

RESEARCH ARTICLE

# Does corruption undermine fundamental rights protection level? The effects of corruption of lawmakers, judges, bureaucrats, and police and military on labour rights and freedom of association at the country level

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(Received 24 January 2024; revised 3 August 2024; accepted 4 September 2024)

## Abstract

This study investigates whether corruption among public officials undermines fundamental rights, analysing data from 142 countries using the Rule of Law Index, a widely recognised and respected tool for assessing the rule of law worldwide. The results show that corruption among judges and bureaucrats consistently erodes fundamental rights, including labour rights and freedom of association. In advanced democracies, police and military corruption significantly reduces freedom of association, while lawmakers' corruption undermines labour rights. However, in the broader context, corruption among lawmakers, police, and military officers does not significantly affect these rights. This study emphasises the significant role of bureaucracy in protecting rights and the devastating consequences of bureaucratic corruption. The trend of executive power abuse further complicates this issue. To combat corruption and safeguard fundamental rights, this article recommends robust mechanisms to ensure accountability and transparency, emphasising the importance of democratic oversight.

**Keywords:** corruption; fundamental rights; rule of law index

## 1. Introduction

Corruption, often cited as the primary cause of government failure and numerous social issues, is a pressing concern that demands immediate attention. Social scientists have dedicated decades to studying the dysfunctions of corruption (Easterly & Levine, 1997; Liu & Mikesell, 2014; Liu *et al.*, 2017; 2021; Mauro, 1995; Rose-Ackerman, 1997; Tanzi & Davoodi, 1998). Their findings, based on rigorous empirical studies, confirm that corruption has a detrimental impact on various public sector domains. It compromises the quality of public service (Rose-Ackerman, 1997), hampers investment (Tanzi & Davoodi, 1998; Wei & Wu, 2002), distorts resource allocation, thereby undermining economic efficiency (Easterly & Levine, 1997; Mauro, 1995; Rose-Ackerman, 1999; World Bank, 1997), and exacerbates income inequality, poverty, and public health service (Bassole, 2010; Gupta *et al.*, 2002; Lee *et al.*, 2016; Lee & Nam, 2024). In recent studies, Liu and his colleagues have reported that corruption erodes the managerial and financial capacity of the government using comprehensive state-level data in the United States (Lee & Liu, 2022; Liu & Mikesell, 2019; Liu *et al.*, 2017; Liu *et al.*, 2021; Moldogaziev *et al.*, 2017). Furthermore, corrupt public officials curtail investment in welfare for vulnerable groups (Liu & Mikesell, 2014). These empirical studies suggest that corruption might erode the fundamental rights of vulnerable populations as governments strive to enhance citizens' quality of life and protect

their fundamental rights. Scholars such as Andersen (2018), Boersma and Nelen (2010), Kim *et al.* (2012), and Kumar (2003) have proposed a causal link between corruption and fundamental rights. Nevertheless, empirical confirmation of the relationship between corruption and fundamental rights remains elusive (Kolthoff, 2016).

Therefore, this study, grounded in robust empirical research, aims to fill this gap by examining the relationship between corruption and fundamental rights, with a specific focus on the effects of corruption on labour rights and freedom of association. Labour rights are chosen for this study due to their crucial role in protecting the well-being and rights of workers, which are fundamental for ensuring fair and safe working conditions. Moreover, freedom of association is integral to labour rights, allowing workers to advocate for their interests and improve their working conditions collectively. Although workers may not always constitute the majority or be uniformly categorised as a vulnerable group, labour rights and freedom of association remain essential as they address critical issues of fairness, safety, and economic security for a significant portion of the population engaged in various forms of employment.

The potential influence of this research is significant, as it can enhance our understanding and help address the negative effects of corruption on fundamental rights. This study confirms the negative effects of corruption on fundamental and labour rights by using a robust panel dataset from 142 countries surveyed to measure the Rule of Law (ROL) Index. The ROL Index measures how well each country tries to improve the issues related to the rule of law – fundamental rights, corruption, democracy, and civil conflicts. The ROL Index has the advantage of disaggregating human rights according to the specific rights it aims to protect and measuring corruption by disaggregating it based on which branch of government is involved. Thus, this study enables the view of the multilateral relationship between corruption and fundamental rights.

This study's core novelty and contribution lie in its detailed analysis of the differential effects of corruption among various public officials on fundamental rights. While previous research has generally established that corruption impairs human rights protection, this study provides a more profound and better understanding by demonstrating that the corruption of certain actors – namely judges, bureaucrats, and security agency officers – has a more profound detrimental effect on fundamental rights than others. Furthermore, this study reveals that the corruption of lawmakers specifically affects labour rights in advanced democracies, adding a unique perspective to the existing literature.

The remainder of this article is structured as follows. The first section discusses corruption's concept and hypothetical effects on public officials, such as lawmakers, judges, bureaucrats, and police and military officers. The second section illustrates the research design – the data, variables, and method. The third section shows the empirical results of descriptive statistics, simple correlation analysis, and multiple regression analysis using a fixed effects model (FEM). The final section concludes this study with a summary and implications of the analysis results.

