

Call for Papers

World Comparative Law / VRÜ
welcomes submissions for the forthcoming special issue:

Corrupting Democracy? Interrogating the Role of Law in the Fight against Corruption and its Impact on (Democratic) Politics

Corruption has become an increasingly dominant theme in contemporary political discourse across the globe. Whether in (so-called) mature or emerging democracies, or hybrid or autocratic regimes, corruption, as the conceptual representation of a diffuse set of practices ranging from personal embezzlement to party and campaign financing schemes, has turned into a privileged cipher for the generalized critique of the political status quo. It is used across different political spectra and has resonated as much with political elites as with general 'public opinion'. Its conceptual pendant has been anti-corruption which has become firmly embedded in the global 'good governance' agenda and has been mainstreamed both into multilateral aid conditionalities as well as into ever deeper layers of domestic anti-corruption legislation. This agenda has led to increasingly stringent accountability obligations for public and private actors though it has thereby also exacerbated a generalized mistrust against especially public administration and the political actors at its helm. This has, in turn, been reflected in a gradual repositioning of (anti-)corruption from an administrative to a criminal law context and an increasingly aggressive use of criminal procedure, such as preventive detention, plea bargaining, or implicit evidence, to address it.

This shift in the perception of corruption and the concomitant normative empowerment of anti-corruption has, thus, been premised on a semantic that interlinks a moralist focus on individual (criminal) responsibility with a fundamental critique of public administration and the welfarist/developmental model of modern statehood. As such, it has been used to de-legitimize established political actors, party formations, and entire models of social and economic development while it has fostered the rise of new political actors, from anti-corruption parties via the judiciary to 'the people', thereby profoundly changing the political landscapes of many a polity previously considered 'stable'.

The driving forces behind this narrative are heterogeneous and often well-intentioned. The media, for one, have played an ambivalent role as, on the one hand, whistle-blowers and advocates of transparency, and, on the other hand, as the projection device that has enabled the upscaling of the anti-corruption narrative, often in line with particular partisan interests. Many civil society organizations, in turn, such as Transparency International, have genuinely sought to empower the victims of corruption by shaming states and their administrations into cleaning up their act. Yet, to do so effectively, they have often had to pander to a media and public eager for digestible quantitative macro-level accounts, to the detriment of more complex qualitative micro-level contextualization.

This WCL/VRÜ Special Issue proposes to conceptualize these phenomena as *anti-corruption legalism* and seeks to highlight the role different aspects of (anti-)corruption law and legalization have played in both domestic and international political contexts. In particular, contributions on the following themes are welcomed:

- *Anti-corruption Legalism in Context - Institutional Schemes and their Operation*
Submissions covering this dimension are invited to address questions and issues arising from concrete experiences related to the use of law to fight corruption, including national, regional, and global legal schemes.
- *Anti-corruption Legalism and the Rule of Law*
Submissions covering this dimension will look into the impact of anti-corruption legalism on different aspects of the rule of law, such as criminal procedure, fundamental rights, privacy, administrative law etc.
- *Anti-corruption Legalism and Democratic Process*
Submissions covering this dimension are invited to thematize the interaction with and impact on democratic process by different types of anti-corruption legalism.

Submission Procedure

Interested scholars should send a CV and an abstract (up to 750 words) by February 29, 2020 to f-hoffmann@puc-rio.br and fabia.fernandes@unimelb.edu.au. The abstract will form the basis of an original article (8.000 words, including footnotes) to be submitted by May 30, 2020 (invitations to submit an article will be sent no later than March 15, 2020). Articles should be submitted according to the journal's technical and stylistic requirements, its style guide and citation format (available [here](#)). Final articles are subject to a peer-review procedure.