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The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative
Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-Candidate
States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom

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Perceptions of Corruption in Bulgaria - A Content
Analysis of Documents from Politics, Judiciary,
Police, Media, Civil Society and Economy

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RESEARCH PROJECT: CRIME AND CULTURE

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Dr. Daniel Smilov

*Programme Director, Political and Legal Research*

Daniel Smilov is a comparative constitutional lawyer and political scientist. He is Programme Director at the Centre for Liberal Strategies, Sofia, Recurrent Visiting Professor of Comparative Constitutional Law at the Central European University, Budapest, and Assistant Professor of Political Theory at the Political Science Department, University of Sofia. He holds doctorates from the University of Oxford (DPhil, 2003) and the Central European University, Budapest (SJD, 1999, summa cum laude). In 2002-2003 he was Research Fellow at the Centre for Policy Studies, at the Central European University. In 2003-2004 he was a Jean Monnet Fellow at the European University Institute, Florence. He has also been a Visiting Scholar at the Boalt Hall School of Law, University of California, Berkeley in 1995. Dr. Smilov is co-author (with Martin Tisne) of *From the Ground Up: Assessing the Record of Anticorruption Assistance in Southeast Europe*, Central European University Press, 2004, and co-editor (with Denis Galligan) of *Administrative Law in Central and Eastern Europe*, CEU Press, 1999. He has published articles in ICON (International Journal of Constitutional Law, Oxford University Press), Public Law, and the Austrian Journal of Political Science (ÖZP), as well as a number of chapters in edited volumes. Forthcoming from Ashgate is the edited by him (together with Jurij Toplak), *Political Finance and Corruption in Eastern Europe*.

Rashko Dorosiev (M.A.)

*Project Director, Political and Legal Research*


Centre for Liberal Strategies, Sofia

[www.cls-sofia.org](http://www.cls-sofia.org)
Introduction

Corruption, as a clearly defined social problem, appeared in Bulgaria towards the end of the 1990s. Similarly to Western democracies, the problem of corruption in Bulgaria was first studied and brought to the social agenda by non-governmental actors. Broad corruption awareness campaigns, studies on corruption, and many other initiatives got underway at that time, with the support of the international donor community. Gradually, the anti-corruption agenda pervaded political parties and governmental programs while some of its main principles were converted into legislation. In spite of all these achievements, corruption and organised crime were identified by the European Commission as two of the most serious problems in Bulgaria at the time of the accession of the country to EU in 2007. Further systemic reforms, as well as practical results in the fight against corruption and organised crime, were required by Bulgaria from the EU Commission in order to avoid the imposition of safeguard clauses and other sanctions.

Since the end of the 1990s Bulgaria has been included in a number of international surveys measuring corruption. The most well known of them, the Transparency International Corruption Perceptions Index, indicates that after a period of marked improvement between 1998 and 2002, corruption perceptions seem to be stagnating around a relatively moderate level over the last five years (4.0 for 2006). In 2006, Bulgaria ranked 57th out of 163 countries included in the survey, ahead of some other EU member states, such as Poland and Romania.

The huge interest in the topic of corruption has resulted in numerous surveys not only of experts’ opinion but also of public perceptions. According to data from the Vitosha Research Polling Agency,¹ the Bulgarian public perceives corruption as one of the most serious problems in the country. It has always been among the top five social problems, usually taking up fourth or fifth position. In 2004-2005, it grew in importance to become the third most important problem. The overriding concerns of the Bulgarian population were low incomes (first place) and unemployment (second place).

In spite of all this interest in corruption, not much has been done to study the phenomenon in its socio-cultural aspects. The present paper is the first stage of an attempt to study existing ideas and perceptions about corruption as imbedded in the everyday life practices of the social actors.

Theoretical and methodological framework

To study perceptions of corruption of important social actors we use the instruments of Grounded Theory. That means in practice that we try to build a theory out of a data set that we study in an inductive way, rather than creating a theory deductively to explain the empirical material we do research on.²

The main idea of the Grounded Theory approach is to read (and re-read) a textual database and “discover” or label variables (called categories, concepts and properties) and their inter-relationships.³ The process of identifying, naming, categorizing and describing phenomena found in the text is called open coding and nowadays is often carried out with the help of specially designed software.

