



# Fiscal Corruption: A Vice or a Virtue?

ODD-HELGE FJELDSTAD

*Chr. Michelsen Institute, Bergen, Norway*

and

BERTIL TUNGODDEN \*

*Norwegian School of Economics and Business Administration and  
Chr. Michelsen Institute, Bergen, Norway*

**Summary.** — Recent literature on tax administration in poor countries suggests there are virtues in allowing fiscal corruption. By strengthening the bargaining power of corrupt tax officers, it is argued that tax evasion may be reduced and tax revenues increased. But does such an intriguing paradox justify policies that stimulate corruption? Our answer is no, and this note puts forward three arguments to support our view. First, while an increase in corruption may raise revenues in the short run, in general, the opposite will be the case in the longer run. Second, the instrumental value of reducing corruption goes far beyond its effects on tax evasion and tax revenues. Accepting corruption as a policy strategy to increase tax revenues may undermine values of democracy and good governance. Third, eliminating corruption should be considered an end in itself. Thus, contrary to recent suggestions on incentive reforms in tax administration, the reasonable starting point for policy debates in this area should still be that an increase in fiscal corruption is not an appropriate instrument for raising tax revenues. Sustained development cannot occur in an institutional framework that fosters corruption and extra-legal tax enforcement.

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## 1. INTRODUCTION

One of the areas of government where the impacts of corruption loom largest is in the assessment and collection of taxes (Galtung, 1995). Studies in various developing countries indicate that it is not uncommon that half or more of the taxes that should be collected cannot be traced by government treasuries due to corruption and tax evasion (Alm, Bahl, & Murray, 1991; Bird, 1990, 1992; Krugman, Alm, Collins, & Remolina, 1992; Richupan, 1984). This tax-base erosion is particularly damaging since insufficient domestic revenue mobilization is considered the root of the adjustment and growth problems faced by many poor countries (Chand & Moene, 1999). To alleviate this problem, tax reforms in recent years have focused on re-designing the tax structures and improving tax administration. Addressing fiscal corruption and tax evasion has become an inte-

grated part of this strategy (Klitgaard, 1988; Toye & Moore, 1998).

A growing literature emphasizes the importance of incentive schemes in motivating tax officers to work harder and in accordance with the overruling objective of improving revenue performance (Chand & Moene, 1999; Das-Gupta & Mookherjee, 1998; Mookherjee, 1997). Such incentive schemes *may*, however, increase corruption. Actually, as we elaborate

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in Section 2, a standard way of justifying incentive schemes is by showing that such schemes strengthen the position of corrupt tax officers and thereby make tax evasion less attractive. Nevertheless, it is argued, in cases where the effect on taxpayers' compliance and government revenues is positive, incentive schemes are still justified: "Eliminating corruption is... not an end in itself; effects on tax evasion and revenues are more fundamental" (Mookherjee, 1997, p. 16).

In this note we put forward three arguments that question this way of defending incentive schemes. First, while an increase in fiscal corruption may contribute to an increase in tax revenues in the short run, it is highly implausible that such an increase is sustainable (Section 3). The dynamics of corruption suggest that policies of this kind will decrease tax revenues in the longer run. Second, a much broader view of this problem is needed in the development debate, including the effects of fiscal corruption on accountability and government legitimacy (Section 4). Third, eliminating corruption *is* an end in itself. In our view, any reasonable conception of a good society should count corruption—that is, the abuse of public offices and rules for personal gain—as intrinsically bad (Section 5).

## 2. THE VIRTUE OF FISCAL CORRUPTION

How may corruption contribute to reducing tax evasion and thereby increasing tax revenues? The essential link, studied by Mookherjee (1997) among others, is based on the idea that the possibility of negotiating bribes from evasive taxpayers motivates corrupt tax officers to work harder in order to detect evasion.<sup>1</sup> This is anticipated by the taxpayers, and hence tax evasion is less attractive because it is more likely to be detected.

Since corruption works to make tax evasion less appealing and thereby increases tax revenues, it might be a good idea to design a bonus system for tax collectors that mimics or competes with the bribery system already in place in many tax administrations. Actually, this has been attempted in Ghana (Chand & Moene, 1999) and has been suggested in several other countries. The intention behind a bonus system is to initiate more work effort among tax collectors by promising them a share of the tax revenues. This is the way it works for noncor-

rupt tax collectors, who within a bonus system, aim at detecting evasion because this increases tax revenues and *thereby* their income. But what about corrupt tax collectors?