## 2. Theoretical background and hypotheses

### 2.1. Concept of fundamental (labour) rights

Fundamental rights are the basic rights and freedoms that are considered essential to the dignity and worth of every human being (Khol, 1968; 1970; Sepúlveda *et al.*, 2004). These rights are considered universal, inalienable, and indivisible, meaning they belong to every individual, regardless of nationality, ethnicity, gender, or other characteristic. They are institutionalised and protected by a country's constitution and legal system (Alexy, 2006). As a citizen, an individual has the right to require the state to defend their rights and improve their life quality. The state, shaped by the social contract, must realise its citizens' enjoyment of their fundamental rights. The state's public officials, such as politicians, judges, bureaucrats, and police and military officers, realise citizens' fundamental rights through policy decisions and implementations (Sepúlveda *et al.*, 2004).

Fundamental rights include a wide range of rights, including the right to life, the right to equality, labour rights, freedom of association, freedom of expression, freedom of religion, voting rights, environmental rights, women's rights, children's rights, disability rights, and sexual orientation and gender identity rights. Among these various rights, labour rights are fundamental because they protect workers' well-being and rights. Although workers may not always make up the majority or be uniformly seen as vulnerable, labour rights are still crucial. They address fairness, safety, and economic security issues for many individuals whose livelihoods depend on employment relationships. The struggle for the rights of ordinary people against the ruling elite and capitalist interests has been associated with the struggle for labour rights.

Labour rights are composed of the following rights (World Justice Project, 2023): freedom of association, the right to collective bargaining, the absence of discrimination concerning employment, and freedom from forced labour and child labour. Freedom of association refers to the right of individuals to come together and form associations, such as labour unions, to advocate for their interests and protect their rights. This right is essential for workers to have a collective voice and to negotiate with employers to improve their working conditions, wages, and benefits. The right to collective bargaining is a labour right that allows workers to negotiate with employers to improve their working conditions, wages, and benefits. It is essential for workers to have a say in the workplace and to ensure that their interests are represented. The absence of discrimination concerning employment refers to the right of all individuals to be treated equally and without discrimination in the workplace. This includes equal pay for equal work, equal promotion and career advancement opportunities, and the right to be free from harassment and discrimination. Freedom from forced labour and child labour refers to the right of all individuals to be free from exploitation and abuse in the workplace.

Freedom of association is also crucial in political mobilisation and the democratic process. It enables citizens to organise, gather, and express collective interests, which is fundamental to a functioning democracy. Thus, understanding how corruption affects labour rights and broader civil and political freedoms requires examining freedom of association. This approach allows for a more precise analysis of the relationship between corruption and these collective rights, providing insights into how corruption influences the democratic process.

## 2.2. Corruption and fundamental (labour) rights

Corruption has been studied across social sciences, including criminology, economics, political science, and public administration. Researchers have defined corruption differently (Pozsgai-Alvarez, 2021; Rose, 2018) but commonly agree that it involves 'the abuse of power for private gain' (Jain, 2001a; 2001b; Tavits, 2007).

Corruption is classified in various ways, focusing on form, arena, and involved parties (Amundsen, 1999; Andvig *et al.*, 2001; Begovic, 2005; Jain, 2001a; Tanzi, 1995). Forms of corruption include bribery, embezzlement, fraud, extortion, and favouritism (Jancsics, 2019). Arena-centred classification categorises corruption by context, including international and intranational corruption (Andvig *et al.*, 2001). Agent-oriented classification mainly distinguishes political corruption (involving politicians) and bureaucratic corruption (involving bureaucrats) (Batzilis, 2019; Jain, 2001a; Schleiter & Voznaya, 2014). Judicial corruption, where judges abuse their authority for personal gain, is also a concern (Buscaglia, 2001; Gong, 2004). Corruption of security agencies such as police and military can severely affect society because they have actual force to limit citizens' freedom and rights (Jancsics, 2021).

Corruption can infringe upon fundamental rights, even in procedurally acceptable democracies (Rothstein, 2020). Constitutions stipulate that the primary goal of the state and government is to protect individuals' fundamental rights; thus, public officials like lawmakers, judges, bureaucrats, and police and military officers exist to protect and improve fundamental rights. However, corrupt public officials exercise their power arbitrarily for personal gain, which harms fundamental rights (Jain, 2001a,

2001b; Kumar, 2003; Tavits, 2007). Hence, fundamental rights are significantly influenced by the quality of governance and corruption level (Anagnostou & Mungiu-Pippidi, 2014; Rothstein, 2020).

