

CORRUPTION IN MIGRATION MANAGEMENT: A NETWORK PERSPECTIVE

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Abstract

This paper explores the relation between networks as an emerging mode of public governance and corruption. Adopting the theoretical lens of actor-network theory (ANT), the paper investigates an Italian episode of corruption related to the awarding of government contracts for the management of the Mineo's CARA, the Europe's largest

reception centre for migrants. The analysis shows that a governance network may turn corruption itself into a network where abuse of power can proliferate thanks to the opacity resulting from the multiplicity of actors, interactions, and fragmentation characterizing the governance system.

Points for practitioners

The paper develops an analysis useful to foster the effectiveness of anti-corruption strategies by analysing the criticalities of the governance system implemented by the Italian government to deal with migration inflows. In so doing, the paper offers relevant insights to policymakers and national and European institutions

Keywords: actor-network theory, governance network, migration, translation.

1. Introduction

The last decades have witnessed the rise of horizontal networks of private, public, no-profit organization in charge of translating public policies into practice (Kooiman, 2003). This “governance network” (Koppenjan and Klijn 2004) is expected to strengthen efficiency and democratic participation (Klijn and Skelcher, 2007; Sarker, 2003), ultimately leading to solving complex social problems, such as corruption. Indeed, a growing number of authors share the same faith in the public goodness of a “hollow

state” (Milward and Provan, 2000) and indicate the downsizing of the economic role of the state as a potential anti-corruption strategy (Khanal, 2000; Klitgaard, 1994; Schloss, 1998; Rose-Ackerman and Stone, 1996).

This paper argues that, rather than enabling democratic control, a governance network might produce an unclear chain of responsibility and a diffused lack of accountability (Farazmand, 2002; Haque, 2000; Jolley, 2008; Argyriades, 2006; Von Maravic and Reichard 2003), so increasing the opportunity for a corrupt exercise of power.

As a case in point for analysing the pitfalls of governance network, we focus on a corruption episode of the big Italian scandal "Mafia Capitale", which uncovered a network running back over many years involving criminals, business people and local politicians. Main protagonist of this episode is Luca Odevaine, member of the National Table for Emergency on Migration Policy, and convicted for having illicitly influenced the tender awarding process of the Europe's largest reception centre for migrants (CARA) of Mineo (Sicily) in exchange of money.

The paper draws from the theoretical approach of actor-network theory (ANT) (Latour, 2005; Callon and Latour 1981) to describe the unfolding of the case, thereby explaining the emergence of networks of corruption in terms of a translation process (Callon, 1986a; Callon, 1986b) where a variety of actors and power relations come into play. The analysis investigates the relation between governance network and corruption and the role of the resulting corrupt networks in distorting administrative outcomes, with public money being allocated to serve the interests of a few.

The next section offers an overview of the research topic, section 3 describes the theoretical lens applied, section 4 describes the methods, and the last sections develop the case analysis and present discussion and conclusions.

2. Corruption and governance network

Corruption has been the focus of an extensive literature (Vannucci, 2012; Graycar and Monaghan 2015; Rose-Ackerman and Stone, 1996; Everett et al., 2006; Graycar and Villa, 2011; Sikka and Lehman, 2015). Suggesting that a calculative logic is at the roots of a corruptive behaviour, Becker (1968) was among the first to emphasize the economic dimension of corruption (see also Rose-Ackerman, 1978). Relying on the paradigm of *homo economicus*, he explained corruption in terms of a cost-benefit analysis in which a number of factors (the certainty of punishment, the benefits derivable etc.) combine to influence the decision to bribe. Along the same lines, other authors have recalled contractualism and agency theory by describing corruption as a deviation of the agent's behavior that favors his personal interest over the collective (Banfield, 1985).

