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### **MISUSE, PUNISHMENT AND NEPOTISM. GENDER PERSPECTIVES ON CORRUPTION IN LATVIA**

In global context international organizations like World Bank, UNDP and UNIFEM have begun to recommend that women should increasingly constitute a growing share of the civil service. This recommendation is an expansion of the positive discrimination position to increase gender equality rooted in the belief that women are morally superior to men, that is, are less inclined to accept corruption. Thus in societies characterized by systemic corruption gender based recruitment promises perhaps not a quick fix but at least a supplement to other anti-corruption efforts. Given the prevalence of corruption in Latvia this paper questions is Latvian female civil servants really are morally superior to their male colleagues, or are the differences in attitudes towards corruption, punishment and nepotism an artefact of a socio-economic gender gap? Based on a survey of 500 Latvian civil servants, it is found that Latvian women do perceive corruption to be more widespread than men but are less inclined to support increased penalties for civil servants and firms caught in the act. These results are indicators of a socio-economic gender gap. However, corruption is particular inherently difficult to research when respondents are asked about their own activities. Knowing that these activities are immoral if not outright illegal respondents are likely to 'colour' their answers. Therefore the present research capitalizes on the later years methodological developments by, for the first time, introducing the list experiment to the study of nepotism in surveys. Holding one group of respondents constant and only vary the list of answers slightly for the remaining respondents it is possible – without the respondents knowing this – to trace the prevalence of nepotism among Latvian civil servant. Using this technique no differences between the genders with respect to nepotism were found. In turn, the upbeat positive story is that Latvian civil servants espouse values that underpin modern administrative thought. The paper does not discuss positive discrimination as such but given the find that women are not morally superior to men this argument should not be used in the affirmative for a change in recruitment policies to the civil service.

**Key words:** Latvia, gender, corruption, nepotism, punishment, positive discrimination.

#### **Ļaunprātīga izmantošana, sods un nepotisms: korupcijas dzimuma aspekts Latvijā**

Tādas starptautiskas organizācijas, kā Pasaules banka, Apvienoto Nāciju Attīstības programma (UNDP) un Apvienoto Nāciju Attīstības fonds sievietēm (UNIFEM) globālā kontekstā ir uzsākušas rekomendēt sieviešu skaita palielināšanu ierēdniecībā. Šī rekomendācija liecina par labu pozitīvai dzimuma diskriminācijai, kas balstīta uz pārliecību, ka sievietes ir morāli pārākas par vīriešiem, t.i. mazāk tiecas attaisnot korupciju. Tādēļ, sabiedrībās, kurām raksturīga sistēmiska korupcija, uz dzimumu orientēta darbā pieņemšanas politika varētu būt nevis risinājums, bet vismaz papildus pretkorupcijas instruments. Ņemot vērā korupcijas izplatību Latvijā, šajā rakstā iztirzāts, vai Latvijas sieviešu dzimtas ierēdnes ir patiešām morāli pārākas par saviem vīriešu kolēģiem, vai nu atšķirības attieksmē pret korupciju, sodu un nepotismu ir sociāli ekonomisko atšķirību starp dzimumiem artefakts? Pamatojoties uz 500 Latvijas ierēdņu aptauju, tika atklāts, ka sievietes biežāk nekā vīrieši uzskata, ka korupcija Latvijā ir izplatīta, bet mazāk tendētas atbalstīt lielākus sodus ierēdņiem un uzņēmumiem, kas piekertas nodarījumā. Šie rezultāti liecina par sociāli ekonomiskajām atšķirībām starp dzimumiem. Toties, korupciju ir īpaši sarežģīti pētīt, kad respondentiem tiek jautāts par viņu pašu aktivitātēm. Apzinoties, ka korupcijas nodarījumi ir netikumīgi, ja ne pilnībā nelikumīgi, respondenti mēģina "izpuškot" savas atbildes. Līdz ar to šajā pētījumā izmantota pēdējo gadu metodoloģiskā izstrādne, pirmo reizi pielietojot saraksta eksperimentu (*list experiment*) nepotisma izpētē. Pieņemot vienu respondentu grupu par kontroles grupu un tikai nedaudz mainot jautājumu sarakstu pārējiem respondentiem, iespējams, respondentiem neapzinot, sekot Latvijas ierēdņu attieksmei pret nepotismu. Pielietojot šo tehniku, Latvijā netika atklātas atšķirības starp dzimumiem attieksmē pret nepotismu. Savukārt, optimistiski pozitīvs moments ir tas, ka Latvijas ierēdņi atbalsta vērtības, kas ir pamatā modernai administratīvai domāšanai. Šajā rakstā netiek apspriesta pozitīvā diskriminācija pati par sevi, bet, ņemot vērā autoru atklājumu, ka sievietes nav morāli pārākas par vīriešiem, šo argumentu nevajadzētu pielietot kā pamatu izmaiņām ierēdniecības darbā pieņemšanas politikā.