In the grip of powerful vested interests, corrupt lawmakers craft laws that justify suppressing ordinary people or minorities (Hellman *et al.*, 2003; Persson *et al.*, 2003; Rose-Ackerman, 1999). While lawmakers are supposed to check the other branches of government, corrupt representatives disregard the violence inflicted by other public officials on their citizens. Similarly, corrupt judges hand down sentences that favour powerful vested interests or violent government officials. By capturing corrupted judges, the wealthy are more likely to emerge victorious in litigation, while the poor are more likely to face harsher punishment. In authoritarian countries, judges are often swayed by the pressure of repressive governments, leaving civil liberties vulnerable to national violence.

Bureaucratic corruption can also have severe effects. It is routinised, widespread, and clandestine (Lee & Bae, 2022). While political corruption significantly erodes trust in the political regime, bureaucratic corruption directly affects daily interactions between citizens and the state. Corrupt bureaucrats demand bribes from ordinary people; if refused, they exercise power arbitrarily. Security agency officers, like police and military, are prone to using violence due to their authority and resources (Andersen, 2018). Individuals in danger of arrest or whose family members have already been arrested often pay bribes to avoid prison (Andersen, 2018). Without bribes, they may face violence from police officers (Alam & Teicher, 2012; Andersen, 2015; 2018; Islam, 2013; Sharma & Andersen, 2017). Corrupt security officials also exploit their power for personal gain, with studies confirming that corruption is positively associated with the incidence of torture (Bohara *et al.*, 2008). Thus, it is hypothesised that corruption undermines fundamental rights.

H1: Public officials' corruption undermines fundamental rights.

H1a: Lawmakers' corruption undermines fundamental rights.

H1b: Judges' corruption undermines fundamental rights.

H1c: Bureaucrats' corruption undermines fundamental rights.

H1d: Security agency officers' corruption undermines fundamental rights.

Corrupt public officials are self-interested (Lee & Liu, 2022; Liu *et al.*, 2017; Liu & Mikesell, 2014). They act for those who give them benefits. Corrupt lawmakers legislate labour laws that favour businesspeople over workers because businesspeople have wealth to help lawmakers increase their income or political money. In addition, even if lawmakers legislate labour laws that favour workers, labour rights will be limited if the courts and bureaucracies are corrupt (Brudney *et al.*, 1999; Forbath, 1991). Corrupt judges do not punish businesspeople who have violated labour laws because businesspeople bribe or will employ them after their retirement. Corrupt bureaucrats do not monitor labour rights violation cases for the same reason. They regulate labour activity organisations rather than monitoring businesspeople. Corrupt police officers are not diligent when investigating and prosecuting labour law-related crimes (Aguilar, 2013; Chen & Xu, 2012). Instead, they illegally obstruct the association of labour activists. Furthermore, corrupt public officials cling to their positions of power because their benefits are directly tied to their authority (Akech, 2011; Lee & Bae, 2022). To achieve this, they attempt to silence their critics by suppressing their freedom of association, thereby preventing their opponents from organising and gathering. This is a deliberate attempt to maintain their dominance and avoid accountability, as they fear their actions will be scrutinised and their power will be checked. Therefore, it is hypothesised that corruption undermines labour rights and freedom of association.

H2: Public officials' corruption undermines labour rights.

H2a: Lawmakers' corruption undermines labour rights.

H2b: Judges' corruption undermines labour rights.

H2c: Bureaucrats' corruption undermines labour rights.

H2d: Security agency officers' corruption undermines labour rights.

H3: Public officials' corruption undermines freedom of association.

H3a: Lawmakers' corruption undermines freedom of association.

H3b: Judges' corruption undermines freedom of association.

H3c: Bureaucrats' corruption undermines freedom of association.

H3d: Security agency officers' corruption undermines freedom of association.

### 3. Research design

#### 3.1. Primary dataset: rule of law index

To test hypotheses, this study mainly uses the Rule of Law Index (ROL) dataset, which the World Justice Project (WJP) has compiled since 2012. The WJP has consistently expanded its coverage, measuring the rule of law in increasing countries each year. The dataset has grown from 97 countries in 2012–13 to 142 countries in 2023. WJP constructs the dataset by surveying its expert network, comprising scholars and practitioners, as well as general citizens from around the world. The surveys ask the respondents to mark their perceived level (very likely ~ very unlikely) on the degree of a country's constraints on government power, absence of corruption, order and security, fundamental rights, open government, effective regulatory enforcement, and civil and criminal justice systems (World Justice Project, 2023). The perceived level is aggregated and estimated from 0 to 1.

#### 3.2. Dependent variables

The dependent variables of this study are the overarching category of 'Fundamental Rights' and its constituent sub-indicators, specifically labour rights and freedom of association. The 'Fundamental Rights' category is comprised of the following sub-indicators: the right to equality, the right to life and security, the due process of law and the rights of the accused, freedom of association, freedom of religion, freedom of expression, the right to privacy, and labour rights.

Labour rights are assessed by evaluating the effective enforcement of fundamental labour rights, including freedom of association, collective bargaining, non-discrimination in employment, and freedom from forced and child labour. Freedom of association is measured by examining how individuals can participate in community meetings, join political organisations, engage in peaceful public demonstrations, sign petitions, and express dissenting opinions regarding government policies and actions without fear of reprisal.

