of hundred thousands of Uyghurs and Kazakhs for deviant ideological or religious attitudes, hundreds of intellectuals and state officials from minority backgrounds were sentenced to long prison terms for alleged corruption, including bribe taking and embezzlement of funds (UHRP, 2018; 2019). Elsewhere in China, too, officials critical of Xi Jinping's party line, too closely involved with his critics and rivals or belonging to national minorities, have been charged with corruption more frequently than others. Similarly, in Kyrgyzstan most politicians sentenced over corruption have belonged to the opposition.⁷

It seems that in Xinjiang and Kyrgyzstan almost anyone from a non-dominant group of the population (opposition politicians, minorities, women) could at any time be charged with "corrupt" practices in one form or another – be it bribery, fraud, favoritism or simply running unregistered businesses. This most certainly has to do with a degree of "selective justice" and "ruling regimes in Central Asia [using] corruption as a mechanism of direct and indirect administrative control" (Osipian, 2009, p. 183). Yet, often the charges, while unfairly brought against some and not others, are not entirely made out of thin air. My own fieldwork data and further anecdotal evidence suggest that a large part of the local population in Xinjiang, Kyrgyzstan actually engages in activities that can be deemed "corrupt" from a legal state perspective. The prevalence of corruption in both discourse (Gulette, 2010) and practice is much noted by scholars on the region. Ararat Osipian concludes, "corruption [in Central Asia] has a systemic character, it is endemic to the society, and it has reached epidemic proportions" (2009, p. 198). Why do people engage in such activities that are against the law? Especially when it makes them so vulnerable to persecution by the ruling elites? To explain this, scholars of Central Asia and other post-Soviet contexts adduce a range of factors, including the Soviet legacy (Lovell, 2005; Luong Jones, 2002; Ledeneva, 1998); particularly dishonest

2 Leach, 1999; OECD, 2017; Osipian, 2009, p. 182; Shleifer & Treisman, 2003; Transparency International, 2008

3 AKIPress, 2019; EurasiaNet, 2019

4 OCCRP, 2015, Putz, 2020; RFE/RL, 2020

5 BellingCat, 2019; OCCRP, 2019

6 Gulette, 2010; UHRP, 2018, 2019; VoA, 2015

7 Prominent examples are Tekebaev during the rule of Atambaev and Beknazarov during the rule of Akaev.

politicians (Ledeneva, 1998, pp. 42-43); the systemic lack of resources in post-Soviet Central Asia (Humphrey, 2002); unfettered rent-seeking in a disembedded, un-enlightened capitalist system (Pétric, 2005); and established traditional patterns and a culture of gift giving (Werner, 2000; Pétric, 2002). The three latter explanations hold aspects important for this article's analysis. It takes its departure from the notion of gift giving, not merely as an established tradition or a "remnant," but also as a choice and rational course of action.

Bribes or gifts

Gift giving is often invoked by anthropologists as a contrasting notion to "bribes" to point to a discrepancy between what is officially regarded as corruption and what the local people in Central Asia and beyond see as morally wrong (Lovell, 2005, p. 70; Polese, 2008; Urinboyev & Svensson, 2013, p. 372; Werner, 2000, pp. 16-17, p. 20).⁸ Pardo asserts, "corruption may help to maintain social bonds and to engender new ones," (2013, p. 142) while "Rose-Ackerman [...] considers corruption as an 'allocative mechanism' for scarce resources" (Osipian, 2009, p. 183). The imprecision of these formulations is telling: of course, it is not "corruption" which maintains social bonds or allocates resources. This is done through practices that are first and foremost gifts given or acts of support and only secondarily become labeled as "corruption" by governments, statisticians, organisations and scholars. These practices are not primarily "corruption" for the people who practice them but ways to fulfil kinship obligations, express loyalty and solidarity with one's community and secure the household's livelihood and future. Humphrey (2002, p. 128), Werner (2000, pp. 16-20), Polese (2014), Haller and Shore (2005) and other anthropologists explicitly call for interrogations into the cultural specifics of such practices. To dismiss them as corruption "does not correspond to the differentiated practice and discourse of the people themselves" (Humphrey, 2002, p. 128, see Polese, 2008, p. 47). As Haller and Shore (2005, p. 9) put it, "what is classified as nepotism and cronyism in Scandinavia, may well be regarded as a moral duty to help one's friends and family in parts of Asia and Africa – or indeed, among sections of France's *classe politique*." Others show how practices categorised by some as corruption may be the only way to escape unjust persecution; to rightfully access resources (Gullette, 2010, p. 42); to make ends meet or even to survive (Polese, 2008; Urinboyev & Svensson, 2013, p. 372) within dysfunctional bureaucracies and exploitative markets. Therefore, if some practices deemed "corrupt" by the state and international organisations can be seen as legitimate reactions to systems of injustice or normal social practices of relationships essential to the functioning of society, to condemn them morally is akin to a blanket and uncritical acceptance of the perspective of the state and of the ruling elites defining national laws (Van Schendel & Abraham, 2005, p. 7) as being universal.