At the first stage of our research, we focused on the investigation of selected documents related to the perceptions of corruption of the members of the six important target groups: Politics, Judicial System, Police, NGO sector, Media and Business. Two types of documents were selected and studied.

The first ones are related to two case studies that were used for framing the process of data generation: the privatisation process of the Bulgartabac holding (the tobacco processing monopoly of Bulgaria) and a scandal with a suspect donation to the party foundation Democracy of the United Democratic Forces (the main right-of-the-centre party during much of the Bulgarian transition). This approach was chosen for several reasons. First of all, since corruption has been in the focus of public attention for the last ten years, we wanted to limit the scope of the data to a reasonable amount. Secondly, using the framework of case studies allowed us to generate better quality materials and to avoid general documents including banal, abstract or vague perceptions of corruption.

The second type of studied documents includes general documents that contained comprehensive information about the notions and ideas of corruption of the target groups included in the project. These were used to compensate substantial shortages of the documents related to the two particular cases.

As a second step, an initial review of all documents collected was carried out to select documents with high level of relevance to the research object. We applied a qualitative content analysis by the means of ATLAS.ti software to the documents selected in this manner.

² Barney G. Glaser; Anselm L. Strauss: The Discovery of Grounded Theory. Strategies for Qualitative Research (1967)
**Codes development**

In the process of open coding we developed codes at several different levels, depending on their degree of abstraction and the extent they are explicitly stated in the text. The codes identified at the first level cover the most explicit ideas which are usually associated with specific words and phrases. In general, the basic meaning of these ideas are widely recognised and uniformly understood in a given society.

The second level of codes goes beyond the basic meaning of the concepts, exploring deeper arguments and perceptions. At this level, perceptions of the different members of a given society might differ significantly. In most of the cases we developed these codes by following different arguments included in the text. Some codes, developed at this level, virtually have no connection to ideas or concepts already identified at the first level.

The third level of coding includes hidden ideas or concepts that have a more abstract character. Often, actors when using different arguments hide deliberately their perceptions, or are not aware of the deeper grounds of their perceptions. It is sometimes, however, difficult to create objective codes at this level since it is obvious that more than one interpretation is possible. Therefore, at this level we tend to present all interpretations that we believe are possible.

**Interpretation**

In the process of interpretation we tried to combine all findings that we have obtained by the means of qualitative content analysis in a single story that gives information about perceptions of different target groups included in the project. While we refrained from using our general knowledge of corruption in the process of coding, at this stage we used our contextual understandings to construct the overall situation of corruption in Bulgaria. We did that in order to place our findings in an appropriate context.

**Case Studies**

*Case Study I: Privatisation Procedure of the Bulgarian Tobacco Monopoly – Bulgartabac Holding (BTH), 2002-2003*

Bulgartabac Holding (BTH) is a leading tobacco company not only in Bulgaria but also in South Eastern Europe. The company is state-owned and state-managed. The holding’s activi-
ties include the full circle of cigarette production, from tobacco buying and leaf processing, to manufacturing and export of cigarettes.

Most Bulgarian producers of raw tobacco are ethnic Turks and political supporters of the Movement for Rights and Freedoms (MRF). Therefore the movement has direct political interest for Bulgartabac to remain state-owned in order to retain the political control over its voters. As a partner in the ruling coalitions over the last five years, MRF has been able to exercise such a control mainly through guarantying higher minimum purchase prices for raw tobacco, which are set by the Government. That is why the privatisation of Bulgartabac has been a difficult process that still has not been completed. Several Governments expressed readiness to privatise the tobacco sector. Bulgartabac was first put up for sale by the Union of Democratic Forces (UDF) Government in 1998. Two years later, in July 2000, the Privatisation Agency cancelled the tender and invited new bids. In March 2001, the Agency terminated the privatisation procedure without selecting a buyer.