Consider a bribe as the outcome of a negotiation between an evasive taxpayer and a corrupt tax collector. The introduction of a government bonus certainly makes the bribe less attractive for the corrupt tax collector, because he has to give up the bonus when accepting the bribe. But, this does not necessarily insure that the tax collector becomes less corrupt. Actually, it makes him stronger in his negotiations with the taxpayer, and as a result he receives a larger part of the pie not reported to the tax authorities. Thus, the bonus system provides incentives for the corrupt tax collector as well (by increasing the negotiated bribe), and may thereby contribute to increase tax revenues. This happens because the bonus system strengthens the position of the corrupt tax collector and therefore may increase overall corruption.<sup>2</sup>

Generally, the implications of a bonus system depend on whether the tax administration consists of corrupt or noncorrupt tax collectors. In both cases, we might experience an increase in overall tax revenues, but in the case of corrupt tax collectors, the bonus system may also lead to increased corruption. Hence, in a situation where there is a mixture of corrupt and noncorrupt tax collectors, it seems straightforward to say that we have to make a tradeoff between the gain of more revenues and the problem of more corruption when evaluating a bonus system. But, this is not how bonus systems are justified in the theoretical literature on corruption and incentives.

Mookherjee (1997), for example, considers bonus systems in the context of corrupt tax collectors *only*, and then argues for the need "to go beyond the question of what levels of corruption arise and examine induced effects on tax compliance and audit incentives" (p. 13). Hence, when evaluating bonus systems, Mookherjee solely considers the possible gain in tax revenues following from the fact that the position of corrupt tax officers is strengthened. In our view, this way of justifying bonus systems should be rejected because it does not capture the long-term effects of an increase in corruption on tax revenues and government legitimacy. We find it highly implausible that sustained development can occur in an institutional framework that fosters corruption and extra-legal tax enforcement.

Mookherjee is, of course, aware of the vices of corruption, and stresses the important point that when considering incentive reforms we also need to take into account the possibility of wider administrative reforms, including changes in supervision systems, information and monitoring procedures. More precisely, he suggests that “if incentive reform causes various undesired side effects, the range of policy instruments must be expanded to moderate their effects” (p. 8). This is however, a problematic position within the present mode of reasoning. If one considers an increase in corruption an undesirable side effect to be moderated, then an incentive reform cannot be justified by showing that it increases tax revenues by (possibly) inducing *more* corruption. Such a justification would be undermined by the policies aiming at reducing corruption.

Let us examine another example of how the strengthening of the position of corrupt tax collectors has been considered part of a “virtuous circle” in reforming tax administrations. Chand and Moene (1999) are concerned with the need for noncorrupt higher-level bureaucrats in tax administration when introducing bonus systems, and illustrate this by the following story. Consider the case of a corrupt tax collector who tries to negotiate a bribe from an evasive taxpayer in return for underreporting his tax liabilities. If they do not reach an agreement—that is, if the taxpayer refuses to pay the bribe and the collector reports the evasion—a higher-level bureaucrat is informed about the true tax liability of the taxpayer and settles the case. If the higher-level bureaucrat is corrupt, the evasive taxpayer pays him a bribe and provides taxes only on the underreported tax liability. In contrast, a noncorrupt higher-level bureaucrat collects the taxes on the true tax liabilities. Therefore, the presence of a noncorrupt higher-level bureaucrat strengthens the position of the corrupt tax collector in the negotiations with the taxpayer. Why? Because it becomes less important for the corrupt collector to reach an agreement with the taxpayer. The collector knows that as long as the higher-level bureaucrat is not corrupt, he will receive the bonus on the whole tax liability if he does not reach an agreement with the taxpayer. This would not be the case if the higher-level bureaucrat was corrupt. The tax collector would then not receive any bonus. Hence, in order to have an effective bonus system, noncorrupt higher-level bureaucrats are required. They make it possible for the *corrupt* tax collector to

get a higher bribe by strengthening the collector’s bargaining position in relation to taxpayers and thereby also stimulate his work effort. Consequently, this will contribute to an increase in tax revenues in the short run. But is this really the virtue of having noncorrupt higher-level bureaucrats in tax administration when introducing a bonus system?