Lovell provides a structural approach that acknowledges the multiplicity of perspectives. He makes an argument for seeing the "endemic corruption" in Central Asia as a phenomenon of transition from one system to another, caused by the lingering of "significant patterns of informal and traditional behaviours that affect the relations between public officials and citizens" (2005, p. 79). According to Lovell, "tensions exist between the different types of social relationship which are assumed by traditional and modern forms of ruling" (p. 79). It becomes obvious what type of simplifications Lovell is writing against when he adds, "officials in transitional regimes should not be regarded as intrinsically evil or culturally predisposed to corruption" (p. 79). Lovell captures the systemic tensions between kinship loyalties and gift giving on the one side and the demands of anonymous state bureaucracy on the other (p. 78). In spite of this insight, he does not proceed to call out the inherently state-centric perspective of the concept of "corruption" (Van Schendel & Abraham, 2005, p. 6), nor does he question its legitimacy or analytical usefulness as a generic term. Instead he calls for a "profound change in society and culture" (Lovell, 2005, p. 70) in Central Asia and the "development of a strong civil society" (p. 79) to ease this tension. By identifying the

⁸ The choice to focus on the distinction between gifts and bribes is no coincidence but potentially misleading. As bribing follows the logic of commodity exchange (a transaction of alienable things between uninterested actors), it is the form most familiar and easily accessible to western scholars and audiences and as a commercial transaction most easy to dismiss morally, because it does not compromise any relationships. Yet, besides bribing, other "corrupt" practices include various forms of nepotism that follow the logic of "gifts" (the transaction of inalienable things between interested actors), where the transaction is entangled in long-term social relations. It is far from a given that local judgement would morally dismiss all the commodity-type transactions while accepting those following a gift-logic.

problem and seeking the solution within society in a context of the Global South, Lovell's analysis remains within the ideological bounds of mainstream western, state-centric, colonial notions of corruption.

Bureaucracy versus kinship

To escape the epistemological bounds of this ideology and to acknowledge the "limits of 'seeing like a state'," Van Schendel and Abraham suggest to "adopt [...] analytic perspectives that privilege the participants" (2005, pp. 6-7). They invite us to view the tension between the state perspective and that of ordinary people in Kyrgyzstan and Xinjiang engaged in activities deemed corrupt by the state, from a non-state, local side. This perspective defines a constitutive branch of anthropological theory: Kinship anthropology has for more than a century focussed on the study of non-state social organisation. Georg Pfeffer (2016) defines kinship in explicit opposition to bureaucracy and the state, as a non-state, non-bureaucratic form of constitution for the ordering of society. Pfeffer's approach helps us arrive at the core of the tension of "corruption" by allowing us to distinguish between two moralities based in two different logics: that of state-bureaucracy on the one side and that of kinship or relatedness (Carsten, 2000) on the other. Practices seen as "corrupt" within one are not merely tolerated within the other, but imperative and constitutive to it. It may seem strange to suggest that kinship should stand in opposition to the law or state and generally it does not, but the primary loyalties claimed by bureaucracy and those of kinship directly contradict each other in significant ways. The core premises of these two logics stand in opposition to each other in ways I shall now venture to draw up by describing, in brief.

According to Max Weber, bureaucracy means organisation and administration "*ohne Ansehen der Person*" (without consideration of the person) (Weber, 1922/1972, p. 563). This calls for identical treatment of any one person by the system and its servants. Social relations to the administrator or any other person may not have any effect on this interaction, which is done purely according to predetermined categories for the individual (gender, age, place of registered residence, registered marital status, etc.). This is the realm of the formal, legal and – from a state perspective – legitimate. It is extended beyond state bureaucracy to regulated, non-state institutions such as private companies and NGOs, where paperwork makes these institutions accessible to bureaucratic control. This is meant to ensure that their hiring, handing out of contracts and many aspects of their daily workings follow legal principles that exclude the consideration of personal relations.

Kinship, on the other hand, is based on the exact opposite premise. Here the consideration of the person and her personal relations are the key organising principle. While kinship in parts of modern, western ideology has been reduced to little but the nuclear family and a notion of genetic descent (Carsten, 2004), in most social contexts globally and historically it extends way beyond this narrow bound and is defined by social interaction rather than by biology (Sahlins, 2013). In this anthropological sense, kinship (or relatedness; Carsten, 2000; 2004) includes communities and all other forms of long-term social relationships based on mutual obligation. Much of what kinship terminology, rituals and gift giving⁹ does, is exactly to define such obligations between people in terms of authority, labour, emotional and material support (Hardenberg, 2009; Pfeffer, 2016). Kinship is all-pervasively involved in the ordering of both economic, political and affective relations and is based on the exact opposite principle to that of modern state bureaucracy, with which it has shared and contested social organisational roles for centuries (see Pfeffer, 2016; Sabeen, 1998; Sneath, 2009; Steenberg, 2017).¹⁰

9 Marcel Mauss, who is mentioned by several anthropologists writing about corruption (Polese, 2008; Werner, 2000), explicitly draws a parallel between kinship and gift giving on the one side and state law on the other. In his "Essay on the Gift" (1990/1924), he sees "total" social institutions of gift giving and reciprocity as precursors to state law. While the evolutionist undertones of this argument must be criticised, what remains valid is the functional parallel of state law and social obligations of gift giving. Gift giving must be understood as part of a wide range of kinship based practices to organise both the circulation of things, labour and social relations. These practices are important elements in the social structure including kinship, communities and networks.

10 Structures of kinship and gift giving have at times in history been the dominant type of social organisation in Central Asia. In the past century, it has ceded many areas to state law (Scott, 2009), bureaucracy (Graeber, 2016; Pfeffer, 2016), and, more recently, the state protected capitalist market (cf. Kalb, 2013).