These theoretical assumptions of economic theory are the backbone of another theoretical strand that looks at corruption in a bigger picture, questioning the economic role of the state (Khanal, 2000; Rose-Ackerman, 2000; Shleifer and Vishny, 2002). International organizations like the World Bank and the IMF emphasise the beneficial effects of a governance network that reduces the role of the state through

decentralization, privatization and broad deregulation (Everett et al., 2006). However, some authors suggest that the transition to post-bureaucratic forms of governance might be purely illusory (Ferlie and Ongaro, 2015) and governance network might instead lead to the emergence of “an alternative bureaucracy of non-profits and private firms assisting the government” (Jolley, 2008). McGuire and Agranoff (2011) conclude that power in networks is distributed unevenly so creating dependency relationships between the parties involved. The governmental actors occupy a different position within networks because of the greater resources available to them (budgets, staff, political legitimacy) (Koppenjan and Klijn 2004; Kenis and Provan, 2006). Thus, it might be difficult to conclude that “networks in any substantial way are replacing government agencies, or that networks are controlling government to any notable degree” (McGuire and Agranoff, 2011: 277). This paper argues that the dissolution of the role and functions of the state in networks is likely to weaken the accountability mechanism of democratic systems (Bevir, 2006) and, in these networks, a mixture of public and private interests may lead corruption to occur and to be normalized (Sikka and Lehman, 2015).

Previous studies contend that there would be a negative correlation between corruption and decentralization (Huther and Shah, 1998; Fisman and Gatti, 2002). Argyriades (2006) argues that “the diffusion of power and ending state monopolies [...] may have compounded the problem [of corruption] in some countries” (p. 156). In particular, the actors’ privileged access to information and their ability to manipulate this information in networks may enable the occurrence of corruption (Choi, 2007). On the other hand,

others scholars argue that there is no empirical evidence of an increase in corruption following the implementation of emerging governance mechanisms (Von Maravic and Reichard 2003).

Inspired by the theoretical lenses of actor-network theory (ANT), this paper contributes to this debate on the relation between governance network and corruption by investigating the implications for corruption of the governance system implemented by the Italian government in the context of migration management..

3. An actor-network perspective

Latour uses the term “network” to describe the blurred boundaries between identities (Latour, 2005: 131), and the term actor/actant to indicate “something that acts or to which activity is granted by others” (Latour, 1996, 373). “Actor-network” indicates that the actor himself is a network (Justesen and Mouritsen, 2011) and his actions and identity are influenced by those of other human and non-human actors. Accordingly, this study assumes that non-human actors, such as information systems, accounting inscriptions, control and governance mechanisms (Lowe, 2001) have a role to play in opening or reducing the space for corrupt activities. Agency arises through “the mobilisation of a range of entities” (Steen, 2010: 327), thus corruption is the result of a complex system in which dominant networks of interest condition the output of processes through the deployment of heterogeneous resources, both human (e.g. personal relationships,

political power) and non-human (e.g. financial documents, IT technologies, legislation, governance mechanisms etc.).

Our empirical investigation seeks to explain “how ‘‘facts’’ have come to be settled as they are” (Lowe, 2001: 327), which are the actors (human and non-human) involved and the mechanisms allowing corruption to occur and stabilize over time. The paper draws from the concept of translation (Callon, 1986a), which refers to “all the negotiations, intrigues, calculations, acts of persuasion and violence, thanks to which an actor or force takes, or causes to be conferred on itself, authority to speak or act on behalf of another actor or force (...)” (Callon and Latour 1981: 279). This concept helps us in describing the formation of networks of corruption and in identifying the flaws in the governance system that have enabled corruption to take root and spread in this specific setting.

Callon (1986b) describes translation looking at the process of constitution of a ‘scientific knowledge’ and distinguishes four moments:

- (a) problematisation: the researchers sought to become indispensable to other actors in the drama by defining the nature and the problems of the latter and then suggesting that these would be resolved if the actors negotiated the ‘obligatory passage point’ of the researchers’ programme of investigation;
- (b) interressement: a series of processes by which the researchers sought to lock the other actors into the roles that had been proposed for them in that programme;
- (c) enrolment: a set of strategies in which the researchers sought to define and

interrelate the various roles they had allocated to others; (d) mobilisation: a set of methods used by the researchers to ensure that supposed spokesmen for various relevant collectivities were properly able to represent those collectivities and not betrayed by the latter. (p. 1)

The problematisation involves the framing of the problem in such a way as to make some actors indispensable to other actors. In the case analysed, as it is often the case in corruption episodes, the problem at stake was the access to public money through services contracts. The role of public officials and their control over the awarding process created an 'obligatory passageway' (Callon, 1986b: 27; Rottenburg, 1996) so that the bidders believed that the promise of money and utilities in exchange of contracts was an unavoidable step.