Let us close this section by briefly pointing at some of the mechanisms we expect to reflect the real virtues of an incentive reform. First, as already stressed, an effective bonus system induces more effort among noncorrupt tax collectors. Second, and maybe more important, a bonus system, within an administration containing noncorrupt higher-level bureaucrats, may cause less corruption among tax collectors.<sup>3</sup> Let us provide a simple illustration of this point. Assume that a company reports the profit  $R$ , whereas the true profit is  $\Pi$ . The tax rate is  $t$  and the bonus rate is  $\gamma$ . All tax collectors assign a certain disvalue  $1/m$  to accepting a bribe,  $m \geq 1$ , where  $m = 1$  would imply that the tax collector is indifferent between receiving a certain amount of money as a bribe or as a regular bonus.<sup>4</sup> If the tax collector does not accept the bribe and reports the evasion to a noncorrupt higher-level bureaucrat, then he receives a bonus on the true profit. In this case, a collector would only accept a bribe  $b$  if:<sup>5</sup>

$$\gamma t R + b/m > \gamma t \Pi \quad (1)$$

Obviously, the bribe will not exceed the taxes saved on the underreported amount  $t(\Pi - R)$ .<sup>6</sup> Hence, on the basis of (1), we find a cut-off value  $m^*$  such that no tax collector having a value *above*  $m^*$  would choose to be corrupt.<sup>7</sup>

$$m^* = 1/\gamma \quad (2)$$

From (2), we can see that an increase in the bonus ( $\gamma$ ) decreases  $m^*$  which indicates that the number of corrupt tax collectors should decrease in an effective bonus system.<sup>8</sup>

To summarize, there are important positive effects from incentive reforms in the tax administration. The reforms make noncorrupt tax collectors work harder, and may reduce the number of corrupt tax collectors in the administration. Hence, possible tradeoffs must be made between reducing corruption and increasing tax revenues when considering incentive reforms. We doubt however, that it is a reasonable strategy to improve revenue collection by strengthening the bargaining power of corrupt tax officers *vis-à-vis* taxpayers. Thus, we question the claim that one of the positive

effects of such reforms is that increased tax revenues can be achieved by stimulating corruption among corrupt tax collectors.

### 3. LONG-TERM IMPACTS OF FISCAL CORRUPTION

Poor taxpayer compliance is particularly damaging in situations with substantial budget deficits, as is the case in many poor countries (Tanzi, 1991). But, accepting fiscal corruption as an instrument for raising revenues in the short run may undermine tax collection in the longer run, for several reasons. Let us here point at some of the most important ones.

First, implicit in the discussion of the positive link between fiscal corruption and tax revenues is the assumption that the willingness to pay taxes is independent of the way taxes are collected. This assumption is in contrast to the literature on reciprocity considerations in tax collection. For instance, Smith (1992, p. 227) argues that tax authorities' unresponsive, corrupt and unfair treatment of taxpayers fosters disrespect for and resistance against tax authorities and tax laws.<sup>9</sup> In a study of Tanzania, Fjeldstad and Semboja (2001) find that the unresponsive way taxes are enforced appears to have fuelled tax resistance. Accordingly, they argue, tax evasion may to some extent be interpreted as a strategy of public resistance and opposition against the authorities. Hence, an increase in corruption may establish a negative public perception that causes citizens to be unwilling for a long period to enter into reciprocal relationships with the government. Thus, accepting fiscal corruption as an instrument to raise revenues may contribute to undermining the legitimacy of the tax administration, and thereby *increase* tax evasion and decrease tax revenues over time (Tanzi, 1995, 2000). We believe this to be an important issue, because public opinion is not easily restored over time.

Second, the relationship among tax collectors also needs to be considered. Tax collectors do not operate on their own, but are influenced by the behavior of their reference group, such as colleagues and friends.<sup>10</sup> As stressed by Fehr and Gächter (2000, p. 167), "[s]ocial sanctions by peer members are probably a very important determinant of effort behavior in work relations." Therefore, if a tax officer knows that colleagues are becoming more cor-

rupt, his commitment to honest behavior may be weakened. There are at least three arguments supporting this view (Sah, 1991; Banerjee, 1992):

- internalized feelings of guilt from fraudulent behavior become weaker as the number of corrupt tax officers increases;
- when many others are involved in corruption, the loss of reputation (stigma) for each collector when discovered decreases; and
- when many others are corrupt, this lowers the probability of corruption being revealed due to the fact that the capacity of internal and external investigation units are constrained.