**Atslēgas vārdi:** Latvija, dzimums, korupcija, nepotisms, sods, pozitīvā diskriminācija.

### **Злоупотребление, наказание и nepotizm: гендерный аспект коррупции в Латвии**

В глобальном контексте международные организации, такие как Всемирный Банк, ООН и «ООН Женщинам» начинают рекомендовать увеличение количества женщин в гражданских службах. Такие рекомендации свидетельствуют в пользу позитивной гендерной дискриминации, основанной на уверенности в том, что женщины морально превосходят мужчин, т.е. менее склонны оправдывать коррупцию. В обществах, для которых характерна системная коррупция, гендерно-ориентированная кадровая политика не обещает быть широко реализованной, но, по крайней мере, может стать дополнительным анти-коррупционным инструментом. Признавая факт распространённости коррупции в Латвии, авторы статьи ставят перед собой задачу выяснить, действительно ли латвийские женщины-чиновницы морально превосходят своих коллег-мужчин или различия в отношении к коррупции, наказанию и nepotizmu являются лишь артефактом социально-экономического гендерного разрыва? На основании данных эмпирического исследования 500 латвийских чиновников удалось выяснить, что латвийские женщины чаще, чем мужчины считают коррупцию в Латвии распространённым явлением, но в то же время женщины менее склонны поддерживать ужесточение наказания за доказанные злоупотребления для чиновников и частных фирм. Эти результаты являются показателем социально-экономических гендерных различий. Но особую сложность для исследователей представляет ситуация, когда у респондентов необходимо спросить об их собственных коррупционных действиях. Осознавая аморальность или даже преступность таких действий, респонденты склонны приукрашивать свои ответы. В данном исследовании используется методическая разработка последних лет – списковой эксперимент (*list experiment*), которая впервые применена для изучения nepotizma. Приняв одну группу респондентов в качестве контрольной, и незначительно изменив для другой лишь список утверждений, удалось – без осознания этого самими респондентами – выявить доминанту отношения к nepotizmu в среде латвийских чиновников. Применение данной методики не обнаружило статистически значимых гендерных различий по отношению к nepotizmu. Наоборот, удалось выявить позитивный момент в установках латвийских чиновников, свидетельствующий об их современном административном мышлении. Авторы статьи не задавались целью обсуждать позитивную дискриминацию как таковую, но выяснив, что женщины морально не превосходят мужчин, имеют основание утверждать, что аргумент «неравной моральности» не должен использоваться для обоснования дискриминации в кадровой политике чиновничества.

**Ключевые слова:** Латвия, гендер, коррупция, nepotizm, наказание, позитивная дискриминация.

### **Introduction**

Corruption is a burning issue and a quite common practice in Latvia. This is not to argue that Latvians condone corruption, but corrupt practices are widespread according to international surveys, and issues of corruption have at times shocked the political system – not least because the issue can be used as a political vehicle against opponents or to secure a political platform for a political entrepreneur in an upcoming election (Pedersen, Johannsen 2012).

