

UNIVERSITY OF KONSTANZ
Research Group Sociology of Knowledge

Crime

& Culture

**Crime as a Cultural Problem
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**

Final Report

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**Sixth Framework Programme of the European Commission
Specific Targeted Research Project**



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SIXTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION



RESEARCH PROJECT: CRIME AND CULTURE

Crime as a Cultural Problem. 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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INTRODUCTORY PROJECT AND FINAL REPORT INFORMATION

Who are the PARTNERS of the project ?

Partic. No.	Participant Name	Participant Short name	Country
1	UNIVERSITAET KONSTANZ	UKON	Germany
2	EBERHARD-KARLS-UNIVERSITAET TUEBINGEN	UTUE	Germany
3	CENTRE FOR LIBERAL STRATEGIES	CLS	Bulgaria
4	INSTITUTUL DE CERCETARE A CALITATII VIETII - ACADEMIA ROMÂNĂ	ICCV	Romania
5	GALATASARAY UNIVERSITY	GSU	Turkey
6	UNIVERSITY OF ZAGREB	UZAG	Croatia
7	PANTEION UNIVERSITY OF SOCIAL AND POLITICAL SCIENCE	PU	Greece
8	THE WARDEN AND FELLOWS OF ST ANTONY'S COLLEGE IN THE UNIVERSITY OF OXFORD	SEESOX	United Kingdom

What is CRIME AND CULTURE?

The research project aims to develop means to optimise corruption prevention in the EU. The urgency of such a project is reflected in the fact that corruption holds the potential to retard seriously the process of the Community's enlargement and integration, even to the extent of threatening the very core of its concept of social order. The prevention policies that have been developed by the EU and implemented so far within individual member countries have in general been characterised by legislative, administrative and police force measures. These are based on a definition of corruption prevention developed in political and administrative institutions that, for its implementation, rely on a top-down procedure. The research project purports to conduct not an inquiry into the nature of corruption 'as such', but rather into the perceptions of corruption held by political and administrative decision-makers in specific regions and cultures, those held by actors representing various institutions and authorities, and above all by the citizens and the media in European societies. The project proceeds from the assumption that the considerably varying perceptions of corruption, determined as they are by cultural dispositions, have significant influence on a country's respective awareness of the problem and thereby on the success of any preventative measures. For this reason, the project investigates the 'fit' between institutionalised prevention policies and how these are perceived in daily practice, as well as how EU-candidate and member countries as a result handle the issue of corruption.



Which Are the OBJECTIVES of the Project?

The goal of the project is to deepen the knowledge of the phenomenon of corruption in the countries designated above. In doing so, it follows a twofold line of inquiry: The objects of the project are both the conceptual preconditions of the expert systems as well as the socio-cultural conditions under which these systems are put into effect.

1. First empirical phase: evaluation of expert systems. Analysis of documents of the target groups politics, judiciary, police, media, civil society and economy.
2. Second empirical phase: interviews with representatives of all target groups. Reconstruction of common-sense definitions of corruption out of the data.
3. Third empirical phase: systematic strength-weakness analysis of expert systems.
4. Interactive scholars-experts conference in Brussels: Development of bottom-up strategies for the prevention of corruption.
5. Communication of research findings in the scientific community, with policy-makers and in the public sphere.
6. Co-operation with national and international anti-corruption agencies.

Which is the basic SCIENTIFIC APPROACH of the project to corruption and its METHODOLOGY ?

From a sociological perspective, corruption represents the solution to a social problem, regardless of how the effects it may have on a society's morals and effectiveness, as well as on many other areas, are evaluated. Thus, the task at hand is to identify what motivates people to opt for corrupt and illegal conduct. The motives and causes that underlie corrupt conduct are rooted both in current conditions and in long-standing socio-cultural contexts, both of which are to be disclosed through sociological analysis. Accordingly, the project conducts not an inquiry into the nature of corruption 'as such', but into perceptions of corruption held by political and administrative decision-makers in specific cultures and those held by actors representing various institutions and authorities. The objects of the project are both the conceptual preconditions of the expert systems as well as the socio-cultural conditions under which these systems are put into effect. The project's first and second empirical phases focus on the reconstruction of the cultural patterns underlying the perceptions of corruption among institutional actors.

Corruption in all its phenomenological dimensions acts as a hindrance to the process of Europeanisation of South Eastern EU-candidate countries to the extent that it blocks a society's modernisation, the prerequisite for the success of the European project of integration. The project contributes to the overcoming of such blockages in that it traces those attitudes, determined by mentality and specific socio-cultural conditions, which constitute barriers to the transformation of these societies into modern European states. Consequently,



the project is situated within the following larger frameworks: 1. of EU harmonisation policy and the process of guiding the candidate countries towards attaining the standards of the *aquis communautaire* and 2. the implementation of the individual steps in this process on the basis of a democratic rule of law, the construction of a functioning market economy, as well as, in a more general sense, the society's capacity to take on the responsibilities associated with EU membership.

Not only regarding South Eastern European EU-member and candidate countries but also in view of central (Germany) and Anglo-Saxon (United Kingdom) European countries the project reconstructs the way in which corruption is perceived, i.e. the phenomenon's socio-cultural basis, by means of 1. a content analysis of documents from the target groups politics, judiciary, police, media, civil society and economy. 2. a content analysis of interviews conducted with representatives of these target groups and 3. the implementation of research findings in terms of an inter-cultural comparison as the basis of the interactive conference to be held at the end of the project in July 2009 in Brussels. The analytical goal of NGOs involved in anti-corruption policies like Transparency International (TI) and other international and national agencies is to collect *extensive* data on how corruption is perceived (TI, Background Paper to the 2004 Corruption Perceptions Index. Framework Document 2004, p. 2). The present research project has been drawn up under the premise that the study of the extensive dimension, i.e. how widespread corrupt behaviour in a society is, must be supplemented by knowledge of its *intensive* dimension, i.e. of those dispositions and attitudes that tolerate or encourage corruption. Finally, the European added value through project research consists not only in the innovative concept and empirical approach to corruption. Beyond this the project generated during its course further synergies at academic/educational and civil society level as well as co-operation with national and international anti-corruption agencies throughout Europe.

What is the CONTENT of the final report of the project?