The parliamentary elections in 2001 were won by Simeon II’s National Movement (SSNM), which assumed power together with the Movement for Rights and Freedoms (MRF). Days after the electoral victory, the new Minister of the Economy and Vice Prime-Minister Nikolay Vasilev announced that the privatisation of the Bulgartabac Holding (BTH) would be completed by the end of 2001. However, owing to political and economic constraints, the new bidding did not start until the spring of 2002.

In March 2002 a new privatisation procedure was opened. There were four major candidates to buy the holding. One of them was a consortium that was formed with the help of Deutsche Bank. The other three companies that participated in the tender actually represented one and the same person – Russian businessman Michael Chorny, who had been expelled from the country in 2000 on suspicions of involvement in organised crime.

Possibilities for corruption in the privatisation process were identified and explained by the media in two main directions. First, it was well known that the Economy Minister who was responsible for privatisation of the holding had good relations with some of the Deutsche Bank managers from the time when he had worked in the City of London. Soon after the procedure started, some publications in the media suggested that the Government, and in particular the Deputy Prime Minister Vasilev, has a favourite buyer – the Deutsche Bank consortium. Also, the media and society were suspicious of the privatisation of BTH since there had been some previous scandals related to the way the Government managed the holding. Several investigative reports were published in the press in 2001 showing direct relation between the Vice Prime Minister Vasilev and Georgy Popov, Executive Director of
Bulgartabac and best man at Vasilev’s wedding. This made the media conclude that the appointment of Popov as Executive Director was made on the basis of personal connections. In April 2002, the representative of the Russian-Bulgarian company Soyuzkontrakt Tabak, Garegin Gevondyan accused the Executive Director of BTH of asking him for a bribe of the amount of 500,000 dollars at their meeting on April 1, initiated by Popov. The case had nothing to do with the imminent process of privatisation but reinforced the media and public suspicions about the real intentions of the Government as regards the privatisation of BTH. Secondly, there were suggestions in the media that Chorny and the leader of MRF Ahmed Dogan had been friends for a long time and that Chorny had funded his party in the past. Also, Ahmed Dogan and his party had an immediate interest for Bulgartabac to be sold to somebody they knew and had influence over.

In this way, in the very beginning of the privatisation of BTH, the media constructed the procedure as a clash of two powerful coalitions that would use their relations to the Government and ruling parties in order to acquire the Bulgarian tobacco monopoly. The interests of the two coalitions were well defined, and qualitatively different. The Deutsche Bank coalition was interested in purchasing the enterprise with as little future obligations and burdens as possible, with the intention of restructuring the monopoly and later selling it, or parts of it, to strategic global players from the branch. The Government was interested in being able to sell the company to one of the international tobacco giants, for a good price, at as low a social cost as possible, and to be able to report progress in privatisation to both the internal public and to international financial institutions and players.

The interests of the Chorny coalition were centred on the acquisition of a monopoly position in an important sector of the Bulgarian economy. The desire of both players in this coalition, Chorny and MRF, was to acquire economic rents and opportunities to enhance political influence through the ability to influence a significant number of voters dependent on the monopoly – in short, to purchase political representation.

In July 2002, the final bids were submitted and in August 2002 the Privatisation Agency announced that Deutsche Bank was the winner in the tender. Chorny was not satisfied with this result and appealed the decision of the Agency before the Supreme Administrative Court (SAC). In October 2002, the three-member SAC panel declared the procedure illegal and cancelled the choice of a buyer. Two months later, a five-member panel of SAC confirmed this decision. At this stage Chorny succeeded to block the deal with the Deutsche Bank in court, but not to buy BTH. In February 2003, under the pressure by the Government, the Parliament adopted an amendment to the privatisation law, allowing for specific enterprises to be sold under the direct control of Parliament, which would avoid the control of the SAC.
However, after the amendment was passed, the coalition around Chorny responded through several actions, including rallying MPs against the sale, eroding the public support for the Deputy Prime Minister Vasilev, and even issuing physical threats to the point man of Deutsche Bank in Bulgaria. Eventually, one year after the start of the procedure, the PA observing the lack of parliamentary support, stopped the negotiations and soon after the Council of Ministers stopped the procedure. Later on, the Constitutional Court abolished the amendments made to the privatisation law, declaring that the exclusion of judicial control for privatisation procedures does not comply with the Constitution.