International attention to the costs and combat of corruption increased in the late 1990s to constitute a powerful discourse placing anti-corruption policies at the centre of policy development in a number of international organizations such as the European Union, OECD, Council of Europe and the UN (McCoy 2001). Institutions such as Anti-Corruption Agencies were soon established in a number of countries, including Latvia (Johannsen, Pedersen 2011). Less known is perhaps that international donor agencies tapped research into the gender aspects of corruption. This research resulted in policy advice to increase female participation in politics and administration because women could be an effective force for good government (World Bank. Cited in Goetz 2007).

One train of research had found support for the advice in cross-sectional analyses demonstrating that the percentage of women in the labor force and in parliaments decreases the level of corruption (Dollar et al. 2001). This was followed by a study based on the World Value Survey finding that significantly higher proportions of women than men find corruption unjustifiable (Swamy et al. 2001). That women should be the fairer sex seemed like a quick-fix to break pervasive corruption, which is illustrated by an example in Goetz (Goetz 2007) from Lima where an all-female motorcycle force of traffic police were trained. Quote Commander Motoya: women are more honest and morally firm (cited in Goetz 2007). However, the research and policy advice were soon to be criticized – not for the intrinsic value of promoting gender equality in itself but because the moral gender dimension was seen as an artefact of the gender gap itself.

Re-examining evidence, Sung (Sung 2003) argues that the gender effect on corruption disappears once it is controlled for the context of liberal democracy. According to Sung (Sung 2003), the issue is not a fairer sex but a fairer system. In a similar vein, Goetz (Goetz 2007) argues that gender differences can by and large be explained by male dominance within the realm of networks and leadership positions rather than the gender itself. Moreover, while a joint report by UNDP and UNIFEM demonstrates that women are disproportionately affected, i.e. victims of corruption, the report is somewhat inconclusive on the gender propensity to take bribes (Hossain et al. 2010). This is corroborated by Chaudhuri (Chaudhuri 2012), who reviews the literature and the broad range of social science experiments conducted. Chaudhuri observes that while the evidence is indeed inconclusive, no study has found that men should be less corruptible than women. Thus, it may be safer to employ on the side of err and promote female participation in public life.

The majority of studies on gender and corruption have been conducted in developing countries highlighting modernization aspects such as non-secularization or the traditional role that women play with respect to family care – and, hence, why women are more vulnerable to street-level corruption. While corruption is not novel to post-communist societies, little systematic evidence, except for Swamy et al.'s (Swamy et al. 2001) analysis of corruption in firms in Georgia, has been brought forward in the gender debate. Here, it is argued that if the gender gap is linked to modernization, analyses of post-communist societies can enrich the study because of the communist development model emphasizing secularization and gender equality. Most studies on gender and corruption have either been experiments, general surveys or cross-sectional macro-analyses. To our knowledge, no one has conducted surveys among public officials, i.e. the very people who either initiate or participate in corrupt contracting.

This note reopens the “gender gap” hypothesis with respect to corruption challenging that women, is the fairer sex. The analysis is based on a survey questioning the “gender gap” and covering 500 Latvian civil servants (1). The discussion is constructed in four waves. First, the issue of corruption is situated in the Latvian context. Second, men and women’s perceptions of how widespread corruption is are contrasted. Third, it is questioned if there are gender differences in the policy recommendations to increase punishment for participation in bribery. Finally, testing the reproduction thesis, gender-specific positions on nepotism are revealed through an experimental design. In conclusion, men and women do have different perceptions and attitudes when it comes to corruption and punishment, which is, however, not to say that men are more or less corruptible than women. Moreover, the good news is that Latvian civil servants uniformly reject nepotism in the employment for the civil service.