The final report of the project is divided into four chapters. The first chapter contains an overall analysis on perceptions of corruption structured according to the countries participating in the project. In the second chapter a separate analysis of perceptions of corruption structured according to the single target groups Politics, Judiciary, Police, Media, Civil Society and Economy is presented. The third chapter is dedicated to policy-relevant findings on corruption prevention derived from project research while the fourth one provides a short overview of the overall analysis on perceptions of corruption in terms of summaries according to countries.

As regards the first chapter containing the overall analysis of perception of corruption the following general remarks should be stated:

1. There are certain comparison points that help group the countries under examination together in three separate clusters. So, for example, South East European countries such as Bulgaria, Romania and Croatia show similarities in perceiving corruption as a phenomenon diffused in the social fabric. Although similar patterns of perceiving corruption can also be observed in Greece and Turkey there is, nevertheless, a distinction that must be made: whereas in the former corruption perceived as diffused is a result of the ways transition from communism to post-socialist democratic regimes took place, in the latter perceptions of diffused corruption are grounded in the specific traditions of modernisation. Furthermore, the distinguishing feature between Bulgaria, Romania on the one hand and Croatia on the other is that while in Bulgaria and Romania diffused corruption can be seen as the result of fraudulent privatisation, in Croatia an additional factor of corruption becoming widespread was fraudulent transformation owing to corrupt mechanisms of the war economy.
2. What in turn distinguishes all these countries from such countries as Germany and the United Kingdom is that there are no perceptions of diffused corruption but rather a growing awareness of structural corruption in certain domains of public life such as politics and economy.

As regards the order in which the country studies are presented, the final project report begins with the Romanian case, because it contains key elements of post-socialist transition and corruption stances also typical for other Eastern European countries, such as Bulgaria and Croatia the reports on which immediately follow. Next come the reports of the second cluster of countries, i.e. Turkey and Greece to be followed by the third cluster consisting of the UK and Germany. In a final section of this chapter main comparative results can be found.

Finally, the breakdown into four single, thematically focused chapters purports to provide more targeted information on project results. This is the case regarding the report on perceptions of corruption in the single target groups, the summary report and the report on policy-relevant project findings. The overall report containing detailed analysis of perceptions of corruption in the single countries provides, on the other hand, a more thorough and in depth analysis to which one can revert to when needing background information.¹ Especially regarding policy aspects deriving from project research the very intention of the final conference of the project, held on July 10th 2009 in Brussels, concerning the interaction of research and practical anti-corruption competencies was to enhance practitioners' and policy-makers' sensibility for and awareness of socio-cultural aspects of corrupt conduct which should urgently be taken into account in the fight against corruption. For this reason the third chapter on policy relevant project findings has additionally to be seen in immediate connection with the report of the final conference of the project which will be submitted to the Commission in mid-August 2009 (deliverable No 5).

¹ In order to keep the text short the present report does not contain any bibliographical references. Extensive literature and data sources can be found in the reports published in the project web site at: <http://www.uni-konstanz.de/crimeandculture/reports.htm>



CHAPTER 1: OVERALL ANALYSIS OF PERCEPTIONS OF CORRUPTION

PERCEPTIONS OF CORRUPTION IN ROMANIA

Can there be such a thing as a *corrupt country without corrupt people*? For some politicians in Romania this is no paradox at all, for it can pretty well be the case that the institutional framework provides the legal regulations to detect and sanction corrupt conduct, but all the same the prosecution and indictment 'output' falls very much short of standing up to the needs of effective punishment. Either too few people are convicted, or the judicial mechanisms of attributing responsibility for law-deviant behaviour do not work properly. Even worse, across all Target Groups one encounters the widespread belief that rather than being an institution dedicated to prosecuting corruption the judiciary is on the contrary its main structural cause. In the face of this, the aforementioned paradox can be rendered intelligible by claiming that everybody takes corruption for granted, but (almost) nobody, at least nobody that matters, seems to be held responsible or guilty.

All the same, perceiving it as diffused in the social fabric goes naturally well beyond the attribution of corruption to certain institutional malfunctions. For the question of accountability in terms of judicial sanctions represents a partial aspect of how the problem of corruption is perceived, reacted upon or/and dealt with in the Romanian society. Even if corruption is visible mainly through the undesirable consequences it produces, and less through the existing cases solved by judiciary, this does not explain the widespread belief in the existence of all-encompassing corruption in the first place. Therefore one must first examine more closely the nature of perceptions of diffused corruption (1).

Examining perceptions of corruption as an all-encompassing phenomenon in present times raises the question of deep-seated mentalities and long-standing practices of norm-deviating conduct that reach far in the past. This in turn leads us to take a closer look at the relation between (perceptions of) corrupt conduct under communist rule and the transformation they underwent during the transition period on the way to a liberal market economy. How can the course of transformation account for the emergence and persistence of perceptions of diffused corruption? (2)

Posing the latter question involves of course the task of examining the discourses of corruption as forms of societal articulation of corruption perceptions. There are primarily two questions to be addressed here: a) In what way can be shown that deploying corruption as figure of describing realities functions as means of shaping realities? This question deserves peculiar attention for it has become common practice, for example in the sphere of party competition, to level accusations of corruption as a means of party competition; and b) To what extent is the claim justified that media presentations of corruption amplify the phenomenon, thus giving rise or even sustaining distorted perceptions? (3)



1. Everybody takes it for granted

1a. (Perceptions of) All-encompassing corruption

Beyond the manifest intention of the sweeping judgement “corrupt country without corrupt people” one can discern a much deeper perception of the state of affairs concerning corruption in Romania. It makes good sense to interpret it as highlighting the insoluble tension between generalised corrupt conduct on the one hand, and the extreme difficulty of breaking down this generality in determinate corruption cases sanctioned by justice on the other. The latter can only partially be accounted for by pointing to the underperformance in terms of prosecution, or even worse, involvement of the judiciary itself in corrupt practises. On the contrary, the judgement catches pretty well the point that socially perceived corruption extends beyond the institutional perception of it, that is, legal regulations, sanction mechanisms and court procedures. Indeed, if the phenomenon has become ubiquitous in politics, society and the economy, as the allegations of Romania as a “corrupt country” and the consensus on the gravity of the phenomenon among all Target Groups undoubtedly suggest, then judicial punishment of ‘corrupt people’ - no matter how much more effective it can still become - will surely fall short of coming to grips with it.