The areas of overlap, interaction and conflict between these two logics and moralities, are where legalistic discourses of corruption come into existence. It is important to point out that these are discourses focussed on the types of corruption that involve an element of “relations”, “connections” or “nepotism” and their locally specific expressions like “tribalism” in Kyrgyzstan (Gullette, 2010), *compadres* in Mexico and Brazil (Lanna, 2007) *blat* in Russia (Ledeneva, 1998) and *guanxi/renqing* in China (Yan, 1996). They are less concerned with practices of “pure bribing” where a service is illegally “purchased” without any social relation being evoked or constructed akin to exchanges on a commodity market (cf. Gregory, 1982). These legalistic discourses are framed by a common, international episteme around “nepotistic corruption,” in which a practice is deemed “corrupt” because it transgresses the bureaucratic, legalistic logic and then deemed morally wrong because it is “corrupt.” Corruption in this sense has become a marker of the tension between kinship and bureaucracy seen from the perspective of bureaucracy (i.e. the state and law) – the manifestation of derogatory judgements over kinship in terms of bureaucracy. Opposite narratives expressing a derogatory view on bureaucratic conduct from the perspective of kinship are those of “disloyalty”, “treason”, “egotism”, “selling out,” “forgetting one’s roots and duties” or “the colonisation of life-worlds” (Habermas, 1981). The tensions between these two logics and their ethics affect the lives of a high number of people in Central Asia and other contexts of the Global South.

Alternative strategies

Almost all families and individuals I have been involved with in Kyrgyzstan and Xinjiang to some degree navigate between formal structures that follow the state laws and bureaucratic logic and structures of social relations that follow rules of kinship and community. From the perspective of local actors, these structures present alternatives for investment of time and resources. Households and individuals more or less consciously follow strategies that stress one or the other. This translates into a number of concrete choices like whether the family savings (or the potential for borrowing from relatives) is used to send a daughter off to university or on a large wedding for her; or whether to employ a formally well-qualified professional into the family business or a brother’s son. Each have undeniable advantages and risks, the result of which depends on a number of factors – including the structural position of the household in the formal economy and changing macro-economic circumstances.

Madeleine Reeves (2012, pp. 122-123) introduces Jengesh from Batken in southern Kyrgyzstan. He complains that his former classmates who performed badly in school have become successful traders and labour migrants to Russia, able to afford cars and marry, while he, who always had the highest grades and went on to earn a university degree ended up unemployed and indebted. Jengesh chose to invest his time and effort into the formal educational system and his family provided the funds for him to study, but this investment did not pay off as he had hoped or been promised. His underperforming classmates, on the other hand, did not invest much into formal education. They went to Russia as labour migrants or engaged in the border trade, which demand the dedication of time and resources into so-called informal structures and the social networks behind them. Many of them had considerable success. The way Jengesh invested his time and effort, probably encouraged by teachers and family members, follows the recommendations of modernist state narratives – both Soviet and post-Soviet – and most international development agencies (see Amsler, 2009). They give high priority to formal education, formal licensing and other fields of interaction with anonymous structures of state bureaucracy and regulated markets. The same institutions encourage borrowing money from banks instead of from relatives and condemn “wasteful spending” of money and time on social events like weddings where the type of networks are forged that Jengesh’s former classmates needed for their successful endeavours in Russia. The actual economic context of Kyrgyzstan in the early 2010s, during Jengesh’ initial adult years, awarded the investment into such networks higher than that into formal education. The state and formal market structures, upon which Jengesh made his success dependent, failed to deliver the opportunities they had promised. In 1991, the Kyrgyz economy entered at the margins of a capitalist world system. Kyrgyzstan followed the World Bank recommendations of “Shock Therapy” but hardly saw it pay off and never advanced within the global economic hierarchy. This continues to translate into low wages and earnings with comparatively high costs of living. In a similar setting in Uzbekistan, Urinboyev and Svensson (2013, p. 385) describe the midwife Umida

who defends accepting illegal money gifts from the families of women giving birth. She points out that this is her only way to profit from the seven years she invested into her studies, as her salary does not cover her living expenses. Morris and Polese quote similar legitimations for taking illegal payments by workers in the Ukrainian health sector (2014, p. 10).

Between 2010-2014, I met several young Uyghurs from rural Atush in XUAR who pursued similar strategies as Jengesh's classmates. Paying little heed to formal education, they spent much of their time at the bazaar engaged in petty trade only to use their meagre profits to play pool in the local billiard hall on the 2nd floor of an empty, run-down factory building and invite each other for lunch despite food being prepared for them by their families at home. Their interactions of mutual support and displays of generosity were meaning-building activities carrying value in themselves, but they also constituted investments into social networks upon which their economic future depended. Much like gift giving at weddings, their exchanges more or less consciously aimed to build social capital. One day, three of them came to visit me in Kashgar where I was conducting long-term fieldwork. We walked around town talking of weddings and the harvest and I was initially surprised at how lightly and carelessly they spent their scarce money on random entertainment and cheap plastic toys. Just before returning home, they asked me to borrow some money and bought a large box of melons. They took it back to Atush and sold it for a profit on the local farmers' market. The next day they returned to repay me and repeat the deal, but this time they were less fortunate. Some of the melons had been damaged and they lost almost all of their profit from the first deal. The meagre rest of it they spent on a common meal to which I was also invited at a restaurant run by one of their friends' family. They were excited and regarded the endeavour a success. It took me a while to realise that it was a success, not in profit-making, but in smoothly managing social relations and solidifying trust and connections. They were building both social and cultural capital in the sense of negotiating concrete relations and building their networking and business skills.

These social networks and the skills required to establish and uphold them are of particular importance for poor and educationally underprivileged families, especially those from discriminated populations such as the Uyghurs in China who are given few chances to succeed in the formal systems. Connections and trust are crucial in trade, which provides one of the few options available for Uyghurs from rural backgrounds to establish themselves in society, to make a living but also a name for themselves – to be someone. These young men successfully invest their time hanging out, practicing generosity and thereby cultivate a mind-set to prioritise long-term social relations over the demands of formal structures or short-term market gains. A similar logic and experience leads them and many others in Central Asia to not regard large weddings a waste of time and money, but rather an essential option for investment into personalised social networks on which future economic success and social security depend along with social recognition and meaning-creation in life.