The interessement is a phase that sees a mobilization of relationships and alliances functional to the realization of the corrupt plan. In the case, the deployment of human and non-human actors (e.g. resources and personal relationships) became a condition for the success of the plan, and so it was a shared commitment to the dominant interest. Once the members of the network were involved, a definition of roles and responsibilities followed. This is the enrolment phase. Translation entails "a definition of roles, a distribution of roles and the delineation of a scenario" (Callon, 1986a: 26). The definition of the position of the actors in the network depended on the amount of power

and resources that they had at their disposal and that they were able to mobilize in their favour.

The last phase consists in the translation of the plan into practice. Callon (1986a: 27) explains that “translation cannot be effective, i.e. lead to stable constructions, if it is not anchored to [...] physical and social displacements”. Displacement refers to the production of inscriptions functional to the enforcement of the network and the geography of obligatory points of passage (Callon, 1986a). Meetings, administrative records, and reports are displacements that make the translation possible.

All the members of the network used their power and information to serve an interest that at this phase had become legitimized as a common interest leading to reciprocal benefits to all participants. There was an expectation that all the participants would have remained faithful to the common cause and not betrayed the relationship of trust being thereby created. As Callon (1986a) explains, whenever “an enrolled entity refuses to enter the actor-world in order to expand into others” (25) translation becomes treason.

The process of translation as described by Callon (1986b) offered valid analytical lenses for explaining and describing the creation, maintenance and destruction of power relationships, so clarifying how certain actors get others to comply through the development of corrupt networks. At the same time, the interpretation of the main phases of translation in terms of formation of corrupt networks provides greater depth and new meanings to the concept of ‘translation’ as has been developed in the sociological studies (Czarniawska and Hernes, 2005; Steen et al., 2006).

4. Method

There is a dearth of case studies on corruption (De Graaf, 2007), and nevertheless this method appears the most suitable for explanatory research on the topic (Scapens, 2004; Graycar and Monaghan 2015).

The data collection and analysis for this case study developed along three lines. One line of investigation aimed at understanding, at a macro level, the Italian context in which the corruption case took place, a second line focused on the governance system implemented to deal with the inflows of migrants starting from the North Africa Emergency of 2011, and a third step required gathering of all the public available data to develop a thorough understanding of the corruption case. The analysis covered the period from the North-Africa emergency of 2011 to the aftermath of the third most important tender for the Mineo' Cara of 2013. The three steps of analysis focused on three different data sources. Newspaper articles were the main source of information for the chronological and contextual analysis of the case. National and widely read daily newspapers (i.e. *La Repubblica*, *Il Fatto Quotidiano* and *Il Corriere della Sera*) were selected to collect the data. The following keywords were used: 'migration crisis 2011', 'North-Africa emergency', 'Mineo's CARA', 'Mafia Capitale', 'corruption'. To analyse the governance system, we mainly relied on policy documents and on the reports issued by the SPRAR and by the Ministry of Interior. Finally, we specifically focused on the three

tenders (2011, 2012, 2014) for the Mineo's CARA by analysing the calls for tender, the contracts stipulated, and the convention between the Prefecture and the Consortium. Judicial documents (e.g. the pre-trial detention orders), and the documents produced by the Court of Auditors (observation sheet n.35860 of 12 December 2014) and the Anti-Corruption National Authority (determination n. 15/2015) relating to the tenders were also examined for a total of approximately 3000 pages of documents. Given that the judicial process is still ongoing, it was particularly difficult to collect interviews to gain an insight into the Mineo's CARA. However, we were able to collect three interviews with European Parliament members (two members of the Committee on Budgets and one member of the Committee on Civil Liberties, Justice and Home Affairs - LIBE) that took part in a delegation which visited the Mineo's CARA on July, 2015 to assess how the European funding was used by the Italian government. These interviews were useful in gaining a more detailed reconstruction of the accountability and control mechanisms adopted in the management of the Mineo's CARA.