This in turn raises the question of how perceptions of diffused corruption are dealt with. Roughly speaking there are two perception patterns: one that unconditionally affirms the judgement of corruption as generalised in all social domains and a second one that aims, by contrast, at dissolving the diffuseness assertion by claiming that corruption can well be traced down to specific areas of societal activity. Whereas for the former corruption has become something of a national plague, syndrome, or sickness afflicting the social body as a whole, the latter strives to offer a more differentiated picture of what the sectors of public life corruption exercises the most damaging influence on.

Now, how does the first stance account for the diffuseness claim? For one thing, there are forms of corruption that seem to be specific for and long-standing in Romania. Bribe has a familiar connotation as ‘spaga’ which can be interpreted in the way that this outline of corruption is part of everyday life – so to speak a ‘national sport’. The specificity of Romanian bribery practices can be further explained by pointing out certain aspects of the transition from communism to market economy, for example the phenomenon of ‘local barons’, i.e. people who occupy important economic positions in local public administration and utilize the good relationships with powerful politicians to obtain and secure control over local resources.

One of the main pillars sustaining the claim of diffuseness is the perception that corruption has developed into a complex mechanism that aggregates multiple interests forging a ‘thick fabric’ of interdependencies, mutual liabilities and law-deviating networks spreading across all social fields. There are a number of aspects to be observed in this type of aggregating various interests, the most important of which surely being the merging (or overlapping) of



interests between the private economic sphere and the realm of public politics facilitated by personal and business relations that people with various positions in state institutions, judiciary and private businesses have with each other. Some of the forms in which the merging of interests can manifest itself and thus give rise to *perceptions of diffused corruption* are the following:

- The ‘thick fabric’ of corrupt networking can take the form of a ‘Mafia ensemble’ in which politicians, policemen and public administration servants are involved.
- In the course of privatisation this ensemble of intermingling interests can consist of a set of positions in the political, economical and judiciary system, which are all tied up together through networks of magistrates, lawyers, persons from private firms of judicial liquidation and important persons from the government.
- The permanent law-deviating or extra-institutional exchange relations between the business and political spheres which take advantage of the incomplete legislative framework of the transition period. Regarding (illicit) party financing the ramifications of these exchange relations can be for example: a) television channels are owned by the very politicians who do not need to pay anything for publicity during electoral campaigns; b) the reduction of costs granted by advertising firms to the parties that provide possibilities for sponsoring and tax evasion; and c) receiving money and services from the private sector (from example hotel enterprises) without declaring them.
- Turning politics into a personal business functions at best in a network that transcends party boundaries and bundles the variety of corrupt practices across the political spectrum together. Closely connected with this is the phenomenon of politicians switching between political parties – a form of reintegration in the ruling network which thus assumes the form of a predatory elite of prefects, deputy prefects and all sorts of changing political affiliations. Additionally, corruption often rests upon a process of ‘bargaining’ between politicians from various parties over high level interests.
- A case of diffused political corruption is also of the disposal of public property for party-political purposes (for example transportation and communication means provided with public funds for the activity of state institutions: auto, telephones, faxes, etc.), or directing public investments from state to local budgets based on political allegiance, as a reward for local officials loyal to powerful politicians and as a “punishment” of local leaders affiliated to the opposition parties.
- One method by which illicit transactions between politics and civil (and economic) society can take place is when public funds are diverted to political activities through the mediation of NGO’s and private companies: either politicians are running NGOs that are eligible for obtaining public funds, or organisations of civil society donate the funds (or part of them) to the political party they are connected with, or indirectly finance activities to the advantage of that political party (especially during the electoral campaign).
- Relationships and personal allegiances from the communist past constitute a form of social capital that proves to be nourishing grounds for corruption especially in the situation specific to Romania in which former ‘securisti’ (members of communist secret service) still occupy key positions in the centres of political or economic power. Having turned into



businesspeople the former agents of the security apparatus exercise a strong influence on the judiciary.

In all these cases the most visible form of overlapping interests inductive of corruption is what legal regulations define and sanction as conflicts of interests, that is, the unlawful tuning up of diverging rationalities of action and behavioural patterns. However, widespread phenomena like the aforementioned make up only one part of objective references that sustain perceptions of all-encompassing corruption in Romanian society. 'Corrupt country', that is, the ensemble of what can be referred to or perceived as corrupt conduct which often lies beyond the codified regulations and sanction rules of penal law, is one way of coming to terms with corruption. Complementary to perceiving corruption as an objective social fact is the issue of attending to the ways corrupt conduct emerges as a social perception and a fact, or better, as a perception of facts in the first place.

If (reasonably) taking/perceiving something to be the case makes up a great part of social facticity, then trying to account for the origins of how certain practises come to be perceived as corrupt must deal with the question of what these perceptions rest on. Therefore treating corruption as a fact constituted through socio-cultural perception patterns helps better to substantiate perceptions of diffused corruption of the kind summed up in such expressions as 'corrupt country'. In other words, all the sites of widespread perceived corruption listed above indicate that perceptions of corruption are embedded in specific mentalities. As a way of seeing oneself, the notion of 'corrupt country' presupposes certain characteristics in the make-up of social identities and mentalities.

1b. Mentality of 'legitimate' corruption

One way of tracing (perceptions of) diffused corruption back to determining causes is to show that they are founded on a certain widespread mindset prone to corruption. Almost all Target Groups converge on the assessment that the diffuseness of corruption in Romanian society originates in deep-seated attitudes and behavioural patterns that play a guiding role in corrupt conduct. However, regarding the weight attributed to mentality in explaining the propensities towards corruption there seems to be considerable disagreement: The opinions on the role of mentality span from the extreme view considering that all people are inclined to become involved in corrupt acts if they had the opportunity, to the more moderate belief that individuals' frame of mind is rather secondary in explaining involvement in illegal actions.

Since the former is aligned with the notion of all-encompassing corruption perceptions, it is worth dwelling on it in detail. For one thing, one observes that embarking on corrupt conduct on the premise that everybody would do the same under the same circumstances entails a notion that supersedes the usual semantics of 'opportunity makes the thief'. What on the contrary qualifies the 'naturalness' or everydayness of law-deviating acting is the peculiar



‘entitlement’ to it that individuals assume to have. In a certain way corrupt conduct, – whether we speak of petty or grand corruption –, is perceived not as a norm or law violation at all, but rather as ... a right the individual must only lay claim to. Indeed, probably the main component of this mentality in contemporary Romanian society lies exactly in turning corrupt conduct into an individual right and this in turn a social norm which everybody must observe under the existing state of affairs.