## **Corruption in the Latvian context**

It is well known that international surveys such as the Transparency International's Corruption Perception Index (CPI) and the World Bank's Control of Corruption Index (CCI) have again and again placed Latvia in the upper middle of countries being exposed to lasting corruption. Also in the domestic arena, there are numerous examples of corruption alerts and politicization of the issue. One example is the then president Vaira Vīķe-Freiberga, who in 2007 in her speech to the Saeima referred to the widespread opinion that 'the Saeima should be dismissed because a heavy pall of suspicion hangs over it regarding the long-term bribery of parliamentary deputies and political parties with significant sums of money' thus urging the State Prosecutor's Office to take proper action as well as the Political Parties themselves to consider and evaluate their sources of funding (Vīķe-Freiberga, 2007). In the same year, the presidential election of Valdis Zatlers became dominated by accusations that he had accepted "donations" or "gratuity money" from patients. Found not guilty, Zatlers used the presidency to lambast parliament for corruption. Defeated in the parliamentary vote for re-election in 2011, Zatlers built a new political career and party (Reform Party) running for Parliament on an anti-corruption platform. Moreover, in the same year and just one month prior to the present survey (May 2011), the Latvian anti-corruption agency (Korupcijas apkarošanas un novēršanas birojs, KNAB) opened corruption cases against more than 40 widely known politicians such as Andris Šķēle, Ainārs Šlesers and mayor of Ventspils, Aivars Lembergs (2).

This context is important as it lends credit to the assumption that the respondents are relatively familiar with corruption and the political use of corruption allegations in Latvia. Following the practices of other surveys tapping into the perception of corruption, the question in our survey was framed as "misuse". A reasonable critique against using this word is that it conceptually stretches corruption proper as "misuse" does not necessarily imply corruption. In order to test the connotation of "misuse" a split ballot was used, where approximately a half of respondents were asked to which extent they agree that the misuse of a public position takes place in Latvia, disregarding the latest corruption scandals. By invoking both connotations in the same question, respondents were guided to consider "misuse" as something related to corruption. A second group was only given the standard question, "do you agree that misuse of public position takes place in Latvia?" Because the distribution of the answers to the two questions does not differ substantially, it is implied that "misuse" is synonymous with "corruption", making it safe to collapse them in the following analysis looking into a possible gender difference.

### **Women believe corruption to be more widespread than men**

More women than men find that corruption is widespread. In general, Table 1 reveals that Latvian civil servants agree that misuse of public position takes place in Latvia. This is hardly surprising given the above explained context. It is perhaps more surprising that 15.9 percent (2.6 + 13.3) disagree with the statement that misuse takes place. It is, however, more interesting those men and women differ in how common they find misuse. Men tend to disagree more on the subject than women (19.1 percent

against 12.8 percent). At the other end of the table, those agreeing that misuse take place show a similar tendency. Women find misuse more characteristic than men (47.2 percent agreeing against 37.0 percent). These gender differences can be interpreted as women being less accepting of misuse, but is also evidence of the proposition that women encounter misuse more often in their daily routines because they have the caring responsibilities. To take this issue a step further, it is questioned if the gender difference is also reflected in attitudes towards society's recommended reaction against wrongdoing.

Table 1

**Do you agree or disagree that misuse of public position takes place in Latvia?  
in 2011, in %**

	Disagree	Somewhat disagree	Somewhat agree	Agree	Total
Man	2.8	17.1	43.1	37.0	100
Women	2.5	10.3	40.1	47.2	100
Total	2.6	13.3	41.4	42.8	100

Notes: N= 500, of which 2 have answered "do not know" Man=216, Women=282, Gamma=0,196, p=0,00. Recoded from an original Likert's scale of 1 to 7 (1=Disagree, 2+3=Somewhat disagree, 4+5=Somewhat agree and 6+7=Agree). Mean differences between men and women are significant at the 0.001 level.

Source: elaborated by the authors

**Is increased punishment the right solution to corruption?**

Attitudes towards penalties is gender specific according to the literature (for a review, see Soot 2013). In contrast to men, women tend to be more compassionate with the criminal and, accordingly, prefer softer solutions than punishment. In a comparative study on perceptions of anti-corruption instruments, we find that women's perceptions do indeed differ from men's (Johannsen, Pedersen 2012). The study distinguishes between increasing discouragement (punishment), detection (investigation rights and reverse burden of proof) and awareness (education and courses of ethics) and shows that women simply want more of everything compared to men. This leaves the question open if women also differ when it comes to attitudes towards punishment. According to the criminologist literature, it is assumed that with respect to criminal offences and justice, men are more concerned about rights while women stress responsiveness and caring (Gilligan 1983). Gilligan argues that women (generally) are socialized into an "ethics of care". Accordingly, it is expected that women are less inclined to punish offenders while stressing moral persuasion. The survey uses a split questionnaire differentiating attitudes towards punishment as recommendable or efficient. Because Gilligan argues that the gender gap is reflected in ethical considerations, the following focuses on which instruments are found proper, e.g. recommendable.