In other words, "corruption may corrupt" (Andvig & Moene, 1990). Thus, an increase in fiscal corruption may initiate a vicious circle in the long run in the tax department.

Third, this vicious circle may have impacts on the recruitment process of the tax administration. It is reasonable to assume that more fiscal corruption among tax collectors will attract potentially more corrupt employees (Besley & McLaren, 1993). Furthermore, an atmosphere of corruption can result in a recruitment process based on the wrong premises (Huther & Shah, 2000). Significant above-market rate wages in specific public institutions in order to reduce shirking and corruption may imply that one gets two prices for the same type of service. This may in general create fertile ground for corruption and rent-seeking where attractive jobs are likely to be sold, and the sale price has built in the capital value of the salary surplus. Andvig (1999), for instance, reports from Azerbaijan that a regular customs official at a "fat site" has to pay US\$100,000 to get his position. A position is normally financed by the incumbent borrowing from family and friends. The customs official is assumed to have earned enough to repay the investment after six months. Thereafter he is supposed to send a percentage (85% is indicated by Andvig) of what he gains on corruption upward to his superiors.

Fourth, accepting corruption may have negative impacts on the future possibility of reforming the tax system. For instance, important stakeholders, including bureaucrats and politicians, as well as powerful taxpayers, may resist changes in an attempt to protect their influence and control of the tax system. According to Winters (1996, p. 166), the strongest resistance to tax reforms in Indonesia came from the tax officials themselves, since they had the most

to lose from the depersonalization and simplification of the tax system. Flatters and Macleod (1995, p. 409), also referring to Indonesia, assert that tax collectors actively opposed simplifications in property tax administration, income tax laws and tariff structures. Moreover, some observers argue that the extensive public sector regulations and complicated tax systems observed in many poor countries are the result of a deliberate strategy by civil servants, including senior tax officials, to facilitate corruption (Tanzi, 2000; Myrdal, 1968).

Developments in the tax administration in Ghana, which is the crosscutting case to which Chand and Moene (1999) refer, may support our general point. Following the reforms, tax revenues in Ghana increased from 4.6% of GDP in 1983 to 17% in 1994 (Chand & Moene 1999, p. 1135, Table 2), despite reductions in tax rates. But if the increase in tax revenues in Ghana was due to a strengthening of the positions of corrupt tax officers, then we would expect a difficult future for the tax administration in the longer run. In fact, this seems to be what Ghana has experienced; the initial success has not been sustained (Devas, Delay, & Hubbard, 2001, p. 213). According to Hadler (2000, p. 40), the tax administration in Ghana, the first country in Africa to establish an autonomous revenue agency, is “reputedly now in disarray.”<sup>11</sup>

In summary, increasing fiscal corruption by strengthening the position of corrupt tax officers may initiate two vicious circles in the longer run. On the one hand, it may reduce peoples’ willingness to pay taxes; on the other hand, it may weaken a commitment to honest behavior in the tax administration. Both these effects are closely related to the importance of values in tax collection and tax compliance. Our general point is that inducing fiscal corruption in the long run undermines the values essential to an efficient tax administration. As observed by Amartya Sen:

Indeed, in societies in which corrupt behaviour of the standard type is quite unusual, the reliance is, to a great extent, on compliance with codes of behaviour rather than on financial incentives to be corrupt. This forces attention on the norms and modes of behaviour that respectively prevail in different societies (Sen, 1999, p. 276).