**Case study II: Suspect Donation to a Party Foundation: the Foundation Democracy of the Union of Democratic Forces**

In October 2003, the notorious Russian businessman Michael Chorny announced in the media that he had been blackmailed by the former Prime Minister Ivan Kostov, and that one of his companies had funded the Union of Democratic Forces’ party foundation *Democracy* with the amount of 200,000 USD. Chorny was expelled from Bulgaria over suspicions of organised crime involvement during the UDF government (1997-2001) headed by Ivan Kostov. The management of the Democracy Foundation announced they received the money from a company based in Cyprus that had no connection with Michael Chorny.

Several investigative services began proceedings against the Democracy Foundation suspecting money laundering. One month later the investigation was completed finding no criminal activity, but the Prosecutor’s office requested an extension of proceeding. These proceedings did not lead to a definite conclusion for more than a year. In November 2004, the Sofia City Court found the former executive director of Democracy Foundation Grozdan Karadzov guilty of libelling Michael Chorny as a criminal, and sentenced him to pay a fine to the amount of 1,000 EUR. In March 2005 a court in Nicosia, Cyprus, ruled that the company that had transferred the money to the Democracy Foundation was not owned by Michael Chorny. The scandal around the foundation continued lingering on for some time and gradually died down.

The case study is of special interest because it illuminates the link between party funding, corruption and organised crime. As the previous case study has shown, the Russian-born businessman Michael Chorny did play a serious role in the Bulgarian transition period. His main investment in the country was the purchase of one of the only two mobile operators (during the discussed period of time) – Mobiltel. He was also the owner of the most popular football team in the country – Levski, which ensured his popularity among a large proportion
of the fans. Finally, he had significant media interests; most importantly, he was the owner of one of the national dailies ‘Standart’.⁴

In 2000, upon Bulgaria’s accession to NATO, Michael Chorny, together with a number of other Russian businessmen residing in Bulgaria, was expelled from the country by the UDF government of Ivan Kostov. The argument that the government used was that they presented a threat to national security: the evidence, the government argued, constituted classified information, which could not be publicised. The 2000 order for the expulsion of Chorny was signed by the head of the National Security Service (NSS) General Atanas Atanasov. In 2004, this order was quashed by a Sofia court on procedural grounds. However, this did not lead to the rehabilitation of Chorny and the restoration of his right to enter the country – on the contrary, the new chief of the NSS Ivan Chobanov reissued the order, rectifying some of the procedural flaws mentioned by the court, but again relying on classified information and national security considerations. In the meantime, Chorny started civil proceedings for libel against some of the members of the UDF Government and the executive director of Democracy Grozdan Karadzhov. In 2004 the court fined Karadzhov for libel against Chorny, and in 2006 the Court fined the former Finance Minister Muravey Radev the amount of 30,000 leva for the same reason. Both of them accused Chorny of being part of international criminal networks and of meddling illegally in Bulgarian politics. As we shall see below, the courts found these accusations unfounded and libellous.

A further twist to the story adds a report produced in 2000 by the then head of the NSS General Atanasov, which accused senior members of the UDF government, and especially the Minister of Interior Bogomil Bonev, of illegitimate connections with Michael Chorny. More specifically, Bonev was accused of illegitimate lobbying for the financial interests of Michael Chorny and for providing him with “political roof” (protection) from investigation. This report became the reason for the dismissal of Bonev as Minister. However, the report was never made officially public. In the 2001 presidential race, UDF candidate Petar Stoyanov showed the front page of the report to the public during a presidential TV debate with Bonev who was also running for the presidency. The exact content of the report was never published, however. Bogomil Bonev started judicial proceedings against general Atanasov, accusing the latter of abuse of powers in the production of the report. A first instance court found general Atanasov guilty of abuse of powers, but an appellate court judgement acquitted him.