#### 3.3. Independent variables

The independent variables are the perceived levels of corruption within each branch of the state. These variables are derived from the 'absence of corruption' indicators by subtracting them from 1. Specifically, the independent variables include: corruption within the legislature, which measures the extent to which lawmakers accept bribes or other incentives in exchange for political favours or favourable votes on proposed legislation; corruption within the judicial branch, which assesses the extent to which judges accept bribes to perform their duties or expedite legal processes, as well as the impact of improper influence from government, private interests, or criminal organisations on judges' decisions and sentencing; corruption within the executive branch, which measures the extent of embezzlement, bribery, and other forms of corruption in the provision of public services and enforcement of regulations, as well as the transparency of government procurement and public works contracts; and corruption within the security agencies, which measures the extent to which police and military officers solicit and accept bribes for performing their security services, as well as the impact of improper influence from private interests or criminal organisations on their actions.

While the WJP corruption data is based on surveys of the general population and related experts, it has limitations in terms of objectivity compared to hard data, such as the number of corruption convictions and the amount of embezzled public funds. However, there is no hard data on corruption

at the national level, and even hard data has limitations. Corruption measurement with hard data faces several challenges, including the clandestine nature of corrupt acts, insufficient reporting, difficulties in acquiring reliable and exhaustive data, and systemic issues like record manipulation and selective reporting (Fazekas *et al.*, 2016; Heywood, 2017; Johnston & Kpundeh, 2002). In addition, moral evaluation of different types of corruption can vary across countries (Lee & Bae, 2022; Klitgaard, 1988; Pozsgai-Alvarez & Varraich, 2023). Despite these limitations, perception-based data reported by international agencies reflect various aspects of corruption, making it a helpful tool for country-level studies (Knack, 2006; Razafindrakoto & Roubaud, 2010).

### 3.4. Control variables

This study controls for the following variables to determine the level of protection for fundamental (labour) rights: (i) civil conflict, (ii) leftist government, (iii) the share of military spending in Gross Domestic Product (GDP), (iv) GDP per capita, (v) trade, (vi) Foreign Direct Investment (FDI) inflow, (vii) participation in International Monetary Fund (IMF) assistance programmes, and (viii) participation in World Bank assistance programmes. Although democracy is an essential variable for fundamental rights, it is excluded in the empirical model because the measures of democracy already include the measurement of fundamental rights and corruption.

#### 3.4.1. Civil conflict

Civil conflict is expected to undermine fundamental rights, including labour rights and freedom of association, as it enables public officials to suppress citizens and disrupts the governmental capacity to improve public welfare. Empirical studies have shown that in civil conflict, governments often restrict civil liberties to maintain control and order, directly affecting the protection of fundamental rights (Tsai, 2006; Mosley & Uno, 2007; Blanton *et al.*, 2015). The data source for civil conflict is the absence of civil conflict in the Rule of Law (ROL) Index, estimated by subtracting this absence from 1. This variable captures the inverse relationship between civil conflict and rights protection.

#### 3.4.2. Leftist government

A leftist government, represented by the ruling party variable, is expected to enhance labour rights and other fundamental rights, as leftist parties tend to advocate for the rights of ordinary people and minorities, unlike rightist parties. Research by Cole (2013) and Blanton *et al.* (2015) supports the notion that leftist governments implement favourable labour laws and practices that benefit workers and protect their rights. This binary variable (1: leftist, 0: rightist or centrist) is based on election results from each country, reflecting the ideological orientation of the ruling party and its effects on policy-making.

#### 3.4.3. Military spending

The share of military spending in GDP is controlled because increased military spending can harm fundamental rights and reduce expenditures for education and health. The theory of state power militarism suggests that higher military spending is often associated with authoritarian governance and the suppression of civil liberties to maintain social order (Acemoglu *et al.*, 2008; Brauner, 2012). Studies by Vadlamannati and Pathmalal (2010), Shin (2020), and Tsai (2006) have shown that military spending can divert resources away from social services, thereby affecting the protection of fundamental rights.

#### 3.4.4. GDP per capita

Economic development is crucial for democracy and civil liberties, as it creates a middle class and a more advanced legal system and bureaucracy. Modernisation theory posits that higher levels of

economic development lead to improved governance and stronger protections for civil liberties (Lipset, 1959; Przeworski *et al.*, 2000; Tsai, 2006). Wealthier countries tend to have better infrastructure and institutions that support enforcing fundamental rights (Cheibub *et al.*, 1996; Heid *et al.*, 2012; Paldam & Gundlach, 2018). This variable measures the overall economic health of a country and its ability to support and protect the rights of its citizens.