The methodological of ANT informed the analysis of these data. ANT invites the researcher to "follow the actors" (Latour, 2005: 121; Callon, 1986b) and to investigate the processes while they are in progress. Therefore, we focused on the main actor, Odevaine, and on the "physical and social displacements" (Callon, 1986a), i.e. the meetings between the actors, the tender documents, the wiretapping reported in the pre-trial detention order etc., that made the development of the corrupt network possible. In so doing, we could easily identify the four phases described by Callon (problematization,

interessement, enrolment and mobilisation), thereby explaining the case accordingly. In this respect, the three steps described above were not sequential and required going back and forth in order to understand how a network of corrupt actors was able to re-mold the governance system toward their personal interests. The corruption case analysed provides a useful perspective through which to analyse the implications of governance network for corruption. The management system implemented by the government to cope with migration reflects the growing trends of outsourcing and decentralization, and it is interesting because of "the division of responsibilities for developing and implementing integration-related policies between the national, regional, provincial and local authorities, and the reliance on third-sector actors as providers of services" (OECD, 2014: 4). Furthermore, this episode has a considerable contemporary relevance as it raises critical questions on the administrative measures adopted to address migration.

The next section describes the governance network settled down by the government, then the case analysis follows.

5. The business of migration: an Italian case of corruption

In 2011, in response to the exceptional flux of migrants triggered by the Arab Springs in North Africa, the Italian Government declared a state of humanitarian emergency, the North Africa Emergency Provisions (Decree, 12 February 2011). The Department of Civil

Protection was designated for the implementation of all the necessary activities to deal with the emergency and the Prime Minister appointed a Deputy Commissioner for the management of the reception strategy (Order no. 3933, April 13).

Under this mandate, the Civil Protection Department set up a working group formed by the representatives of Upi - Union of Italian Provinces - and ANCI - National Association of Italian Municipalities- and the Civil Protection Directorate of the Regions. The working table adopted a Reception Plan (EMN, 2013) envisaging a decentralized model with several actors involved: the Department of Civil Protection, Regional Administrations and Autonomous Provinces, Local Authorities and third sector organizations. The responsibility to find and manage reception facilities was passed to the so-called 'implementing bodies' chosen in each Region, being in most cases the vice prefects or the local directors of the Civil Protection offices. The 30 March 2011, the then Ministry of Interior Maroni turned the structure "Residence degli Aranci" ('The Village of Oranges') of Mineo into a reception centre (CARA). Despite its official capacity was set at 2,000 places, at the end of June 2015 it counted 3,422 asylum seekers living inside. The geographical location, the inefficiency of the services provided and the average time of stay raised serious concerns by NGOs and activist groups (MEDU, 2015).

The 28 June 2011, Giuseppe Castiglione, then running Catania's local government and politician of the right-centre NCD Party, was appointed as implementing body (decree 3246 of the Commissioner-Delegate ex Opcm 3933). Castiglione, in his role as president of UPI (union of the Italian provinces), suggested the appointment of Luca Odevaine, a

two-times convicted for drug trafficking and for check kiting, as UPI representative in the National Table for Emergency on Migration Policies. Furthermore, Castiglione designated Odevaine as a member of the tender committees in charge of awarding the contract for Mineo's new CARA.

Since then, Odevaine will be a member of all the commissions that awarded tendered contracts for the CARA of Mineo (tenders in 2011, 2012, 2014). According to the prosecutors in these occasions, Odevaine sold his political influence to the cooperative "La Cascina" by awarding them the contracts in exchange of money.

On 31 December 2012, the Civil Protection called off the state of emergency (ordinance n. 33, 2012) and starting from 2013, the Ministry of Interior became responsible for migration in place of the Civil Protection. The then Minister of the Interior accepted to create a new implementation body for the Mineo's CARA replacing the previous one (namely Giuseppe Castiglione, as President of the Catania's local government). However, the change was only apparent, as the new implementation body was a consortium of local authorities around Catania, the consortium "Calatino Terra di accoglienza", created and presided by Castiglione himself. In the wiretapping, Odevaine explains:

"she [Minister of Interior] told me...'you should find me a subject... a public subject... that should provide an interface between the Ministry and the private actors that manage the centre, because we don't want to launch an invitation to

tender...we don't want to deal directly with the private actors.'[...] And I designed this consortium of local authorities" (pre-trial detention order: 211-213, 21/03/2014)

To take over the management of the centre, the consortium "Calatino Terra di accoglienza" had signed a convention with the Prefect of Catania then approved by the Ministry of Interior (prot. n.13055 29/10/2014; see also the ordinance n. 33, 2012). In this way, the consortium Calatino became not only the implementation body, but also the contracting authority for the Mineo's CARA. The convention laid the foundations for the third public tender that would be issued shortly thereafter. In the meantime, the contract of the consortium of cooperatives Sisifo (a Palermo consortium of cooperatives, including La Cascina) was extended for five times.