The volatility of formal structures

Such networks and other so-called informal structures are often viewed with suspicion by the state for very similar reasons to why bureaucracies feel threatened by kinship. They cultivate loyalties that may compromise state laws, they are not controlled or legible, and the economic activities taking place in them are rarely registered, meaning that they do not produce state revenue or figure in the growth statistics. Formalisation processes have been a central feature of PRC modernisation efforts in Xinjiang since the late 1990s. This has plunged a large part of southern Xinjiang's Uyghur population into the vulnerable process of moving from livelihoods strongly based on social networks to such based more on formal structures. It has happened both under government coercion and more voluntarily – lured by the comforts of a modern life and the promises of development. It has also been a consequence of the whole environment becoming more formalised and regulated as a result of targeted state campaigns. The results have been more priority to formal education and registered employment; more regulated markets; an increase in the use of banks and insurance, and stricter taxation. It has also led to a reduction in ritual activities; a decrease in systems of unpaid labour help and the (often forceful) dismantling of old-

established neighbourhoods and communities (Bellér-Hann, 2013; Kobi, 2016; Steenberg & Rippa, 2019). This process has entailed risks and losses, but also improvements of material livelihoods and comfort for many. Importantly for the argument of this article, it has led more people to depend more heavily on the formal systems: trusting (or at least hoping) that that markets and the state will sufficiently accommodate for their future needs, that the time and resources spent on education will result in employment and that, in case of illness or other difficulties, state social security and formal insurances will protect them.

Between 2010 and 2014, there was reason to believe that this would be the case. The economy in southern Xinjiang was growing, trade was flourishing, government investment enhanced the availability of money and of people entering into the commercial economy at an unprecedented velocity kept opportunities expanding. This changed in 2014 as the impact of the Global Financial Crisis came to be felt more severely in China and Central Asia, and the government enhanced the security regime in Xinjiang (Roberts, 2020; Steenberg & Rippa, 2019). Targeted by the securitization and being the most vulnerable and the lowest in the hierarchy of a slowing economy, Uyghurs were increasingly excluded from the formal public and private sectors. As a result, a large part of the population slipped beneath the line of neutral returns regarding the formal systems. They had lost more than they had gained from focussing on formal education and employment. Like in Jengesh's Kyrgyzstan and Umida's Uzbekistan, as the promised schemes failed to deliver, vulnerability translated into precariousness and marginalisation, which resulted in alienation and progressive loss of faith in the state, its laws and its project of modernisation.

I observed the devastating effects of such a formalisation effort without locally sustainable development with particular clarity over several years at the Irkeshtam border between Xinjiang and Kyrgyzstan in the early 2010s. When I crossed the border repeatedly in 2010 and 2011, I found a flourishing and growing settlement of restaurants, lodgings, supermarkets, repair shops, moneychangers and other services. The road on the Chinese side was much better than that on the Kyrgyz side, which could not carry the heavy Chinese trucks. Therefore, everything had to be reloaded onto smaller vehicles arriving from Osh. In sync with growing trade, the settlement on both sides of the border experienced an increase of opportunities for local service providers. Families from the surroundings pooled their income to invest into shops, hotels and service stations for drivers and traders. On the Chinese side, this was encouraged and supported by the local authorities. When I crossed again in 2013, Chinese construction companies had significantly improved the road on the Kyrgyz side with Chinese funding. Now large trucks were rolling through from Kashgar to Osh and the border towns had lost their significance, income and a large part of their population. They had become half-empty and shops were struggling to stay in business. In 2016, the situation had deteriorated further. Few stores were left, many of the structures had collapsed, some streets had been completely abandoned and heaps of debris and trash including scores of worn out car skeletons littered what had only five years earlier been a thriving border town. To standardise, ease, and better control the customs procedures, the Chinese authorities had moved their customs control 100 kilometres to the east from the border to the nearest town, Ulughchat, half way to Kashgar. This had made it difficult to enter the area west of the town even for its residents and local business was no longer profitable. Many of those who had pooled or borrowed money to invest in this border town had incurred heavy losses, were in debt and some were forced to sell their land and leave the region.

These examples of formal structures not delivering are no exceptions, as other studies have clearly shown (Morris & Polese, 2014; Reeves, 2012; Urinboyev & Svensson, 2013). Hasan Karrar describes how modernisation efforts at Sost dry port in Gilgit-Baltistan at the Chinese border similarly led to the near exclusion of locals from the trade; the very people who had been encouraged to support and invest their hopes into the expansion of the dry port few years earlier (Karrar, 2020, p. 35). These dynamics are characteristic of social contexts at the margins of the capitalist world system such as southern Kyrgyzstan and southern Xinjiang – precisely the types of places known for corruption and targeted in large national and international anti-corruption campaigns.