#### 3.4.5. Trade and FDI inflows

Economic globalisation theory examines the effects of external factors on fundamental rights, with a specific focus on labour rights. Foreign direct investment inflows and trade can positively and negatively affect labour rights. On the one hand, FDI can improve labour standards and practices by introducing better technologies and management practices (Mosley & Uno, 2007). On the other hand, economic dependency on foreign investments and trade can lead to exploitation and increased inequality (Frank, 1967; Kentor, 1998). Studies have shown mixed results, with some indicating positive effects on labour rights and others revealing potential drawbacks (Blanton *et al.*, 2015; Gallagher, 2005; Hafner-Burton, 2005).

#### 3.4.6. Participation in IMF and World Bank assistance programmes

International finance institutions like the IMF and World Bank have significant influence over the economic policies of recipient countries. Participation in these programmes is controlled because they can affect labour rights and social policies. While some studies argue that these institutions promote economic stability and development, others suggest their policies can undermine labour rights and lead to austerity measures affecting social spending (Blanton *et al.*, 2015; Roberts, 2021; Peksen & Pollock, 2021). This variable (participation: 1, non-participation: 0) helps to understand the influence of international financial assistance on the protection of fundamental rights.

Table 1 presents the data and variables used in this study's empirical analysis. By controlling for these variables, this study aims to provide a comprehensive understanding of the determinants of fundamental rights protection, ensuring that the analysis accounts for a wide range of political, economic, and social factors.

### 3.5. Method

This study tested the hypotheses using a FEM with a panel dataset collected primarily from the ROL reports from 2012 to 2023. Panel data are beneficial for empirical analyses as it allows for the identification of effects stemming from individual differences and those that evolve within individuals (Wang & Ho, 2010). The FEM is employed in panel data regression analysis models to account for the endogeneity of time-invariant variables, such as gender and a county's distance from a river, within a panel regression framework (Hansen, 2021; Wooldridge, 2012). To address endogeneity concerns, this research incorporates year dummies to control for unobserved effects on the dependent variables.

## 4. Empirical analysis results

### 4.1. Descriptive statistics

The sample size must be 1,199 (= 97+99+102+113\*2+126+128+139+140+142).<sup>1</sup> However, the sample size is reduced to 1,068 due to missing data on some countries' military spending or GDP per capita. Table 2 presents the descriptive statistics for the sample. Notably, Table 2 reveals that lawmakers' corruption is perceived as the most severe, with an average ranking that stands out.

<sup>1</sup>The World Justice Project has measured the Rule of Law Index in 97 countries in 2012 – 13, 99 countries in 2014, 102 countries in 2015, 113 countries in 2016 and 2017 – 18, 126 countries in 2019, 128 countries in 2020, 139 countries in 2021, 140 countries in 2022, and 142 countries in 2023.

**Table 1.** Data and variables

Variables	Description
<i>Dependent variables</i>	
Fundamental Rights	Rule of Law Index: 0 ~ 1
Labor Rights	Rule of Law Index: 0 ~ 1
Freedom of Association	Rule of Law Index: 0 ~ 1
<i>Independent variables</i>	
Corruption	Rule of Law Index: 0 ~ 1
Lawmakers' Corruption	Rule of Law Index: 0 ~ 1
Judges' Corruption	Rule of Law Index: 0 ~ 1
Bureaucrats' Corruption	Rule of Law Index: 0 ~ 1
Police and Military Corruption	Rule of Law Index: 0 ~ 1
<i>Control variables</i>	
Civil Conflict	Rule of Law Index: 0 ~ 1
Leftist Government	Leftist ruling party: 1, rightist ruling party: 0
Military Spending	Share of military spending in GDP (%)
GDP Per Capita	Real GDP (2015 USD) divided by population (natural log)
Trade	Imports plus exports divided by GDP (%)
IMF Programs	IMF loan (participation: 1, no participation: 0)
World Bank Programs	World Bank loan (participation: 1, no participation: 0)
FDI Inflows	FDI inflows divided by GDP (%)

**Table 2.** Descriptive statistics

Variables	Obs.	Mean	Standard Deviation	Min.	Max.
<i>Dependent variables</i>					
Fundamental Rights	1,068	.58	.16	.20	.93
Labor Rights	1,068	.59	.14	.20	.95
Freedom of Association	1,068	.64	.18	.10	.98
<i>Independent variables</i>					
Corruption	1,068	.48	.19	.04	.84
Lawmakers' Corruption	1,068	.63	.20	.01	.98
Judges' Corruption	1,068	.41	.23	.01	.89
Bureaucrats' Corruption	1,068	.49	.18	.05	.78
Police and Military Corruption	1,068	.41	.21	.02	.82
<i>Control variables</i>					
Open Government	1,068	.53	.15	.22	.93
Civil Conflict	1,068	.07	.18	.0	.96
Leftist Government	1,068	.42	.49	0	1
Military Spending (%)	1,068	1.63	1.35	.07	33.55
GDP Per Capita (\$)	1,068	13,514.64	17,967.67	426.23	107,792.2
Trade (%)	1,068	77.57	52.94	0	388.12
FDI Inflows (%)	1,068	3.16	15.01	-391.44	106.59
IMF Programs	1,068	.22	.42	0	1
World Bank Programs	1,068	.60	.49	0	1