On June 30, 2013, the mayor of Mineo, a NCD party member, was appointed President of the consortium Calatino, so replacing Castiglione newly elected undersecretary for agriculture in the Italian Parliament and Odevaine was confirmed as consultant of the consortium. On June 2014, the consortium set up a third call for bids for a three years contract (from 1 January 2014 to 31 December 2016) worth around € 97.893.000 (Anti-Corruption National Authority, determination n. 15/2015), the largest public bid ever done in Italy for a refugee centre. After being employed as temporary staff in the EU funds Management & Reporting Office of the consortium Calatino, Odevaine was appointed for the third time as member of the tender committee.

In a wiretapped conversation, Odevaine commented: “We have to do the bidding now... .. It will be difficult to award it to someone else, no, come on, it is nearly impossible” (Pre-trial detention order: 208, 14/03/2014). Indeed, for the third time, the contract was awarded to the same tenderer, with the only difference that this time not Sisifo headed the consortium, but the consortium of cooperatives “House of Solidarity” including La Cascina. After the award of the contract, Odevaine requested the managers of “La Cascina” to double the original price of his bribe – from € 10,000 to € 20,000 per month. In 2015, both the Court of Auditors and the Anti-Corruption National Authority raised serious concern about the legitimacy of the tender procedure (Anti-Corruption National Authority, determination n. 15/2015) and the validity of the convention between the consortium Calatino and the Prefecture of Catania (Court of Auditors, observation sheet n.35860 of 12 December 2014).

However, it is only after repeated interventions of the National Anti-Corruption Authority and the opening of the judicial inquiry that the Prefecture of Catania placed the centre under compulsory administration and the consortium Calatino was finally dissolved. Odevaine, convicted of corruption after plea-bargaining, is on house arrest since November 2015.

6. Discussion

This story begins with a first phase of problematisation (Callon, 1986b). The humanitarian emergency required the timely design and implementation of an efficient governance to reduce the uncertainty generated by the exceptional inflows of immigrants from North Africa countries. This governance involved a wide range of actors such as non-profit organizations, a consortium of municipalities, the provincial authority, the Prefecture, the Ministry of Interior and the National Civil Protection. This multilevel governance developed vertically through the transfer of power upward and downward, and horizontally, through the involvement of nongovernmental actors in the management of reception facilities (Campomori and Caponio, 2016). In this setting, several factors, such as the concentration of an enormous discretionary power, the resulting conflicts of interest, a privileged access to information, a diffused lack of accountability, and the power of disabling control mechanisms, facilitated the metamorphosis of this governance network into a corrupt network.

The problem (i.e. the humanitarian emergency) was framed in a way as to make several actors necessary for the elaboration of a solution. A small number of actors wielded a decision-making power that allowed them to make an “instrumental use of the network” (McGuire and Agranoff 2011: 267). They were able to achieve positions of power and responsibility thanks to a network of acquaintance and through a system of political appointment not subject to accountability or even scrutiny. In the words of ANT, Odevaine and Castiglione became “obligatory passage points” (Callon, 1986a: 27) for the third sector organizations that aimed at taking part in the reception system.

A second phase of intersement (Callon et al., 1986b) refers to the recruitment of new actors to build a network with shared interests and values. Referring to the first bidding of the Mineo's CARA, Odevaine explained to his tax accountant:

“When I drove down there [in Sicily], Castiglione picked me up at the airport. He took me out for lunch, and when we arrived at the table, there was only a single empty seat... and I realized that the person who was going to eat with us would have been the winner of the bid.” (pretrial detention order: 211-213)”

The intersement of the actors have multiple and various explanations depending on the nature of interests they hold. The intersement of Odevaine is linked to his willingness to have an economic benefit from the corrupt deal. The third sector organizations search for the opportunity, economic and social, of being part of the reception system. Finally, the intersement of Castiglione seems to have a political nature. Odevaine explained:

“The benefit for Castiglione was of electoral nature. Basically, we can talk about an exchange of votes. [...] It is obvious that in an area like that of Calatino, that structure [the Mineo's CARA] has become the largest industry. Ikea is located at twenty kilometres and has 150 employees. Currently in the center of Mineo there

are employed about 400 people [...] so, it is clear that the possibility to hire people is the determinant factor." (Ziniti, 2015).