All these intricate details of the story are mentioned here in order to illustrate a very specific feature of Bulgarian public discourse on organised crime and corruption. On the one hand, it

⁴ After his departure from the country, his attorney Todor Batkov took over the ownership of both the football club and the newspaper, while the telecom was ultimately sold to Telecom Austria with the help of a number of intermediaries. This latter deal caused a scandal in Austria in 2006.
seems that it is public knowledge that businessmen, such as Chorny, are part of the organised crime and the underworld in general. After all, most of the media (apart from his own newspaper ‘Standart’) treat Chorny either openly as a criminal, or at least as a person whose wealth is of illegitimate origin. Further, there are official documents – such as the order of the NSS expelling Chorny from the country, which are motivated by the threat he presented to Bulgarian national security. People read this as an acknowledgement of the connection between Chorny and the Mafia. On the other hand, however, no Bulgarian judicial body has ever established that Chorny is guilty of crime of any sort, not to speak of organised crime. On the contrary, Bulgarian courts have pronounced such allegations libellous. This state of affairs creates a degree of public confusion: people know who the criminals are, but they do not know exactly why they are criminals and what the character of their crimes is. This situation is a fertile ground for the creation of myths as to the nature and scale of the spread of crime and corruption in the country.

Most importantly for the purposes of our study, this state of affairs leads to a situation in which different people put radically different content in their conceptions of organised crime and corruption. Most of the time, as the ensuing analysis will demonstrate, there are strategic reasons which lead different actors to stick to a specific conception of crime and corruption.

**Perceptions of Corruption**

*Basic dichotomies in coding and interpretation*

We have identified the following basic dichotomies, which illuminate the differences in the understanding of corruption of the different target groups.

- Legalistic conceptions vs. public-interest-based conceptions. This dichotomy captures the extent to which an actor sticks to the legal definition of corruption rather than using a more expansive and inclusive concept relating to a specific vision of the common good.

- Pro- and contra-foreign financial participation in domestic politics. This dichotomy was especially relevant for the analysis of the impact of foreign actors in privatization and the funding of political parties.

- What to do with money from illegitimate sources: accept it to make good use of it or reject and blacklist? This dichotomy is mostly relevant for the analysis of the perceptions of corruption of politicians and senior administrators.

- Legitimate lobbying vs. corrupt influence. The link between political actors and economic pressure groups is not completely transparent in the new democracies of
Eastern Europe. This dichotomy tries to capture different perceptions of the legitimate forms of such links.

- Private use of political money vs. public use of political money. This dichotomy captures different perceptions of the role of political parties in corruption. If a corrupt transaction is performed for the sake of party building/funding purposes, sometimes it is justified by politicians as a necessary measure (the “financial blight of parties”, etc.).

- Transparency vs. egalitarianism. The overarching emphasis in the fight against corruption in Eastern Europe has been on the question of transparency. Issues, such as the disproportional influence of corporate interests in politics, have been largely neglected. This dichotomy tries to capture the tension between two different visions of corruption - lack of transparency vs. corporate capture of the political process – which could present quite different problems and challenges.