Anti-corruption

The anti-corruption industry

According to Steven Sampson, the “anti-corruption industry” was established in the 1990s. In 1993, Transparency International had been founded by former World Bank official Peter Eigen, and three years later World Bank president James Wolfensohn gave a speech in which he blamed much of the lack of development in the Global South on what he called the “cancer of corruption” and laid out new conditions for international loans requiring reforms toward what he deemed “effective government” (Sampson, 2010, pp. 273-274; 2019, p. 277). Framed by the context of globally accelerating neo-liberal politics, this industry came to span most large international governing bodies such as the UN, OECD and EU as well as a myriad of NGOs, establishing “anti-corruption initiatives, budget lines, agencies and programs, anti-corruption conferences and training, anti-bribery investigations, corruption diagnostics and surveys, an ISO anti-bribery standard, and even Master’s degrees and certification in corruption and governance studies” (Sampson, 2019, p. 281). Western governments and international development agencies were looking for endogenous factors on which to blame more than 45 years of failed trickle-down development strategies (Werner, 2000, p. 20) and seeking to influence the laws in many “developing countries”. Unsurprisingly, the academic community broadly followed their lead and funding to devote much research to the topic (Lovell, 2005, p. 65; Haller & Shore, 2005; Werner, 2000, p. 16). Anti-corruption became a good business opportunity for NGOs, political and academic institutions and other “so-called moral entrepreneurs” (Sampson, 2019, p. 278, p. 284). The political bias of the industry determined its main focus to be government practice in the Global South while largely ignoring financial fraud and “culturally accepted forms of corruption, such as campaign ‘donations’”, lobbying and tax evasion in the Global North (Werner, 2000, p. 20). Here, corruption such as that evidenced in the Paradise Papers, the Panama Papers and in cases involving FIFA, Volkswagen, Deutsche Bank, Nissan and a range of other firms and organisations listed on WikiLeaks is reduced to individual vice or euphemistically dismissed as “conflict of interest” or “bad management” (Sampson, 2019, p. 282), and corporate financial fraud is rarely persecuted but rather settled out of court (Greaber, 2015, pp. 25-26). This suggests that the anti-corruption campaigns were primarily about “protecting the investments of Western-dominated transnational corporations” and helping them “avoid the hassle of unfamiliar business practices” rather than fighting social injustices (Werner, 2000, p. 20). The more or less subtle use of anti-corruption as a “civilising mission” to open up new markets in the Global South and shape the legal frameworks around them to the needs of Western companies, is exemplified in embarrassing clarity by the title of a 2006 issue of *Development Outreach*, a journal published by the World Bank, “Fighting Corruption: Business as a Partner” and in a World Bank Special Report on Corruption in Central Asia which recommends that:

“countries with particularly high levels of state capture should focus more on enhancing political accountability and promoting greater competition in the economy through demonopolization and the entry of new firms.” (Gray et al., 2004, p. 32)

Under the financial and political pressure of such large organisations, anti-corruption programs have been initiated in many former east-block countries. In Georgia after the Rose-Revolution in 2003, “all the social, economic, and political problems [...] were framed as problems related to the prevalence of corruption and informality” (Rekhiashvili, 2015, p. 4). The resulting anti-corruption reforms did reduce low-level corruption, which improved the quality of government institutions according to the indicators of the World Bank, and the country’s GDP grew (2). Yet, the campaigns also resulted in rapidly growing rates of poverty, undernourishment and inequality, as “the post-revolutionary government used the anti-corruption discourse to get rid of social responsibilities, outsource and privatize a large portion of public services, and remove entire state departments, services and institutions” (3). Similar developments have been described in Romania in the early 2010s, when anti-corruption campaigns were employed to push austerity measures and privatisation and supported the “fight of big capital against local capital” (Rogozanu, 2014, p. 2). As described above in the cases of Xi Jinping and the mass incarcerations in Xinjiang and persecuted

Kyrgyz politicians, anti-corruption is also often used by national elites to exploit local populations, gain access to land or purge opposition or minorities. They use formalisation and the expansion of bureaucracy which they control through state institutions to dismantle and fragment the less controllable rival forms of organisation.

The colonial history of anti-corruption

“Corruption” is not the first or only trope to be employed by global and national elites to legitimise violent forms of control. In the 1970s, concerns with lack of progress in “developing countries” sparked political and scholarly debates around “patronage” and “clientelism” as hindering factors that resemble debates on corruption (Werner, 2000, p. 16; Haller & Shore, 2005, p. 9). They were particularly concerned with development in South America where the US government was heavily involved, and these concepts became the neo-liberal establishment’s preferred endogenous-factor-explanation¹¹ to oppose the leftist *dependencia*-approach and its focus on external factors – most especially the global division of labour and the exploitation of weaker countries by colonial and post-colonial powers – as the main cause of underdevelopment.

In a similar vein, Russian and Soviet colonising regimes blamed what they saw as a lack of progress in Central Asia on “backward,” “tribal” and “corrupt” local traditions. They used these discourses to legitimise the violent suppression of indigenous customs (Martin, 2001) and local resistance to colonisation. State campaigns around such rationale occurred repeatedly during Czarist expansion; Soviet collectivisation; the Stalinist purges of the 1930s; the 1980s’ campaigns aimed at eliminating the so-called “Uzbek disease” of corruption¹² and during the Western-led “transformation” efforts after 1991. Discourses condemning “corruption” or “tribalism” today are thus part of a centuries long tradition of coloniality¹³ (Tlostanova, 2012; Mignolo, 2011) and efforts to construct modern, formalised, individualist (Dumont, 1986) and legible (Scott, 2009) economies and societies. This is done both by colonising powers and by local elites who mint the concept of “corruption” in accordance with modern and colonial ideology to suit their purpose. Walter Mignolo posits that, “there is no modernity without coloniality”.¹⁴ We can add to this that there is no “corruption” in a legalistic sense without modern bureaucracy and, therefore, coloniality is a prerequisite to any notion of corruption that is defined according to a state law and not to local morality. Indeed, discourses of “corruption” that condemn “kinship”-type practices can be seen as constitutive of modernity and coloniality. If modernity is “a weapon of imperial/colonial global expansion of Western capitalism” (Mignolo, 2007, p. 165), then state-centric discourses of corruption serve as techniques by which this weapon is being used to establish and maintain power globally and locally, especially over marginalised populations with limited access to the formal systems and, therefore, heavy reliance on kinship- and community practices.