According to the testimony of Odevaine, public contracts were awarded to a select group of third sector organizations that were willing to pay bribes, and that in turn employed local people in exchange for political votes. This criminal cycle allows the corrupt network to self-sustain and be sustainable in the long term.

The subsequent phase of enrolment sees the definition of the roles of these actors. The enrolment (Callon et al., 1986b) of Odevaine in several roles is a key for the success of the corruption endeavour. As explained by Rottenburg (1996: 219), "the few who manage to define, occupy and control the obligatory passage points that others have to use to achieve their own goals are remarkably powerful". Not only Odevaine had the power of orienting the public decision-making at the central level, but he could also orient the implementation of policies at the local level. He was in charge of awarding the contract and he worked as a consultant for the same cooperative ('La Cascina') to which the contract was awarded. During a conversation, Odevaine explains the nature of the power he was able to exercise:

"Being part of this National Table... and having this relationship with the Ministry ... I am able to orient the migrants' flows [...] if they [cooperatives] have some buildings that can be used as reception centres to be activated immediately in an

emergency, without public competition, the facilities available will be occupied ... in short, I'm giving them a lot of work.” (Pre-trial detention order: 215)

This power had multiple forms. Firstly, it results in a power to decide who can or cannot take part in the governance network. The development of informal and corrupt networks enables the access to roles of prestige, power and responsibilities in the institutional setting, and *vice versa*. The most powerful actors decide the rules of exclusion from and inclusion to the governance network by tailoring the contract specifications (e.g. the criteria of having a cooking centre within the radius of 30 km from the CARA inserted by Odevaine in the first call for bid; Pre-trial detention order: 228).

Furthermore, the power of these actors consists in the ability to activate the networks themselves (Jancsics and Jávör, 2012). Odevaine played a significant role in the government decision to increase the number of places of the National Protection System for Asylum Seekers and Refugees (SPRAR) from 250 to 2500 places (Pre-trial detention order: 217; Order of the President of the Council of Ministers no. 3933/2011, extended until December 31, 2012), thereby making more profitable the business of his friends' cooperatives. The actors that define the rules at the institutional level are then able to mobilize the financial resources, personnel and capacities (i.e. the displacements, Callon, 1986a) that enable the activation of new corrupted network. In this perspective, the two phases of interestment and enrolment occur simultaneously, so that the involvement of new actors and the definition of the roles of these actors lead to an expansion of the

corrupt network into multiple corrupt networks where the same actors play multiple roles and in turn engage new actors.

The last phase sees the mobilization of the network to translate the corrupt deal into practice. This mobilization requires the recourse to “physical and social displacements” (Callon, 1986a). The access to sensitive information by administrators and non-governmental actors plays a pivotal role (Choi, 2007). The managers of Cascina had access on a preferential basis to the information about the tender and the decision-making at the governmental level (pre-trial detention order: 231). This produced a series of information asymmetries between the actors that were then used in an instrumental way to favour some interests over others.

Furthermore, the ability of powerful actors to disable the control mechanisms over the network itself (Partridge, 1974) made possible the stabilization of the corrupt network over time. Due to their power positions in the governance network, the corrupt actors have a knowledge of the legal mechanisms that allow them to conceal corrupt practices behind the veil of laws (Sargiacomo et al., 2015). The corrupt actors are able to benefit from the inefficiencies produced because of the complexity of the governance system. Odevaine, discontent with the delay in the payment of bribe by the managers of 'La Cascina', threaten them to block and delay further the payments from the Ministry (Pre-trial detention order, p. 223). He argues:

“The State [...] falls into debt and does not pay contractors for years, then it is clear that the entrepreneurs are forced to turn to somebody that can somehow solve their problems through other avenues” (Bianconi, 2015).