Of course, this does not imply that incentives are of no importance. But we question the idea of fostering fiscal corruption in order to gain short-term increases in tax revenues.<sup>12</sup>

#### 4. GOVERNMENT TRUSTWORTHINESS

Fiscal corruption is likely to undermine government trustworthiness and, thus, the legitimacy of the government, where legitimacy refers to citizens’ approval of the government, which in turn justifies citizens’ obedience.<sup>13</sup> When the institutions are legitimate, citizens have a predisposition to consider obedience to them as reasonable and appropriate (Fauvelle-Aymar, 1999). A government’s lack of legitimacy, on the other hand, diminishes almost by definition the perceived moral justification for obeying its laws (we return to this point in Section 5). Furthermore, of particular importance in this context is that citizens’ disrespect for the tax laws may initiate disrespect for other laws, and, thus contribute to further undermining the legitimacy of government (Graetz, Reinganum, & Wilde, 1986). This suggests a vicious circle where distrust breeds distrust. In contrast, government trustworthiness and widespread public support tends to legitimize the public sector, and may therefore impose some social norm to pay taxes. Hence, it is important to take a broader view of the societal effects of corruption in tax administration.<sup>14</sup>

The need for a broader view on taxation derives from the fact that taxation is essential for shaping state-citizen relations (Levi, 1988; Moore, 1998). For instance, in Europe over the past two centuries, taxation and disputes over the use of revenues have stimulated the development of greater citizen rights and privileges, with democratic institutions enforcing accountability and greater transparency in expenditures (Tilly, 1992). Moreover, it almost goes without saying that fiscal corruption, as an integral part of tax collection, does not contribute to establish productive state-society relations. Survey research from a number of countries concludes that citizens in general view corruption negatively even where it is widespread. Miller, Grødeland, and Koshechkina (1998), for instance, in a study of bribery in the Czech Republic, Slovakia, Bulgaria and Ukraine, find that public opinion in all four countries is against corruption. The morality of public officeholders is therefore most likely an important source of government trustworthiness (Brennan, 1998; Hardin, 1996).

Recent research also indicates that citizens’ trust in their fellow citizens is strongly influenced by whether they have confidence in the government that they share (Brehm & Rahn, 1997). This observation strengthens the need

for a broader view of the societal effects of fiscal corruption. We know that a functioning social order requires social behavior (Coleman, 2000; Putnam, 1993; Serageldin & Grootaert, 2000) and a productive set of common norms (Bardhan, 1995; Offe, 1999), which will only evolve in a society of trustworthiness (Dasgupta, 1988; Sztompka, 1999).

To summarize, there are two main reasons for taking a broader view on fiscal corruption. First, when government is perceived to be trustworthy, citizens are more likely to comply with its demands in general (Levi & Stoker, 2000). From this perspective, government trustworthiness is closely linked to citizens' perceptions of the capacity of the government to make credible commitments about the use of their taxes, as well as the government's procedures for designing and implementing policy nonarbitrarily (Levi, 1997, 1988). Second, government trustworthiness contributes to social behavior in general and a productive set of common norms in society. These norms are important for establishing the more informal social networks and associations of civic engagement that effects the productivity of the community (Putnam, 1993). Moreover, they are also crucial for strengthening the formalized institutional relationships such as the political regime, the rule of law, the court system, as well as the tax system, that may have important effects on the rate and pattern of economic development (North, 1990; Olson, 1982).

## 5. ELIMINATION OF CORRUPTION AS AN END IN ITSELF

Mookherjee (1997, p. 6), claims that the elimination of corruption should *not* be considered an end in itself, and he substantiates this point by arguing that complete elimination of corruption may be impossible. We reject this line of reasoning. A noncorrupt society may be a utopian ideal, but this does not undermine the possibility of assigning intrinsic disvalue to corruption. To consider reduced corruption an end in itself is simply to say that it is important in its own right, and does not have to be justified (as a value) on the basis of its effects on the economy and society in general. We believe this to be a reasonable position to take. Of course, there are other ends to consider, and hence we have to make tradeoffs. But this only shows that there is a plurality of constitutive elements in the process of development.

Corruption is the violation of established rules for personal gain, and the disvalue of corruption depends on the legitimacy of these rules. But within a fair system of cooperation, the elimination of corruption should be considered an end in itself. This has been argued forcefully by Rawls among others, who views a fair system of cooperation as involving:

terms that each participant may reasonably accept, provided that everyone else likewise accepts them. Fair terms of cooperation specify an idea of reciprocity: all who are engaged in cooperation and who do their part as the rules and procedures require, are to benefit in an appropriate way as assessed by a suitable benchmark of comparison. Since the primary subject of justice is the basic structure of society, these fair terms are expressed by principles that specify basic rights and duties within its main institutions... (Rawls, 1993, p. 16).