Perceptions of corruption by target groups

Target Group Politics

No single definition of corruption exists amongst politicians despite the manifested consensus that corruption is a negative phenomenon that has to be combated. It appears that in the framework of privatization, corruption could be understood in different ways depending on the current positions of the politicians and their political parties. Largely, when in power, politicians tend to praise political privatization where the decisions are made on the basis of political arguments, by elected bodies having extensive powers to decide not only on the economic and formal parameters of the privatisation offers but also on a number of other issues, such as possible consequences for the society as whole. On the other hand, politicians while in opposition claim that political privatization is corrupt and favour the practice of technical/expert privatization, based on purely technical and formal considerations, where appointed bodies (of independent experts) take the most important decisions following a strict legal procedure. This dichotomy is the main result of a specific public interest trap. The public insists on fair but also effective privatization. Governments of transition countries have rapidly come to the conclusion that a fair and transparent privatization process does not automatically produce the best outcome in terms of public interest. This is the reason why politicians while in power tend to shift the focus in defining corruption from the fairness of the process to the quality of the results produced in terms of the broadly defined ‘public’ or ‘national’ interest.
In terms of the dichotomies described above, opposition politicians stick to public-interest bases, inclusive and inflated conceptions of corruption, which go much beyond the strict legalistic meaning of the concept. Such conceptions often allege various forms of favouritism in privatisation, clandestine state control or tacit state approval of smuggling channels; turning the party into a corrupt hierarchical structure, etc. Governing politicians usually resort to two strategies to counter corruption allegations. First, they stick to legalistic notions of corruption and require proofs beyond reasonable doubt for the substantiation of corruption allegations. Secondly, and much less often, governing politicians may try to “normalize” certain practices, which the opposition calls corrupt. An extremely interesting case of this kind happened in Bulgaria, when one of the mainstream parties attempted to sell to the public the so-called model of “circles of firms”, according to which political parties have the right to build circles of friendly firms, which in turn help for the funding of the patron party. Curiously, this model was advocated as a cure against “oligarchy”.

**Target Group Judiciary**

Not surprisingly, the target group of the judiciary resorts mainly to legalistic conceptions of corruption, and sticks to concepts and definitions in the law books. The paradoxical result of this usage is the virtual disappearance of corruption from the discourse of magistrates. In both of our case studies, the issue of corruption was renamed and translated into other problems at the judicial level. Thus, in the party funding case study, the law suits were about libel, and in some of these cases, the people who alleged the existence of corruption were found to violate the existing libel rules. In the privatization case study, the problem of corruption was translated mainly into a problem of procedural violation of the privatization law.

In both cases, what stood out was the inconclusive character of judicial proceedings with regard to the major questions at stake in the two scandals. In the party funding case, for instance, judicial proceedings could not prove or disprove the two competing interpretations of events: the acceptance of illegal donation vs. an attempt by a controversial businessman to set up one of the major parties in the country. The unfortunate lack of conclusive judicial findings and decisions creates a fertile atmosphere for the production of myths.

**Target Group Police and Prosecutors**

In contrast to the judges, prosecutors and the police are characterized by a very wide-spread use (including in official documents) of “inflated” public interest based conceptions of
corruption, such as “circles of friends”, favouritism, party machines, “political umbrella against investigation”, massive theft through privatization, etc. Naming people as part of mafiotic structures – including ministers, calculations of the negative financial impact of corrupt privatization feature regularly in the parlance and the documents produced by this target group. Regrettably, as the previous section made clear, formal indictments quite rarely are upheld by courts, what creates a significant gap between the discourse and the output (sentences) of the police and the prosecutors. Our main conclusion was that this is a sign of the “politicization” of the police and prosecutors. By this we mean that in terms of conception and perception of corruption this group is closer to the politicians than to the judges.

**Target Group Media**

For the media corruption is an all-embracing metaphor for criminal and bad government. Here, public-interest based conceptions of corruption are encountered in their most inflated versions. The main theme is that greedy and incompetent elites are stealing from the people on a massive scale. Concrete cases are usually blown out of proportion in order to paint pictures of epic theft. As a result, the borderline between investigative journalism, analysis and story-telling is often blurred and sometimes non-existent. The solutions that the media see to the problem of corruption are, as a rule, repressive in their character: more convictions. Curiously, however, sometimes the media elaborate rather daring responses to corruption, by, for instance, advancing what we call “participatory ideals of corruption”. According to these ideals, people should share in the spoils of corruption.

Such curious ideas, which find their place in the public sphere, suggest that the real role of the media is not so much in the “fight” against corruption, but rather in informing the public of the latest developments in the story of grand theft. A cynic might even say that the role of the media is in “involving” the people in these clandestine processes, making them privy to their intricacies, hooking them in the affair as a whole, albeit by means of vicarious participation. From this point of view, it is not surprising that the media, as a rule, show a disproportionate interest in the outbreak and unfolding of scandals, compared with its resolution.