Corruption is a consensual crime, i.e. it involves both civil servants receiving an advantage in exchange for favours that they control and private persons (or firms) seeking the favour in exchange for the bribe. In the search for efficient anti-corruption politics, a change of focus from the public employee to the private briber has been suggested either in the form of incriminating the private person or firm or even rewarding them for whistle-blowing. Neither of these steps towards strengthening anti-corruption efforts has to our knowledge been taken. Nevertheless, it is relevant in this debate to question attitudes towards increased punishment for the civil servants and their private counterparts.

Table 2 reveals that a great majority recommends increased punishment for civil servants. This is impressive because the respondents are civil servants themselves. One possible explanation is that our respondents find less misuse in their own organization (Johannsen, Pedersen 2012). Thus, demanding a stricter attitude towards misconduct among civil servants would presumably not influence their nearest colleagues. When Table 3 depicting the corresponding recommendation for penalizing private persons and firms is compared with Table 2, it becomes evident that there is strong resonance for “law-and-order” campaigns among Latvian civil servants.

Table 2

**Recommendation of increased punishment for civil servants when corruption is revealed and sentenced, in 2011, in %**

	Disagree	Somewhat disagree	Somewhat agree	Agree	Total
Men	0.0	4.6	18.3	77.0	100.0
Women	2.2	5.8	19.4	72.7	100.0
Total	1.2	5.2	19.0	74.6	100.0

Notes: N=250. Men=110, Women=140. Likert’s scale of 1 to 7 (1=Do not recommend, 7=definitely recommend). Recoded from an original Likert’s scale of 1 to 7 (1=Disagree, 2+3=Somewhat disagree, 4+5=Somewhat agree and 6+7=Agree). Mean differences between men and women are significant at the 0.001 level.

Source: elaborated by the authors

Turning to gender differences, men tend to be stricter since they choose to recommend harder punishment more frequently than their female colleagues. It is also noticeable that only female officials disagree with recommended increased punishment for civil servants. This finding is in line with Gilligan’s (Gilligan 1983) general expectation of differences in men and women’s attitudes towards punishment.

Table 3

**Recommendation of increased punishment for private persons and firms engaged in corruption, in 2011, in %**

	Disagree	Somewhat disagree	Somewhat agree	Agree	Total
Men	0.9	3.6	22.1	73.4	100.0
Women	2.2	9.0	18.1	71.8	100.0
Total	1.6	6.0	19.9	72.4	100.0

Notes: N= 250, of which 3 have answered ‘Do not know’. Men=109, Women=138. Likert’s scale of 1 to 7 (1=Do not recommend, 7=definitely recommend). Recoded from an original Likert’s scale of 1 to 7 (1=Disagree, 2+3=Somewhat disagree, 4+5=Somewhat agree and 6+7=Agree). Mean differences between men and women are significant at the 0.001 level.

Source: elaborated by the authors

Attitudes towards increased punishment for private persons and firms (see Table 3) follow a similar pattern. Women are less inclined to support increased punishment than their male colleagues. However, the distribution differs somewhat with one telling difference. Significantly more women than men “somewhat disagree” or “disagree” that punishing the private person or firm is recommendable (11.2 percent vs. 4.5 percent). Although speculative of nature, this may be related to women as the main responsible of the household for contacts between public authorities and family needs (kindergartens, schools and the health care system). Thus, women may more often than men find

themselves in a situation where offering a small payment is necessary for receiving trivial services from the authorities even though they are entitled to the services in the first place. If being right on this assumption, it may be expected that a similar gender gap exist when it comes to women’s attitudes towards mixing their public duties as civil servants and their family concerns as mothers. The next section pursues this aspect.