The latter depends of course on the social position one occupies and the organisational culture dominant in the work environment. Take for example the case of the public sector in which work procedures do not follow the rules laid down by administrative regulations, rather time-tested ways of ‘getting things done’. Bribe is obviously to be found among these methods and public servants perceive themselves entitled to such ‘gratifications’ – having the respective status one entitled to bribe, as a sort of privilege (‘right’) associated to or supplementing that position. One only needs to follow this line of socially justified norm-deviating advantages to come up with a notion of rightful corruption as a component of the people’s mindset.

‘Rightful’ corruption is perceived and practised not only on the grounds of ‘legitimate’ privileges accruing to certain social positions though. It is often buttressed by various supplementary beliefs about it having a compensatory function. Firstly, in view of the low remuneration characterising certain professions, it is all too understandable that people revert to norm-deviating ways of securing additional income. In some sectors of public services, like the health and education system, this sort of compensatory corruption stemming from under-financing motivates the personnel working in these fields to increase their incomes through conditioning the quality of their work upon the informal payments received. Closely connected to this remunerative aspect of corrupt conduct is, secondly, the fact of perceived inequalities regarding the relationship between effort/work and reward. Since it is obviously not in an appropriate relationship to the former, unsatisfactory rewards provide an additional ‘legitimation’ of corrupt conduct.

Thirdly, corrupt conduct has also compensatory functions in the people’s mindset up owing to the lingering effects of everyday petty corruption under the communist regime. The lack of resources characterising the communist state economy led to the establishment of networks of informal social relationships which redistributed the rare supply of goods from the public system to the people. Therefore it is quite obvious that practices of solving certain problems through ‘shortcuts’ (‘spaga’), even though illegal, are still considered as normal and even laudable.

This does not confine itself to the usual ‘thank-giving’ briberies and other forms of petty corruption, but is of much greater importance: What generally seems to bring together the various aspects of the mentality of ‘righteous’ corrupt conduct is the intersection of two sets of regularised law-deviating practices: One has its origins in the economy of state managed scarcity of the communist past, the other is a concomitant of the mechanisms by means of



which the transformation of Romanian society from communism to the market economy has taken place.

2. 'Righteous' corruption: now and then

2a. The communist heritage

Looking at forms of corrupt conduct under the reign of the communist regime and during the transition period one can indeed observe an undeniable continuity. One should of course avoid raising the impression that "corruption" is a stable entity which somehow wanders through unchanged socio-economic formations. As mentioned above the social objectivity to which phenomena such as corruption can be assigned to essentially depends on the way collective representations and perceptions confer them the status of social facts. In this sense applying the notion of corruption retrospectively to communist regimes is not exactly accurate, although by current standards this can by all means be asserted. Apart from the obvious corruption of the ruling elites based on private appropriation of public resources, wealth or surplus products, the 'everyday' corruption of the masses was in the only way for the citizens to get by, survive, or even bring down the system in view of the stifling rigidity of bureaucratic all-round control.

Now, a great deal of the current discourses on and perceptions of corruption in contemporary Romania depends upon how *corrupt conduct or what is perceived as such can be put into relation to perceptions of inequality*. This proves a fruitful starting point since it connects the ways in which corrupt conduct was and still is considered as legitimate grounds for acting against perceived inequalities and, more explicitly, as a *mechanism of compensating for perceived injustices*. As concerns the communist times, corruption 'from below' was, as we just saw, the unavoidable way of coming to grips with the omnipresent state of scarcity, shortages and bottlenecks which ordinary citizens were continuously exposed to. The widely perceived lack of resources could only be challenged by establishing networks of informal relationships aimed at the redistribution of the rare supply of goods from the public system to the people. As the saying goes, corruption under communism was not in itself a bad thing, because stealing from the state, which was the enemy of the population, could be legitimate. 'Legitimate' corruption thus functioned as a form of re-allocation of scarce resources.

However, this type of 'fighting back' based on the experiences of the underprivileged and exploited was one part of the story, while the other, greater and more far-reaching in consequences, was the built-in corruption that structurally characterised the functioning of the centralised economies. Some of the aspects of this structural corruption can be seen (among others) in the following facts: a) the high rents achieved by the companies due to little or no competition was a permanent source of bribes and kickbacks for the regulators of the state economic apparatus; b) the other side of the coin was of course that the managerial state bureaucracy - as the sole and uncontrolled decision-making authority - also used its power of



allocating resources among the state enterprises by means of extracting bribes and other private payments; and c) this kind of resource allocation through all sorts of extra payments become deeply entrenched and in a certain way indispensable in keeping the economy going. 'Legitimate' corruption thus functioned as a steering mechanism of resource allocation.

To make a long story short, both the structural corruption aiming at addressing the various dysfunctions, imbalances and disproportions endemic in the command and control economy of the communist states and the 'everyday' corruption or ordinary citizens as a means of securing necessary, but almost always scarce goods, created a socially pervasive mentality of 'legitimate' corruption. One can also speak of a culture of corruption to the extent that all these types of constraint, coercion and inescapability created over the time created patterns of action and attitudes which sustained the practices of 'legitimate' corrupt conduct. In short, communism has given rise to a culture of corruption to the extent that large parts (if not the whole) of the population had been socialized into norms and expectations that made corruption part of the way of life. Passed on through mechanisms of socialisation and institutional reproduction these practices gained a momentum which reached beyond the threshold of the collapse of real existing socialism and the system changes in the early 1990s.

Taking this into consideration, it comes as no surprise at all that various Romanian Target Groups point out this cultural-heritage aspect in providing explanatory sources for the (perceptions of) all-encompassing corruption nowadays. However, there is considerable divergence regarding the weight to be conferred to this cultural hangover, ranging from beliefs that it is part and parcel of modern Romanian identity up to more moderate ones claiming it is rather confined to certain persisting types of socialisation that the country has still not done away with.