**Target Group Civil Society**

This is by far the most sophisticated discourse about corruption, dictating the fashion in general. The main elements of this discourse are the following: corruption is measurable; it is increasing or at least is very high; it is bad for the economy. Civil society groups stress the
importance of institutional change and changes in the incentive structure of important actors in the fight against corruption. Yet, and somewhat paradoxically, although they frame the solutions in terms of substantial structural reforms, often results are to be expected relatively fast. This feature of civil society discourse raises dramatically public expectations. One of the results of these raised expectations is the dissatisfaction with politicians, delegitimisation of governments, and the creation of a fertile ground for the appearance of new populist political actors.

**Target Group Economy**

The business speaks about corruption through the discourse of silence. It prefers to shift the problem from corruption per se to the conditions for the emergence of corruption. These are usually to be found in the domain of public legislation and administration. The so-called problem of “red tape” – administrative hurdles for entrepreneurial activities, which are to be overcome by corrupt transactions – is extremely popular. Generally, business discourses on corruption are depersonalized: they refer to structural conditions, not to agents and perpetrators. Business is also as a rule portrayed as the victim of corruption, while the public servants (as an anonymous category) are the potential wrongdoers. Although the conception of corruption as “grease” for the economy has been rejected by important players such as the World Bank Institute, for instance, there is no evidence that the business community has ceased to believe in this conception: on the contrary, the whole underlying structure of its perception of the problem, seems to reinforce the “grease” theory.

Ultimately, it could be said that there is quite a sizable disparity between the discourse of the media and the politicians, on the one hand, and the discourse of the business community on the other.
Appendix A – Documents Collected by Target Group:

1. **Target Group Politics**
   3. Edvin Sugarev’s Open Letter to ex-Prime Minister Ivan Kostov, 2005.
   4. Ahmen Dogan’s Speech at the MRF Party Convention, Spring, 2006

2. **Target Group Judiciary**
   1. Judgement № 9555 of the three-panel of Supreme Administrative Court on Bulgartabac Holding privatisation, October 29, 2002.
   2. Judgement № 11565 of five-panel of Supreme Administrative Court on Bulgartabac Holding privatisation, December 16, 2002.
   4. Court judgement on the case Chorny vs. Kradzov
   5. Court judgement on the case Chorny vs. Radev, 2005

3. **Target Group Police**

4. **Target Group Media**

   Articles and materials published in the following printed media:
   1. Capital Weekly
   2. Sega Daily
   3. Dnevnik Daily
   4. Standart Daily
   5. Monitor Daily
   6. Trud Daily
   7. 24 chasa Daily
5. **Target Group Civil Society**


6. **Target Group Economy**

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Members of the Project Consortium

University of Konstanz, Germany (Co-ordinator)
University of Tübingen, Germany
Police University, German Federal State of Baden-Württemberg (Affiliated)
Centre for Liberal Strategies, Sofia, Bulgaria
Research Institute for Quality of Life (Romanian Academy), Bucharest, Romania
Galatasaray University, Istanbul, Turkey
University of Zagreb, Croatia
National School of Public Administration and Local Government, Athens, Greece
Panteion University, Athens, Greece
South East European Studies at Oxford (SEESOX), United Kingdom
Center for Research and Policy Making (CRPM), FYR Macedonia (Affiliated)

• Prof. Dr. Hans-Georg Soeffner, Person in Charge
  Hans-Georg.Soeffner@uni-konstanz.de
• Dr. habil. Dirk Tänzler, Scientific Co-ordinator
  Dirk.Taenzler@uni-konstanz.de
• Dr. Angelos Giannakopoulos, Head of the Project Office
  Angelos.Giannakopoulos@uni-konstanz.de

University of Konstanz
Research Group Sociology of Knowledge
Universitätsstr. 10
Box D 35
D-78457 Konstanz
Germany
Phone: ++49 (0)7531 88 3129
Fax: ++49 7531 88 3194

Project Homepage: www.uni-konstanz.de/crimeandculture/index.htm

Email: crimeandculture@uni-konstanz.de