### **Do women favour nepotism in public administration?**

It is argued that nepotism is a less problematic form of misuse (Tullock 1980). The argument relies on a transaction cost analysis in hiring a person. In finding the “right” person to the job, relying on family and/or networks involves far less costs than do inspection of unknown applicants (Lambsdorff 2007) However, hiring one’s own may not be hiring the best, and it certainly goes against the meritocratic principle upon which modern administration is built. Thus, in the public interest, civil servants should be reluctant to hire family members even though they may be qualified. Pursuing the gender gap, women’s acceptance of nepotism would indicate that even if women are stricter towards corruption, this is strongly related to their sense of responsibility for family and kin.

The survey traces nepotism through a list-experimental design on experimental designs (Prior 2009). The respondents are randomly divided in two groups and asked to say how many – not which – of a number of statements that they find incorrect. The first group are asked about four statements and the second is asked about the same four statements and one extra treatment statement – five statements in total. Observing the mean differences between the two groups, it is thus possible to single out how many reacted to the treatment item. In the nepotism experiment, the treatment statement is as follows: ‘employing a son even if he is qualified’. The experiment avoids the risk that employing an unqualified person may in any case be unacceptable while employing a qualified son could be acceptable but nevertheless problematic. The other statements were identical and connected to the theme of misuse. The statements were as follows: “receiving a box of chocolate from a client”, “receiving expensive wines from a client”, “receiving concert tickets from a client” and “receiving an envelope of money from a client”.

Table 4 reveals that the control group – those who were given only four statements – in general find three out of the four incorrect. It is not possible to know which of the statements they do not accept, but as the amount of money involved increases from each statement to the next, it is possible to conclude that Latvian civil servants would accept a box of chocolate as gratitude.

Table 4

#### **Do you find it incorrect to employ your son even if qualified? List experiment about nepotism. Mean control and treatment group, in 2011**

	Control	Treatment
Men	3.08 (107)	4.13 (110)
Women	3.13 (143)	4.10 (140)

Note: N in parenthesis. Scale is 0 to 4 for the control group. Scale is 0 to 5 for the treated group. Mean differences between the control and treatment groups are statistically significant at the 0.001 level.

Source: elaborated by the authors

Looking at the treatment group, the numerical mean is almost exactly one above the mean in the control group. This implies that the respondents find it incorrect to employ one's son even if qualified. The experiment also reveals that when it comes to nepotism, there are in fact no differences between the attitudes of men and women. The mean differences between the treatment group and control group are significant, but differences between men and women in the control and treatment groups, respectively, are not significant. Thus, the hypothesis that women soften their view on corruption in relation to securing their offspring is not substantiated in these data. While it should be noted that this result may still be an artefact of women's position in society since men hold higher positions with responsibilities of hiring (and firing) than women, the results are also strikingly positive for the civil service profession in Latvia. Although the scope of the numerical mean difference is not tested for statistical significance, the result implies that virtually all Latvian civil servants reject nepotism.

### **Conclusion**

The literature and numerous experiments are somewhat inclusive as to whether a gender gap exists in relation to corruption. However, no studies have found that men should be less corruptible than women. Explanations range from women being morally superior to men to rooting the difference in the social-economic construct, i.e. that women are either not in a position to exploit public power or have been socialized into a reproductive and caring role. As a majority of the studies have been conducted in highly corrupt, non-secular societies, a Latvian probe is useful. Here, corruption is widespread but society predominantly secular.

Against the survey of 500 Latvian civil servants, some gender specific differences are found. Women perceive corruption to be more widespread than men and are less inclined to support increased penalties for both civil servants and private firms caught in the act. These results lend credit to the thesis that women are more frequently victims of street-level corruption encountered in their daily caring responsibilities. However, in a more direct test posing questions in a list-experiment designed to reveal preferences for nepotism no differences between men and women can be found. This is perhaps the most important result. Given that virtually all men and women reject nepotism, there is evidence of a shared consensus underpinning values of modern administrative thought.

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