Recognizing the colonial and orientalist legacy as well as the political and economic interests behind the rise of the international anti-corruption industry since the 1990s helps us understand its heavy focus on the Global South and why the former Eastern bloc of “defeated enemies” and their nascent markets have garnered its special attention. As anthropologists and legal scholars writing on corruption rightly point out, the phenomenon itself is in no way limited to actors from the Global South (Cooley & Sharman, 2015; Haller & Shore, 2005; Werner, 2000). Quite to the contrary, the highest officeholders in Germany, France (Haller & Shore, 2005), the United States and the most esteemed companies in the Global North have repeatedly been involved in large-scale fraud, tax evasion, illegal campaign funding and other types of corruption. Manhattan and London are regarded as the world’s largest off-shore tax havens and mainstream financial institutions like Deutsche Bank, Danske Bank, Nordea, Lehmann Brothers and Appelby’s have been deeply involved

11 Such explanations focus on deficiencies within the developing societies themselves in order to explain their problems rather than on outer factors like structural inequalities on a global scale. Lovell’s call for social change in Central Asia to solve the problem of endemic corruption (2005, p. 70), quoted above, falls within this explanatory framework.

12 The latter has been described as a “purge” of indigenous elites (Critchlow, 1988, p. 142) entailing “practices akin to witch-hunting” (Werner, 2000, p. 20).

13 I use the term coloniality to go beyond the mere historical, european colonialism which it is tied to but supercedes as an ideological and power project – the “indispensable underside of modernity” (Tlostanova, 2012, p. 133).

14 Mignolo, 2011, p. 3, quoted in Kušić, Lottholz & Manolova, 2019, p. 13

in money laundering and other financial fraud in the 21st century alone. Indeed, there is ample evidence that “Western companies (sometimes even backed by their governments) corrupt foreign officials to gain an advantage over their competitors” (Lovell, 2005, p. 66), and many corruption schemes in Central Asia are closely connected to “informal transnational networks” that “include multinational companies, elites in host countries, offshore financial vehicles and conduits, middlemen and brokers, and destination financial institutions” (Cooley & Sharman, 2015, p. 12), many of whom are based solidly in the Global North. Like many of the thousands of cases of tax evasion from European and North American countries leaked in the Panama Papers and Paradise Papers, these global networks “blur the line between illegal and legal activities” (12). They may be defensible as legal by a skilled lawyer but they are still morally highly reprehensible to most people outside the very exclusive circles of financial elites engaging in it.

A question of definition

This bias of the international anti-corruption industry against the Global South has become manifested in its definitions of corruption. The World Bank defines it as the “abuse of public office for private gain” (Polese, 2008, p. 51; Urinboyev & Svensson, 2013, p. 373). This definition has been widely adopted in slight variations since the 1990s. As Werner (2000), Lovell (2005) and others have pointed out, this definition entails several systematic prejudices:

First, the focus on “public office” to the exclusion of corruption in the private sector (Cooley & Sharman, 2015; Werner, 2000, p. 16) betrays a preoccupation with reforming state institutions and formalising local practice in the Global South to render it legible and manoeuvrable to Western companies (Werner, 2000). Transparency International recognises this shortcoming and defines corruption as “the abuse of entrusted power for private gain” (Transparency International, 2012 in Urinboyev & Svensson, 2013, p. 373). Entrusted power can be both that of the state and the private sector.

Yet, there is a second prejudice that Transparency International does not address: The practices in Central Asia and other non-western contexts deemed corrupt by the state are rarely for purely private gain or advantage. Some definitions change “private” to “personal” to avoid the difficult debate around the distinction between private and public but even this is too narrow. As Werner (2000, p. 16) and Lovell (2005, p. 70) argue, such transgression of state law may be for the benefit of “one’s class or party, or friends or kin” or “out of a sense of loyalty, and without any personal gain involved.” Allowing for only the motivation of personal gain, stealthily introduces moral accusations of egotism and greed into the definition (Pardo, 2013, p. 140), where according to kinship-based notions of morality they would rather be motivated by loyalty, responsibility and dedication – just not to the state. The definitions thus entail a *de facto* moral condemnation of non-adherence to state laws. The anti-corruption industry shares this judgement with their above-mentioned historical colonial precedents.

Third, this moral condemnation is expressed most clearly in the World Bank’s and Transparency International’s phrasing of corruption as “abuse”. Earlier popular definitions do not feature such strong moral language. In Leslie Palmer’s definition from 1983, it is: “the use of the public function for a private advantage”¹⁵ and in 1967 Joseph Nye defines it as: “behavior which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique).”¹⁶ When the large international organisations in the 1990s rephrased it as “abuse” or “misuse”, they tied a strong moral condemnation to a legalistically defined transgression against state law and bureaucracy. They thereby established as unquestionable the bureaucratic state perspective and universalised modern state laws as the primary sources of moral legitimation in stark disregard of the experience and sentiments of those large parts of the world population who depend on kinship institutions and experience exclusion from the centers of power and capital accumulation.

15 Palmer 1983, quoted in Polese 2008, 51.

16 Nye 1967, 419 quoted in Osipian 2009, 183.

I have identified four main general phenomena that complicate the relation between what is illegal or legal and what is immoral or moral:

1. Local people whose livelihoods depend on kinship and social networks give gifts and share office and resources in ways that are against the law but not viewed as wrong or immoral on the ground.
2. Underpaid professionals take bribes, which they consider wrong but excuse it as their only way to make ends meet and make the system function.