Table 3 reveals the top 25 countries in the world, as ranked by their performance in fundamental rights and absence of corruption, according to the 2023 ROL dataset. Nineteen countries, including Denmark, Norway, Finland, Sweden, Germany, Luxembourg, Belgium, Austria, Netherlands,



**Table 3.** Top 25 countries in the fundamental rights and absence of corruption (2023)

Fundamental rights	Score	Absence of corruption	Score
Denmark	0.92	Denmark	0.96
Norway	0.91	Norway	0.94
Finland	0.90	Singapore	0.91
Sweden	0.87	Sweden	0.90
Germany	0.86	Finland	0.89
Luxembourg	0.85	New Zealand	0.87
Belgium	0.84	Netherlands	0.87
Austria	0.84	Luxembourg	0.85
Netherlands	0.84	Hong Kong SAR, China	0.83
Estonia	0.83	Canada	0.83
Ireland	0.82	United Kingdom	0.83
New Zealand	0.82	Germany	0.82
Canada	0.81	Japan	0.82
Uruguay	0.80	Ireland	0.82
United Kingdom	0.80	Australia	0.81
Costa Rica	0.79	Estonia	0.81
Spain	0.79	Austria	0.80
Lithuania	0.78	Belgium	0.79
Japan	0.78	United Arab Emirates	0.78
Czechia	0.78	France	0.75
Australia	0.78	Uruguay	0.73
Latvia	0.77	United States	0.73
Portugal	0.76	Spain	0.73
Slovenia	0.75	Lithuania	0.72
Korea, Rep.	0.75	Poland	0.71

Source: World Justice Project, 2023.

**Table 4.** Simple correlation between dependent and independent variables

	FR	LR	FA	C	LC	JC	BC	PMC
FR	1.0000							
LR	0.8562*	1.0000						
FA	0.8977*	0.7165*	1.0000					
C	-0.8031*	-0.7341*	-0.5842*	1.0000				
LC	-0.6051*	-0.6006*	-0.4035*	0.8800*	1.0000			
JC	-0.7979*	-0.7054*	-0.6008*	0.9244*	0.6798*	1.0000		
BC	-0.7901*	-0.7259*	-0.5949*	0.9701*	0.8892*	0.8423*	1.0000	
PMC	-0.7911*	-0.7015*	-0.5716*	0.9498*	0.7363*	0.8938*	0.8990*	1.0000

\*P < 0.001 (two-tailed). FR: Fundamental Rights; LR: Labor Rights; FA: Freedom of Association; C: Corruption; LC: Lawmakers' Corruption; JC: Judges' Corruption; BC: Bureaucrats' Corruption; PMC: Police and Military Corruption.

Estonia, Ireland, New Zealand, Canada, Uruguay, United Kingdom, Spain, Lithuania, Japan, and Australia, appear in both indexes. Interestingly, the top 5 countries in the absence of corruption, excluding Singapore, also rank among the top 4 in fundamental rights. This suggests a negative correlation between corruption and fundamental rights. Table 4, which showcases the correlation between dependent and independent variables, offers compelling evidence that reinforces the

**Table 5.** Regression analysis results of fixed effects models

DV	Fundamental Rights	_____	Labor Rights	_____	Freedom of Association	_____
Corruption	<b>-0.256***</b>		<b>-0.281***</b>		<b>-0.283***</b>	
Lawmakers' Corruption		0.028		-0.042		0.023
Judges' Corruption		<b>-0.136***</b>		<b>-0.104*</b>		<b>-0.143***</b>
Bureaucrats' Corruption		<b>-0.165***</b>		<b>-0.174**</b>		<b>-0.296***</b>
Police and Military Corruption		<b>-0.074**</b>		0.018		0.074
Civil Conflict	0.002	0.004	0.028	0.027	-0.049**	-0.049**
Leftist Government	0.009***	0.009***	0.001	0.001	0.004	0.005
Military Spending (%)	0.000	-0.000	-0.002	-0.002	-0.001	-0.001
GDP Per Capita (log)	-0.041***	-0.044***	-0.018	-0.021	-0.061**	-0.068***
Trade	0.000	0.000	0.000	0.000	0.000	0.000
FDI Inflows (%)	0.000	0.000	-0.000 <sup>+</sup>	-0.000 <sup>+</sup>	0.000	0.000
IMF	0.006*	0.006*	0.007	0.008 <sup>+</sup>	0.010*	0.012**
World Bank	0.015**	0.013*	0.007	0.003	0.021*	0.018*
Constants	1.037***	1.089***	0.875***	0.919***	1.273***	1.358***
Observations	1,068	1,068	1,068	1,068	1,068	1,068
R-sq Within	0.335	0.355	0.170	0.177	0.319	0.335
R-sq Between	0.067	0.044	0.370	0.335	0.122	0.073
R-sq Overall	0.025	0.069	0.351	0.318	0.044	0.021

\*P < 0.1, \*P < 0.05, \*\*P < 0.01, \*\*\*P < 0.001 (two-tailed). Year dummies are included in the model.

likelihood of each hypothesis being confirmed, further solidifying the relationship between corruption and fundamental rights.