2b. Vicissitudes of transition

Whatever positive developments Romania society may have achieved in the period of transition, the culture of corruption still does not seem to have strongly suffered under the waves of democratisation and Europeanisation of society and economy. In a certain sense the phenomenon of diffused corruption was still aggravated, because not only did no significant transformation regarding the traditional communist mentality of 'righteous' corruption occur, but new mechanisms of corrupt appropriation of public resources were also developed. The system of structural incentives for both demanding and granting illicit payments characterizing the previous command economy was supplemented by new principles of fraudulent privatisation.

There are a number of issues to be addressed in this context, the most crucial of which being a) whether and to what extent the socialisation values inherited from the previous regime constituted impeding factors for the democratic legitimation of the new state of affairs;



- b) the issue of how privatisation schemes can be seen as a prolongation of practices of private expropriation of public property inherent in the structures of command economy; and
- c) how both help account for corruption still being rampant in spite of significant institutional changes.

Since these points are closely interconnected it is worth dealing with them together. Addressing the first and bearing in mind the point made above about certain lines of continuity (perceptions of) 'rightful' corruption before and after the great divide marked by the collapse of the communist system one can but agree with the assessment that the array of values conveyed in the former regime continued to have a strong grip on the transition period, thus impeding excessively the path of development. However, this assessment rests upon assumptions that seem to take very little into consideration that it is by no means an accident that transformation processes in almost all post-communist countries have taken more or less similar or identical courses. Setting aside various blueprints defining how the transformation process leading to a democratic system of western type should have looked like, experience shows a more or less unified picture of the chaotic state of affairs during the transition period.

Notwithstanding the chaos, vacuum and anomie of the transformation years, one thing is certain: the ways in which property transfer and institutional/social change took place rested upon firm and long-standing beliefs and perceptions of why a 'rightful' appropriation of resources by means of corruption was not only unavoidable, but also desirable. This relates to the value orientations both of the new/old power elites, public servants and wide parts of the population, while the latter two use the "old ways" in order to come to grips with the ongoing upheavals. In a certain sense these beliefs/perceptions of "getting things done" were crucial motivational sources for coming to terms with the new realities.

Therefore it is erroneous to assert that the transition to democratic institutions and market economies removed the regulatory forces that had constrained corruption, because these forces were either absent or even more ineffective than in previous times. However large in scale the 'vacuum' was felt to be, the deep-rooted old policy frameworks, forms of practice, beliefs and perceptions were soon to be replaced by new policy structures and patterns of action based on principles that did not essentially differ from the previous ones involving a great deal of corruption.

The vast opportunities to take control of assets resulting from the breakup of the old structures were perceived to be successfully seized only by using methods whose effectivity stood beyond doubt: bribes, kickbacks, payoffs, extortion, and the like. This holds especially true of the perceptions and practices of the new economic elites in the making since the process of privatisation opened a myriad of opportunities for corrupt methods of enrichment and power, while the managerial administrators of the former system frequently devised and managed the privatisation schemes. Thus, what is usually referred to as 'cleptocratic management' proved to be the continuation and development of the old methods of corruption under circumstances



of extreme competition, institutional breakdown and near total absence of legal constraints. Perceptions of 'rightful' corruption thus brought together the so called transition's alliances towards capitalism, that is, all those persons, groups and networks that used the same old (corruption) methods, albeit this time exclusively to the end of personal enrichment and power gain.

One of the ways traditional forms of corruption were implemented in the framework of the new social-institutional constellation is what is commonly termed 'state capture'. The notion refers to the practices of exercise of influence on legislation by individuals, groups, or firms both in the public and private sectors. Acting to bring about laws, regulations, decrees and other government policies advantageous to their economic-political interests involved setting up corrupt rules governing the relations between state economic activities and private interests. It is no surprise then to see that a great deal of these rules consisted in adapting the communist culture of allocating resources by means of corruption to the exigencies of the new redistribution rules dictated by the forced privatisation process.

Indeed, corruption in the transition period can generally be described as the reproduction of the 'old ways' to meet new needs such as the mechanisms regulating license awarding and public contracting. Moreover, the persistence of traditions of informal corrupt economics can also be observed in the state economic policies of the transition period involving investments in state companies without any profit, which create advantages for state companies, as well as the discriminatory and bureaucratic manner of allocating subsidies in agriculture, etc. When state officials began distributing state properties and enterprises to private owners, bribes, payoffs and the like were again well-used means of channelling the allocation of the richest assets.

This brings us to the second point made above. Privatisation in post-communist societies is usually associated with the so-called 'wild accumulation of capital'. However, the process of privatisation can turn out to be not so 'wild' – at least when it is not assumed from the start that privatisation takes place in an orderly manner. A quick glance at the course of privatisation leaves no doubt that it was highly corrupt, but it nevertheless followed a certain scheme. Consider for example the Commercial Enterprises (Societati Comerciale): After being declared state-owned businesses (1990) they were then run to the ground by the former communist bosses now turned managers, only to be bought up by them seven years later. The fate of the Regii Autonome was similar: Although state controlled enterprises operating in strategic sectors of the economy (energy, army supplies) could not be turned over to private hand, they were sold out to foreign holdings in the end owing to mismanagement and highly ineffectiveness. If we add to this the casino-like methods of estimating state assets and market values, then it goes without saying that both types of privatisation were accompanied by theft, bribes and money laundering.



Bearing all this in mind it is not difficult to deal with the third point, the issue of traditions of corruption and fraudulent forms of privatisation providing the grounds for a relative stable set of perceptions of all-encompassing corruption. It seems quite obvious that despite the considerable progress achieved in stabilising the institutional framework and raising the effectiveness of legislative measures the diffused perceptions of a 'corrupt country' still hold sway. This may be accounted for by the fact that cultural changes often lag considerably behind developments in the social and economical sphere. It would however oversimplify matters to see things this way though, since the persistence of the awareness that – despite relative stability – the current state of affairs has not significantly moved away from what perceptions of an all-round corruption refer to and has apparently deeper roots than a 'cultural lag' would suggest.

There seems to be no clear-cut explanation for this. However, one way of coming closer to a plausible answer would be to take a look at how fraudulent character of wealth accumulation, extreme social inequality and social perceptions build up a set of interacting factors. To begin with, the course of property transfer of the transition period characterised by big scandals, traffic of influence, illegal transactions between the local government or the state and dubious individuals and enterprises and all sorts of corruption was accompanied by a radical change in the social structure, which was marked above all by deeply felt inequality.