Moreover, Rawls (1993, p. 19) argues that anyone with a sense of justice should apply and act from the public conception of justice which characterizes the fair terms of social cooperation, and hence ought not to be involved in any kind of corruption.

Considerations of this kind may be perceived as having little relevance to policy debates in poor countries that are far from any ethical equilibrium of fair cooperation. We doubt, however, the validity of such a point of view. In particular, we believe that Rawls' line of reasoning may contribute to establish an understanding of the main institutions in society in general—and tax administration in particular—as ways of specifying fair terms of cooperation, where violation of these terms is considered wrong in itself. By recognizing this, we also see the plausibility of considering the elimination of corruption as an end in itself.

## 6. CONCLUDING REMARKS

The point of departure for this note is the literature showing that increased fiscal corruption in some contexts may contribute to increased tax revenues. We do not argue against the relevance of this argument. On the contrary, it is important to clarify this relationship. There are obviously cases where tradeoffs must be made between reducing corruption and increasing tax revenues by using incentive reforms. We doubt however, that it is a reasonable strategy to improve revenue collection by strengthening the bargaining power of corrupt

tax officers *vis-à-vis* taxpayers. Hence, we question the claim that one of the positive effects of such reforms is that increased tax revenues can be achieved by stimulating corruption among corrupt tax collectors. Based on existing literature on corruption, incentives, compliance and normative reasoning, we conclude that the

reasonable starting point for policy debates in this area should be the straightforward one that an increase in fiscal corruption is not an appropriate instrument for raising tax revenues. Sustained development cannot occur in an institutional framework that fosters corruption and extra-legal tax enforcement.

## NOTES

1. More generally, Mookherjee (1997) focuses on the problems likely to be encountered in designing and implementing incentive reforms, and on evaluating the effects of pay-for-performance schemes for tax collectors on corruption and tax revenues.

2. The total amount of bribes received by corrupt tax collectors does not necessarily increase in equilibrium. This depends on the reaction of the taxpayer to the fact that the work effort of the tax collector increases. There are, of course, other ways of measuring corruption than by the bribe rate. For instance, corruption can be measured as the proportion of corrupt tax officers in the tax administration. Although the precise conclusion on the effect of incentive reforms on corruption may depend on how corruption is measured, this is not essential for our argument.

3. See also Besley and McLaren (1993) for a related discussion.

4. This way of modeling moral costs is quite standard within a static framework, and pursued by among others Laffont and Tirole (1991). Within a dynamic setting however, more elaborate modeling is needed.

5. We do not consider the issue of monitoring, and hence the tax collector knows for certain that the acceptance of a bribe will not be punished. The example can, however, easily be extended to include monitoring, but this would not add anything to our story.

6. The possibility of extortion is not considered in this simple example (see Hindriks, Keen, & Muthoo, 1999 and Klitgaard, 1988).

7. Eqn. (2) is not well defined for the exact case where there is no bonus, but the implication of the equation is

that if the bonus approaches zero then all tax officers will be corrupt (except for tax officers having a deontological approach to corruption; represented by  $m$  equal to infinity).

8. Here, we ignore the equilibrium response of the companies, and assume that they do not increase underreporting when the bonus increases. Notice that  $m^*$  is not the critical value of  $m$  defining the partitioning of the set of tax collectors into corrupt and noncorrupt, and that we implicitly assume a continuous distribution of the value of  $m$  among tax collectors. Thus, we cannot draw any definite conclusions from (2), but for our purpose this should give a reasonable indication of the mechanism in question.

9. This proposition can also be stated in positive terms: Tax authorities responsive, honest, respectful and fair treatment of taxpayers tends to foster respect for and cooperation with the tax system.

10. For a more general analysis of these mechanisms, see Hessing, Elfers, and Weigel (1988) and Snaveley (1990).

11. To explain this development in revenue performance, we also have to look at factors other than corruption, including general economic trends and changes in tax policy.

12. See also Elster (1989, p. 158).

13. Following Lipset (1959, p. 86), legitimacy can be defined as "the capacity of a political system to engender and maintain the belief that existing political institutions are the most appropriate or proper ones for the society."

14. Daunton (1998) provides an excellent historical account of the role of trust and trust formation in the British fiscal administration from the Napoleonic wars to WW II.

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