**4.2. Regression analysis results of fixed effects models**

Table 5 displays the regression analysis results of the FEMs. The analysis confirms that corruption has a detrimental effect on fundamental rights, labour rights, and freedom of association. In addition, the analysis reveals that corruption among judges and bureaucrats diminishes the extent of fundamental rights, labour rights, and freedom of association. Notably, corruption within the police and military forces has a more limited impact, primarily affecting fundamental rights. Conversely, corruption among lawmakers does not exert a statistically significant influence on the dependent variables. The findings suggest that the judicial and executive branches are more crucial in advancing human rights than the legislative branch. This phenomenon may be attributed to the legislature's limited ability to influence governance quality in undeveloped democracies. This differentiation in the effectiveness of legislative influence may vary significantly between more advanced and less developed democratic systems. Thus, this study conducts additional regression analysis on two separate groups of countries: those with an open government index score exceeding 0.7 (advanced democracies) and those with a score below 0.7 (undeveloped democracies) in the ROL dataset. The study chose 0.7 as the cutoff point because, according to the Economist Democracy Index, South Korea and Japan are considered at the lower end of the full democracy, with scores of 0.72 and 0.7, respectively. Tables 6 and 7 present the additional regression analysis results.<sup>2</sup>

In advanced democracies, lawmakers' corruption also has no significant effects on comprehensive fundamental rights and freedom of association, whereas it significantly diminishes labour rights.

<sup>2</sup>The models for advanced democracies omit IMF and World Bank assistance programme participation, as these institutions do not provide aid to advanced democracies.

**Table 6.** Regression analysis results of fixed effects models (advanced democracies)

DV	Fundamental Rights	Labor Rights	Freedom of Association
Lawmakers' Corruption	-0.063	<b>-0.181*</b>	0.015
Judges' Corruption	<b>-0.165<sup>+</sup></b>	-0.247	-0.152
Bureaucrats' Corruption	<b>-0.161*</b>	0.088	<b>-0.330*</b>
Police and Military Corruption	0.029	0.076	<b>-0.413*</b>
Civil Conflict	-0.008	-0.060	-0.020
Leftist Government	0.005	-0.005	0.012 <sup>+</sup>
Military Spending (%)	0.007	0.025	-0.010
GDP Per Capita (log)	0.038	-0.159	0.050
Trade	0.000	0.000	-0.000
FDI Inflows (%)	0.000	-0.000	0.000
Constants	0.456	2.432*	0.467
Observations	181	181	181
R-sq Within	0.252	0.198	0.303
R-sq Between	0.580	0.070	0.690
R-sq Overall	0.551	0.018	0.593

\*P < 0.1, \*P < 0.05, \*\*P < 0.01, \*\*\*P < 0.001 (two-tailed). Year dummies are included in the model.

Judges' corruption significantly affects fundamental rights, whereas police and military corruption affects freedom of association. Bureaucrats' corruption, however, significantly influences both comprehensive fundamental rights and freedom of association. These findings imply that labour rights issues rely on legislation in advanced democracies. In contrast, issues related to other rights, such as freedom of association, depend on implementing laws and policies.

Table 7 presents similar analysis results to Table 5. In underdeveloped democracies, lawmakers' corruption does not significantly affect dependent variables, whereas the other three variables significantly diminish comprehensive fundamental rights. Judges' and bureaucrats' corruption also reduces labour rights and freedom of association.

Interestingly, the control variable GDP per capita negatively correlates with fundamental rights and freedom of association in Tables 5 and 7, defying modernisation theory's expectations. This unexpected finding may suggest that underdeveloped democracies prioritise economic development by compromising on fundamental rights. Civil conflict has significant and detrimental effects on freedom of association. Conversely, leftist governments positively and significantly impact comprehensive fundamental rights, although they do not significantly influence labour rights, contrary to expectations.<sup>3</sup> Military spending and trade do not significantly affect any of the dependent variables. Notably, IMF and World Bank assistance programmes are found to be beneficial for both fundamental rights and freedom of association.

While these results provide valuable insights, it is important to acknowledge some limitations. For instance, including year dummy variables in models 5 through 7 involves estimating the effect of multiple independent variables with a relatively small number of cases per iteration. This is particularly evident in Table 6, where the total number of observations is limited, potentially contributing to weaker statistical significance. Despite these limitations, the overall findings remain robust and illustrate key areas where corruption affects human rights across different branches of government.