In general terms Romanian society is perceived as severely unjust. A great deal of this injustice is attributed to the extreme polarisation of social positions and income levels, with a segment of population being very rich and another part of the people living in poverty. The middle class is considered rather insignificant. What makes this social polarisation even more unjust than is normally the case in modern capitalist societies is the fact that power based on wealth has suffered a high loss of legitimacy. It is perceived as resting on a dubious affluence obtained in illicit ways and not as a deserved reward for work, effort and good qualifications.

This of course has far-reaching ramifications regarding perceptions of diffused corruption. One of the persisting legacies of the transition period consists in '*spaga*' (*petty corruption*) and '*mita*' (*grand scale corruption*) becoming interchangeable patterns of corrupt behaviour in the ordinary perceptions of the population: The ways of high level corruption become a kind of cultural model to be emulated by everybody eager to participate in the transformation process actively. The result was a kind of diffusion of grand corruption into the social fabric. Commonly known as 'firing the canon', the patterns of action characterising the process of seizing the spoils of privatisation and thus becoming rich quickly were raised to the status of exemplary forms or prototypes of social-economic behaviour. If one adds to this the facts that

- a) nobody seems(ed) responsible for corrupt conduct going rampant, and
- b) corruption was/is used as the machinery of social integration, compelling people to be observant of and conform to illegal practices through material gain, blackmail and personal vulnerability triggered by initial involvement into law-violating acts,



c) it is by no means strange how corruption as a model of social success spread out to become a dominant factor of self-perceptions.

Seen from another perspective, high level corruption could mingle with ordinary petty corruption, giving rise to such ubiquitous notions as ‘Romania is a corrupt country’ to the extent that the more successful and stable the fraudulent methods of wealth accumulation became, the more likely the masses would disregard any form of law-conforming behaviour, or to perceive that the only way to cope with and take share of the possibilities the new situation offered was to benefit from lawbreaking oneself in the form for example of avoiding taxes, smuggling, or corruption of civil servants and elected representatives. Furthermore, the ‘old ways’ of petty corruption inherited from the communist past were reinforced or even raised to a new level as the principle governing social mobility, success and enrichment was only apparently ‘democratised’. In fact, the much praised principle of economic achievement turned out to be for the most part a mechanism of power elite reproduction or renewal. For the people at large it soon became obvious that the access to such highly valued rewards as economic achievement and social advance was from the start strongly restricted and therefore if one still wanted to take advantage of the new realities, the only possible way was to come around obtaining these rewards by using norm-violating, corrupt methods.

3. Public discourses of corruption

Considering the high stakes involved in the issue of corruption perceived as affecting the very fundamentals of contemporary Romania it is by no means unexpected that perceptions of diffused corruption have flown into current socio-political discourses with great intensity. Furthermore, since the objectivity of the phenomenon of corruption depends on how and why it becomes to be socially perceived and understood such, the role of public and media discourses in reinforcing and establishing patterns of being aware of, reacting to and coming to grips with the phenomenon of corruption cannot be overestimated. In this context two aspects of the corruption discourse deserve peculiar attention: a) the politicisation of the anticorruption fight and b) collective representations of ‘Romania as a corrupt country’ launched by the mass media.

As regards the former, politicisation denotes the process in which the issue of corruption and the policies applied to combat it became a permanent feature of politics and party struggle. This is not a purely Romanian phenomenon though: *riding the anti-corruption ticket* has become a steady factor in politics in the post-communist societies of Eastern and Central Europe. Now, an intricate aspect can be observed in the exploitation of corruption to serve party tactics, that is, to delegitimise the political opponent: on the one hand, under the social circumstances of diffused perceptions of all-embracing corruption the excessive use of anti-corruption rhetoric was not totally displaced – even though the usage of corruption as a political instrument degenerated into ‘witch-hunt’ situations. On the other hand though, this ‘over-kill’ could only have counter-productive effects: Either the party political discourses hit



the mark and the whole political class thus discredited itself, or they did not have this purpose at all. In the latter case, the discourses were purely hypocritical lip service for the sake of modernising the country and preparing it for EU-accession. In both scenarios, the results could be said to amount to the same thing: Regarding public consciousness: cynicism and indifference – particularly when politicians under the suspicion of corruption are elected and re-elected; regarding the political sphere: double-bind and self-debunking.

Something comparable can be observed in the role assigned to the mass media in operating with very inflationary discourses of corruption. As in other countries facing similarly acute corruption problems (for example Greece) the main thrust of criticisms levelled at how the mass media capitalised on the issue consists in the claim of a ‘snowball’ effect: The media representations not only tend to reproduce everyday ‘theories’ or perception patterns, thus making out them hard-boiled social facts, but they also help bring about a mentality habitus tolerant to or approving of corrupt conduct as a basic characteristic of social relations. The underlying logic is that of escalation: The medial representations launch images and stories of all-embracing corruption, the citizens take this for granted or at face value, behave accordingly in everyday life, thus feeding the sensation greed of journalism, which..., and so on and so forth. In sum the damage resulting from the media’s treatment of corruption as ubiquitous evil is twofold: On the one hand they offer a distorted image of the country abroad and on the other they perpetuate the very phenomena they set out to uncover and criticise. Either way the inflationary use of ‘corruption’ is perceived to be self-destructive.



PERCEPTIONS OF CORRUPTION IN BULGARIA

1. Introduction

The following analysis of findings about corruption in Bulgaria is composed of four parts: First, a summary account of corruption in Bulgaria is given (1). It follows a presentation of the main causes for corrupt behavior as well as the discourse on it (2), leading to the third topic discussed, i.e. the establishment of discourse coalitions (3). Finally, three theses sum up the findings of the previous analysis (4).

A general topic can be anticipated: The target group politics proved to be by far the most important so that the presented results are arranged around this specific field. They mainly stem from two case studies: a) the privatisation procedure of the Bulgarian Tobacco Monopoly – Bulgartabac Holding (BTH) which took place in the years 2002-2006; b) the suspect donation to a party foundation, the Foundation Democracy of the Union of Democratic Forces (UDF), in 2003.