A governance network encompasses a complexity in terms of multiplicity of actors, accountability mechanisms and money transfers within the network. A crucial enabler of corruption was the absence of measures of financial reporting in the case of emergency facilities (Interview with the Member of the European Parliament I, Committee on Budgets). Odevaine himself explains that the payment of the bribe took place through overbilling or subcontracts (pre-trial detention order, 2017). As one of the members of the European Parliament interviewed explained:

“The main problem is that when third sector organizations are awarded these contracts there are not accountability requirements. Thus, the point is that a third sector organization has taken the management of these services, it receives funding, but it is not obliged to make its expenses transparent” [Interview, Member of the European Parliament, Committee on LIBE]

The success of new structures of governance in safeguarding public values comes thus to depend on the specific circumstances of implementation and on the accountability mechanisms that are in place (Reynaers, 2014).

Moreover, a real balance and distribution of powers was not in place. Despite the preliminary assessment of the Anti-Corruption Authority and the concerns of the Court of Auditors, the termination of the contract of the Mineo's CARA was made only after the intervention of the Judiciary.

These phases (problematization, interestment, enrolment, and mobilization) led to a gradual overlapping of corrupt networks with governance network (see Fig. 1), a real osmosis between the legal world and the illegal one.

[Please insert Figure 1 about here]

7. Conclusions

The dictates of recent administrative reforms calling for smaller government have provided the bedrock of contemporary anti-corruption discourses (Bukovansky, 2006). Not surprisingly, the latter assume a positive correlation between curbing corruption, liberalization and economic freedom (Khanal, 2000; Klitgaard, 1994; Schloss, 1998) and promote the dismantling of the public sector through outsourcing, public and private partnerships and privatization as a core element of anti-corruption strategies (Everett et al., 2006).

Adopting a critical stance, this paper has questioned this assumption by highlighting the need to raise again the problem of good government as a necessary condition for good governance (Bukovansky, 2006). The analysis of the case shows that, far from implying a

dissemination and democratization of power, the ‘empirical phenomenon of policy issues or public services that are solved within networks of actors’ (Klijn, 2012, 206) might paradoxically lead to more centralization of power in the hands of a few and consequently facilitate a corrupt use of it.

Moreover, the decentralization of responsibility and the multiplicity of actors characterizing this mode of governance make public control and accountability more difficult. Networks actors have the competence and the knowledge to disable control mechanisms, so invalidating traditional ‘control strategies’ against corruption (Everett et al., 2006; Neu et al., 2015) rooted in the principal-agency model. The identification of new tools and practices that may enhance the accountability of the actors involved in the governance network becomes thereby of prime importance.

The description of corruption as a process of translation allowed us to identify several enablers of corruption (human and non-human actors) and the mechanisms concurring to the creation of networks of corruption. Among these, conflict of interest and arbitrary political appointment procedures were crucial in promoting a “politicization” process, which is “the exercise by non-elected officials and employees, of powers to set the goals of society and to make policy decisions for their attainment” (Cariño, 1985).

To reduce this phenomenon, a distribution of decisional power may be achieved through job rotation (Abbink, 2004). The awarding of public contracts in separate lots, with different committees in charge of the evaluation may prevent the centralization of power as well. On the other hand, the use of information and communication technologies

(ICT) through e-government initiatives can contribute to the empowerment of civil society and of the judiciary by making these procedures visible (Shim and Eom, 2009). The case analysis also calls for simplification and homogenization of the rules. The length and complexity of existing appeal procedures have the effect of increasing red tape and might encourage corruption. The same applies to bid-protest mechanisms that need to be simplified to “hold contracting officials accountable for their source-selection decisions” (Maser et al. 2012: 140).

Other measures include improving financial reporting systems, ameliorating cost breakdown disclosure requirements, and strengthening the power of anti-corruption authorities (Everett et al., 2006). These and other anti-corruption strategies respond to the need of anchoring the design of new governance structures to legitimate democratic and political processes and, in so doing, also promoting the development of “culturally consonant modes of corruption control” (Husted, 2002, 421).

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Figures

Fig.1: Governance network vs corrupt-network in migration management.