These two can be considered defence mechanisms by the marginalised and exploited. They are illegal but morally accepted by most people locally. Anti-corruption measures can be used against them as a tool to control the marginalised and subdue them to those in power. Other “corrupt” practices consolidate the privileges of the wealthy and powerful to keep exploiting the poor and are thus corrupt in both a legal and moral sense, such as large scale money laundering and the sale of office or tenders. Lastly, some practices are deemed “corrupt” from a moral, but not from a legal perspective:

3. Large companies and powerful political actors find loopholes in the legal system to establish profitable deals that are not in the common interest and do not follow the spirit of the law but only its word.
4. Ways to convert money into power or power into profit such as large donations to politicians’ campaigns, lobbying, stock buy-backs, hedging and trading in sub-prime mortgage bonds that are viewed by large portions by the population as morally wrong but are legal according to the law.

In recognition of such complications, Pardo distinguishes between moralistic and legalistic definitions of corruption (2013). The moralistic definitions match popular uses of the term and its etymological root in Latin meaning “moral decay, wicked behaviour, putridity, rottenness” (Osipian, 2009, p. 183). Legalistic definitions precondition non-adherence to the law. Legal definitions are the easiest to assess, since they correspond to the state’s preferences and provide the *de facto* backbone of the entire anti-corruption industry. A gift to a superior or a certain favor to a relative that is illegal according to the law but not seen as immoral by local people should be termed “corruption” according to a legalist definition but not within a moralistic one.

It is important to distinguish between two types of corruption, the extreme ideal-types of which are “nepotism” and “bribing.” Nepotism refers to giving advantages to specific persons because of existing or pursued long-term social relations. Bribing is the short-term purchase of an advantage that should not be purchasable according to the law. In a kinship-focussed morality as described above, nepotism is seen as legitimate, while bribing is not. Still, locally, bribing may also come to be seen as a legitimate reaction to a formal system that clearly does not deliver for those who have invested into it, and often these two types of corruption intermingle and interact in concrete practice.¹⁷

The double-bind of the marginalised

The generic concept of “corruption” as used in the anti-corruption industry entails a heavy state-bias that derives from its conflation of the legalistic and moralistic types of definition. This conflation leads to an unreflected universalisation of the bureaucratic logic of modern, capitalist laws as the yard-stick for ethical behavior and ignores or even demonises a kinship based morality and thus the perspective of millions of marginalised, excluded or exploited people globally. Such unwarranted universalisations have a centuries-long violent history in European colonisation, war and imperialism. The conflation of the legal and moral definitions of “corruption” follows this tradition to facilitate the term’s political misuse by local and global elites.

¹⁷ An instructive illustration of this is Johan Engevall's description of public office within the Kyrgyz state as being “approached as an investment object” from which returns are expected (2011, p. 24).

If we shed the state-centric perspective and take seriously Van Schelden and Abraham's understanding of "the state as 'just' another form of modern political authority" among several, we could interpret the "entrusted power" that is being "abused for personal gain" in Transparency International's above-cited definition of corruption as a power that can also be entrusted by the family, community or social network. Thus, those who do not share the resources to which they have access (including resources of the state and private companies) with their relatives would be said to misuse or abuse these powers given to them – especially as they continue to receive labour help on the fields, gifts at weddings, support for their children to find spouses and do not have the time to reciprocate in kind when working full time in the formal public or private sector.¹⁸ This can be seen as a kind of corruption from the perspective of kinship. In fact, choosing loyalty to social relations over loyalty to the law can be both a morally and rationally sound decision in contexts where people are highly dependent on social relations – especially on the margins of the economic world system hit by the crises and volatility of capitalism.

To do justice to these contexts, a legalistic definition of corruption should completely shed its default moral connotations. This doesn't imply that no practices legally defined as corruption are morally wrong – many of them are. It merely means that a deed cannot be judged morally wrong just because it is defined as "corruption" according to the law. Likewise, a purely moralistic definition of corruption must in consequence shed its dependence on the law altogether. To decide what is "corrupt" according to morality¹⁹ means paying no heed to what is legal or illegal. This would exclude various forms of illegal informal payments in Central Asia from the category of "corruption" while legal forms of tax evasion, election campaign financing, lobbying, stock buy-backs and other financial manipulation would clearly fall within it. To rid the concept of corruption of this analytical imprecision, its state-bias and its heavy potential for misuse by elites against marginalised populations, I strongly propose to always distinguish very clearly between legalistic notions of "corruption" and moralistic ones. This distinction should be carried out rigorously to the point of entirely dissolving the generic term "corruption" without further qualification.

In Kashgar and southern Kyrgyzstan, people from poorer, less educated backgrounds have a tendency to experience the formal economy and state bureaucracy as unpredictable and uncontrollable – as an area, where they lack ownership. Indeed, they are the first ones to suffer from fluctuations in the global or regional economies when markets drop or the rules are changed. To them, long-term social relations provide paths around the discrimination and structural violence inherent in bureaucracy (Graeber, 2016, pp. 57-59) and cushion against the devastating effects of volatile markets. This gives them some control and ownership over their own livelihoods, but also brings upon them the suspicion of the state and formal organisations that condemn it as "corruption", "nepotism" or "informality."

Deep involvement in both the systems of bureaucracy and kinship with their conflicting loyalties takes skilful manoeuvring. Ömerjan, an Uyghur college teacher from Turpan, told me that after his father was promoted to a high position within the educational administration in his hometown, his mother would always keep a stock of expensive gifts in the house. When guests brought along gifts larger than expected, she was thus able to reciprocate before the guests left in order not to leave her husband indebted to them. This social indebtedness could, and indeed was often intended to, be used to ask favours of him that would compromise his duty of impartiality within the bureaucratic structures of his professional life.