2. Corruption in Bulgaria

Looking at first at the definitions of corruption as found in the Bulgarian discourse, one can differentiate between two main concepts: The first one (which we chose to call “public-interest-based conception”) considers every act which violates the national interests of Bulgaria as corrupt. The second one (which can be called a “legalistic conception”) defines corruption as a violation of the law – or more exactly as a violation of those laws that deal with corruption. Actors who believe in the public-interest-based definition think that not only violations of rules are to be considered corrupt, but also official acts which are against the public interest, and serve the interests of individuals or specific groups. Stalwarts of the legalistic view believe that corrupt activities take place only when there is infringement of legal rules. As long as officials take decisions within the law, their actions cannot be judged corrupt.

This differentiation is certainly of an ideal-type nature. For example, party funding in Bulgaria provides an arena, where one could encounter not only the clash of these two conceptions of corruption, but also some hybrid forms of the two. Furthermore, actors are not bound to one of these conceptions but may maneuver between the two and use them interchangeably according to the situation. Nevertheless, the typification offers a powerful instrument to structuralize the empirical field insofar as it allows us to subsume certain “subordinated” conceptions: First, it offers an explanation why the wife of Prime Minister Kostov – Elena Kostova – was able to counter-argue some years ago the common accusation that the funding of the UDF was corrupt since this funding had been used by organized crime for money laundering. She was arguing that politicians could put bad money to a good use,



that is, she was refusing the legalistic notion of corruption. Second, it can explain why the Bulgarian public is not really worried about foreign intervention in their political life. If such interventions exist, they are not necessarily a threat, but, indeed, in some cases may be beneficial for domestic politics. This was the case in the beginning of the transition period when western political foundations and institutes provided much needed help for the fledging Bulgarian parties. As long as foreign money does not support politically minorities in Bulgaria with partial interests, the foreign source of funding per se does not become an issue of serious concern. Third, the differentiation makes clear why Bulgarian society is not ready to tolerate open and transparent clientelism. Bulgarians believe in a specific “public interest” conception of politics, according to which political parties have to defend the interests of all (in opposition to pluralist views of politics, according to which parties defend the interests of specific groups).

The latter remark brings us to the sociological problem which social groups favor which conception of corruption. In this regard, one can find that certain groups are institutionally encouraged to adopt the narrowly defined legalistic view. It is often the case that the governmental parties stick to the legalistic conception. For instance, in the period 1997-2001, the government of Prime Minister Ivan Kostov was arguing that one cannot speak of corruption unless it is proven judicially. The reason for this seems to be obvious: if one sticks to legalistic notions of corruption one can require proofs beyond reasonable doubt for the substantiation of corruption allegations. In short, the narrow concept of corruption can be used as a defense weapon against such accusations. In contrast, the opposition tends to adopt a public-interest based notion of corruption. This allows it to allege various forms of favoritism in privatisation, clandestine state control or tacit state approval of smuggling channels – in short, it is used as an offense weapon in party struggles. Generally speaking, when in power, politicians largely tend to support a legalistic view according to which actions in conformity with the law cannot be corrupt, whereas politicians in the opposition claim that corrupt behavior can be more broadly defined as an offense against the national interest.

However, that is only half the story. The presently observed phenomenon is that most politicians in Bulgaria – both from the government and the opposition – recognize the widespread character of corruption and are generally ready to discuss the phenomenon in public. Politicians now seem to believe that they could also “score points” in a debate over corruption. In other words, with regard to target group politics there is a trend in Bulgaria from a legalistic notion of corruption to a public-interest-based one. The pervasive use of corruption allegations in political discourse has become a permanent feature of Bulgarian politics. The reasons for this development will be addressed later on (see 4).

At this stage, one can state another remarkable connection between one of the main conceptions of corruption in Bulgaria and a specific social group. One would initially suppose that the judiciary sticks to a legalistic notion - this seems to lie in the very nature of things. But an episode from the nearer past clearly shows that this assumption is not adequate for the



specific case of Bulgaria. In 2002 there was a discussion on the court's powers to decide on economic issues regarding the privatisation of formerly state-owned companies. According to the government, the court was not to decide on the economic expedience of the deal, but only on its conformity with the law, whereas the courts tried to extend their competencies to decide on whether a specific case of privatisation lies in the national interest or not. In this way, the judiciary used the inflated notion of corruption, thereby provoking a dispute with the government which resulted in the judicative being restricted by the legislative. Thus in February 2003 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 Supreme Administrative Court (SAC). In general terms, only few allegations of corruption in Bulgaria are translated directly into penal code crimes.

The facts so far described lead to a consequence which is characteristic for the Bulgarian case: the public perception of all-encompassing corruption. 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 fertile ground for the creation of myths as to the nature and scale of the spread of crime and corruption in the country. Over the last decade an overwhelming number of anticorruption campaigns and initiatives have been realized. Their schematic and abstract language and their presence in many spheres of the public life have made citizens think of corruption as a permanent feature of their everyday life. This has to do first with the widespread public-interest-based conception of corruption itself. The notion of "national interest", which lies in the core of this conception, is extremely vague and opaque. No one can claim to give a clear-cut definition of the term – or to turn it the other way round, in a conception as broad as the one of "national interest" everyone can associate with his or her own point of view. The problem with this definition of corruption is therefore that it is susceptible to radically different interpretations, depending on the views of the (political) actor about the public good and the specific threats it faces. So whatever political decisions a government will make, there will probably be someone arguing that it is against the national interest and therefore corrupt. And even more, the vagueness of the term "national interests" allows us to publicly define the pursuit of partial interests (i.e., following the very definition itself, corrupt behavior) as according to the general interest. Second, the trend within the target group politics promotes the perception of ubiquitous corruption in Bulgaria. If the forces that are in political power themselves (i.e. those who are tempted the most to behave corrupt) admit that corruption is omni-present and a general problem, then who will contradict? The public as well as the opposition will say: That's what we already said or at least assumed. Third, the restriction of the judicial control of corruption to a mere examination of official acts on their conformity to the law leads to an asymmetry between the political discourse about corruption and judicial practice. On the one hand, there is an inflationary corruption discourse among politicians, but on the other hand, there is a very small number of actual judgments. A multitude of accusations are made, but when cases reach the courts, corruption curiously shrinks. This constellation nourishes a public perception of



omni-present corruption that is not sufficiently fought as well as an awareness of ineffective counter-measures.