<sup>3</sup>Leftist governments may not significantly impact labour rights, as leftist parties have historically adopted rightist policies in response to the welfare state crisis (Han, 2020; Huber & Stephens, 2001; Mudge, 2011).

**Table 7.** Regression analysis results of fixed effects models (undeveloped democracies)

DV	Fundamental Rights	Labor Rights	Freedom of Association
Lawmakers' Corruption	0.021	-0.020	0.026
Judges' Corruption	<b>-0.117***</b>	<b>-0.084<sup>+</sup></b>	<b>-0.133**</b>
Bureaucrats' Corruption	<b>-0.146***</b>	<b>-0.250***</b>	<b>-0.260***</b>
Police and Military Corruption	<b>-0.103***</b>	0.048	0.052
Civil Conflict	-0.000	0.024	-0.053**
Leftist Government	0.009**	0.007	0.002
Military Spending (%)	-0.000	-0.002	-0.001
GDP Per Capita (log)	-0.034**	0.010	-0.057**
Trade	0.000	-0.000	0.000
FDI Inflows (%)	-0.000	-0.000	-0.000
IMF	0.004	0.008 <sup>+</sup>	0.011*
World Bank	0.006	-0.001	0.016
Constants	0.953***	0.802***	1.199***
Observations	887	887	887
R-sq Within	0.402	0.215	0.361
R-sq Between	0.208	0.281	0.006
R-sq Overall	0.172	0.196	0.004

\*P < 0.1, \*P < 0.05, \*\*P < 0.01, \*\*\*P < 0.001 (two-tailed). Year dummies are included in the model.

## 5. Discussion and conclusion

Public officials must protect and promote individuals' fundamental rights in modern states. However, when public officials are corrupt, the very fabric of these rights is compromised. Despite the significance of this topic, the empirical evidence on the effects of corruption on fundamental rights is limited. This study fills the knowledge gap by analysing a panel dataset of 142 countries based on the Rule of Law Index. The results confirm that public officials' corruption undermines fundamental rights. Specifically, corruption among judges, bureaucrats, and security agency officers (police and military) harms fundamental rights. Lawmakers' corruption undermines labour rights only in advanced democracies. The findings indicate that labour rights issues are uniquely dependent on legislation in only advanced democracies, whereas other fundamental rights issues are affected by implementing laws and policies by bureaucracy in both advanced and undeveloped democracies.

This study's findings emphasise the vital role of bureaucracy in protecting fundamental rights, highlighting the importance of effective bureaucratic governance. Bureaucratic corruption is detrimental to fundamental rights; thus, robust mechanisms for controlling bureaucratic corruption are essential to protect fundamental rights. However, reality is moving in the opposite direction, with the power of bureaucracy (executive branch) growing more robust. In the United States, where the concept of separation of powers originated, presidents have abused their authority, issued executive orders, and vetoed legislation, disrespecting congressional approval. This trend has been replicated in countries that have adopted the presidential system, including South Korea, where the President has been accused of abusing his powers, issuing pardons to individuals with close ties to the President, and circumventing the legislative process.

Given these findings, policy recommendations should focus on strengthening democratic oversight and accountability mechanisms to curb corruption and protect fundamental rights. Some potential policy measures include:

**Enhanced Transparency and Accountability:** Implementing stricter transparency measures in government operations and decision-making processes can help expose and deter corrupt practices. This can be achieved through open data initiatives, public access to government records, and mandatory disclosure of public officials' assets and interests.

**Judicial Independence and Integrity:** Ensuring the independence of the judiciary and protecting it from political and corrupt influences is crucial. This can be supported by establishing independent judicial oversight bodies, promoting merit-based appointments, and providing adequate resources and training for judges.

**Strengthening Anti-Corruption Agencies:** Effective anti-corruption agencies with the authority to investigate and prosecute corrupt activities are essential. These agencies should be independent, well-resourced, and have clear mandates to address corruption in all branches of government.

**Bureaucratic Reforms:** Reforms aimed at improving the bureaucracy's efficiency, accountability, and integrity are necessary. This includes performance-based evaluations, whistleblower protection programmes, and ethical training for public officials.

**Legislative Oversight:** Strengthening the role of legislative bodies in overseeing the executive branch can help prevent abuses of power. This involves enhancing the capacity of legislative committees to conduct investigations, hold hearings, and demand accountability from public officials.

**Public Participation and Civil Society Engagement:** Encouraging active participation of civil society organisations and the public in governance processes can help monitor and challenge corrupt practices. Supporting initiatives that promote civic education and public awareness about the effects of corruption is also essential.

By implementing these policy measures, governments can create a more transparent, accountable, and effective system of governance that better protects fundamental rights. The framework presented in this study provides a roadmap for achieving this goal, and it will catalyse further research and policy reform. This study's novelty lies in its empirical contribution to understanding the specific effects of different types of public official corruption on fundamental rights, thereby offering valuable insights for policymakers and scholars alike.

**Disclosure statement.** No potential conflict of interest was reported by the author.

**Funding.** None.

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