Ömerjan's mother, the Uzbek midwife Umida, the low-level government clerk Rahmon described by Urinboev and Svensson (2013), and many government officials are highly skilled in striking an effective balance in their investments and loyalties to each system. Others, like cadre or politicians convicted for corruption or like Jengesh, sinking into poverty and unemployment because they

18 For a good example of this see the story of "pride of mahalla", a low-level official Rahmon who assisted the administering of "informal payments" to superiors and a high-level official Sardor who "was neither a good person nor a good state official due to his law-abiding behaviour and unwillingness to help mahalla people" (Urinboev & Svensson, 2013, p. 378).

19 Here, of course, the question arises whose morality we are talking about, how to define it and how to determine or measure local notions of morality, but this is a separate philosophical and methodological task that must be discussed in more detail elsewhere.

lack social relations, face the repercussions of either bureaucracy or kinship. Many become caught in conflicting loyalties and duties as the state legally regulates more than it effectively controls or is capable of provisioning. This thrusts people into a double-bind where the formal system does not provide sufficiently, but their attempts to self-organise and use the existing structures to compensate run the risk of being condemned as “corruption” and punished with fines or imprisonment. At the same time, if they adhere strictly to the state law they are likely to be accused of treason to the own group, “illoyalty” or “selfishness” and sanctioned with exclusion from networks that may be crucial to survival and household sustainability.

Conclusion

Families in Xinjiang and Kyrgyzstan manoeuvre and balance their duties and loyalties to formal structures of state bureaucracy and formal markets on the one hand and those of kinship and community based on social relations on the other. They depend on both and may be punished severely by either system as adhering to one often means transgressing against the other. Because of the marginal position of the region in the capitalist world system, reliance on the formal systems has in the last decades repeatedly disappointed the expectations that motivated investments into them and is likely to continue to do so. Therefore, cultivating social relations -- even at the occasional cost of non-adherence to state laws -- is for many people both a rational and an ethically sound choice. This applies particularly to marginalised groups, like the ethnic minorities in XUAR or the poor in Kyrgyzstan. People from such groups who invest heavily into the formal systems and neglect their social networks, either as the result of state coercion or the lure of modernist propaganda and ideology, risk losing both relations and formal resources when markets change, financial crises hit or economic policy preferences follow new trends or dictates by the centers of power. In spite of being reasonable and morally justified choices, the prioritising of social relations over compliance to bureaucracy and law is condemned as “corruption” by government agencies and international organisations. This narrative is used by local power-holders to purge opposition and minorities and by western governments, companies and international organisations to shape the legal structures of the Global South in ways that make the local markets, labour and resources more easily accessible and exploitable. Both national and global power elites utilise discourses of “corruption” to legitimise and consolidate their own power and advance their economic interests. For this purpose, they promote a definition of “corruption” that follows state law and morally condemns transgression against it. This is used to morally denigrate action that does not follow the colonial modernisation policies of the power elite, including massive privatisation and austerity. Such a definition was coined and popularised by the World Bank and other large international organisations’ anti-corruption campaigns and rhetoric at the behest of western-led neo-liberal agendas in the 1990s. It reverberates in much of the international media’s and scholarly treatment of corruption until today. It has reiterated the orientalist stigmatisation of Central Asia and other marginalised global contexts as particularly corrupt, backwards and immoral, while forms of deceit and manipulation more typical of the Global North have been much more readily tolerated. Even more gravely, it deliberately furthers the erosion of local social systems of mutual support. As long as no solid, reliable formal structures can be guaranteed in these margins of the world capitalist system, such social relations are of essential importance to households’ livelihoods, social security and the general functioning of society.

To seek not to reproduce the ideological conditions for misuse of the concept of “corruption” and its discourses and to salvage it as an analytical category, we need to deconstruct and oppose the global anti-corruption industry’s definitions. The most severe problem in these is their conflation of legalistic and moralistic notions. Through this conflation state law and the logic of bureaucracy are elevated to universal ethics in disregard of the perspective, experience and life-worlds of marginalised peoples exploited and excluded by these formal systems. It is, therefore, crucial to rigidly distinguish between corruption in a legalistic sense and corruption in a moralistic sense. When defining an action as corruption in a legalistic sense, we must refrain entirely from moral judgement. Accordingly, when defining something as corruption in a moralistic sense, we must completely ignore the law to only base our judgement on local moral standards and an ethically

conscious understanding of the given socio-economic context within the capitalist world system. In a legalistic sense, certain gifts and favours are corruption but that does not necessarily mean that they are morally wrong. In a moralistic sense, they are not corruption at all, while it is corruption to use technically legal loopholes to keep savings in an overseas account with the aim of avoiding tax payments. Distinguishing between these two types of definitions of corruption does not mean dismissing either of them but simply serves as a reminder to not conflate them. By comparing and contrasting them, we identify a volume of legalistically defined corruption that is not also moralistically defined corruption. This is likely to point us to the regions and populations that suffer most from global market volatilities and existing legal structures based on their marginal position in the world economy.

This distinction also points to a way forward politically. If we are to achieve a closer alignment of local moral judgement in Central Asia with the law and with international standards of good governance and best practice, it is not sufficient to campaign to change the attitudes of a given country's population or to reform laws and regulations. Aligning law and morality in Central Asia and elsewhere requires the establishment of a fair global economic system and a fair legal practice based on laws that take into account the situation and possibilities of those subjected to them and does not primarily serve the interest of global and national elites and special interest groups (Pardo, 2013). If we want to limit corruption in a legal sense, people must be given a good, sustainable incentive to choose the formal system. They can safely do this only if and when the formal system provides for them in a stable, reliable, sustainable and just way globally.

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