The political consequences of such a perception could be studied during the last years in Bulgaria. In a political climate where every politician is potentially suspicious of corruption there is a certain probability that people will give their votes to such nominees who promise swift amendments, because the need of a betterment seems to be most urgent – more or less ignoring the possibility that there could be more cases of accusations of corruption than actual corruption itself. Election campaigns will therefore be dominated by the corruption theme and by political “wizards”, “charming” the electorate with promises that can hardly be kept. One of the outcomes of this situation is the impossibility of a governing party to win a second mandate, since the institution in power inevitably means disenchantment. In this way a kind of “vicious circle” is created: The perception of all-encompassing corruption leads to political discontinuity and political discontinuity feeds corruption, since the unpredictability of the legal acts is the reason why social actors often opt for solutions that involve corruption.

3. Explanation: Why does it happen?

Taking a look at the reasons and sources for corruption in Bulgaria – the practice as well as the discourse on it – one observes a variety of intervening and causal variables. Not all, but most of them have to do with the so-called “transition period”: The nearer past in Bulgaria was characterized by the nation’s ambition to become a member of the European Union (which it has become in January 2007). To fulfill this ambition, certain demands of the EU had to be fulfilled, which can be subsumed under the notion of democratisation including measures against corruption. This has had different consequences:

A. Industries that were under control of the state during the communist era had to be privatized. As a result of the communist heritage some of these companies had gained monopolistic power in their particular economic branch (stamocap) and their acquisition promised enormous profit rates to the bidders. In such a situation, where the potential gain is very high, the “gamblers” will be ready to play at high stakes or will be willing to change the rules to their own favor, including illegal behavior, e.g. bribing. The politicians who decide about privatisation acts are therewith tempted in a specific way. Since the public knows of this constellation its willingness to suspect corrupt behavior is high, even if the courts cannot furnish proof for it. To give an example: the government, being oriented towards the EU and therefore having an interest in selling industries to international investors, can be accused of following their particular interests rather than those of the country. A specific case in this context is the one of the “Movement for Rights and Freedoms” (MRF), the political representation of the ethnic Turks in Bulgaria, and its role in the privatisation of the Bulgarian tobacco industry. Since the latter is ruled by ethnic Turks, this party was under suspicion of following a policy in favor of their specific clientele, i.e. of “buying votes” with regard to the



next elections. The MRF had an immediate interest in “Bulgartabac” being sold to somebody they know and they have influence over, since otherwise they would lose the political control over the Bulgarian ethnic Turks many of whom live on growing tobacco.

B. Another important aspect of the transition period pertains to the lack of a well established democratic culture in Bulgaria, i.e. to the lack of experience in the handling and functioning of democratic institutions. An example is given by the issue of party funding and campaign finance which was (and to a great extent remains) a poorly regulated area from a legal point of view in Bulgaria. For instance, until 2006 political parties were not required by law to publicly disclose their sources of funding and the amounts of individual donations. The parties had to report donations to the State Audit Office, but this information was not made public by the SAO. Further, until 2004 political parties had the right to collect anonymous donations up to a specific percentage of their total income – this was a straightforward source of abuse. Most importantly, however, the relationship between parties and party foundations is not clearly defined. While political parties face severe restrictions in collecting funds from abroad, party foundations are allowed to do so.

In general terms, the interplay in Bulgaria between the four democratic powers – legislative, executive, judicative and the media – simply could not work in the way which “western” countries are used to, and this circumstance resulted in a lack of control. The above mentioned power struggle between politics and judiciary is an example. More specifically, the financing of the political parties was not guaranteed. On the contrary, it was precarious because of a lack of sufficient sources of funding with regard to the state and membership fees. Thus the parties were forced to tap into other sources, especially donors of the private industry. Since the existing laws (up to an amendment in 2006) were not adequate to regulate this practice, doors were open to corruption or at least to according accusations. Another specific aspect of the lack of democratic culture was the need to invite foreign experts (political and economical) to the country who brought their specific experiences with them. But these ‘borrowed’ forces also brought along their own interests as well as those of their actual, foreign employers - interests that were not identical to the national interests of Bulgaria. The same goes for the financiers who were lending money to the country. In effect, some of the persons responsible for privatisation acts had allegiances to former colleagues and friends who work for Western companies. For example, it was well known that the Economy Minister who was responsible for privatisation of the “Bulgartabac” holding had good relations with some of the Deutsche Bank managers from the time when he had worked in the City of London.

C. To examine further features of the Bulgarian situation during the nearer past one may introduce the scientific concept of “social differentiation”, not as a bottom-up phenomenon as in the theory of Max Weber and others, but as an occurrence that happens top-down. The attempt of the judiciary – as described above – to reclaim the competency to decide not only on the conformity of privatisation acts to the law but also on their expedience shows that the



public interest is not incorporated in the actual laws of Bulgaria. For related phenomena Weber coined the phrase “formalisation of the law”. In modern societies the law becomes less and less an expression of normative consensus within the population and follows more and more its own formal logic: concise terminology, deductive coherency, reduction to principles. One can see in the Bulgarian case that judges were not content to restrict themselves to such a formalistic view, but tried instead to decide on the substantial rightness of official acts which they did not consider to be reducible to the question of procedural genesis. A similar explanation of “de-differentiation” can be given in another case. The public opinion in Bulgaria does not accept clientelism as a means of politics (see 2). But clientelism is exactly the understanding of politics which modern democracies tend to evolve. Political decision-making is no longer understood as finding an existing, a priori truth, but more and more as the result of negotiations between the affected groups and persons. What is seen from the “traditional” standpoint as corrupt is defined by this new paradigm as “normal”. The denial of the latter concept by the Bulgarian public brings with it a breach between public opinion and political practice, leading to the transfer of clientelism “behind the scenes” and hence depriving it of political and judicial control.

D. The last remark brings us to a fourth aspect of the transition period: the “marketisation of politics”. It has had such enormous consequences that they must be explained in the following separate chapter.

4. Discourse Strategies

The term “marketisation of politics” describes a tendency, which has been observed during interviews and informal conversations with members of the political elite in the autumn of 2007, where there was a higher level of tolerance to vote-buying. One of the reasons for this tolerance could be the cross-party usage of this dubious electoral tool. Another, more surprising reason, which emerged, was the fact that vote buying introduces “market” relationships in politics. In current Bulgarian political language and thinking, the “market forces” generally produce good and efficient results. So the fight against corruption is not so much seen in taking “substantial” measures against corrupt behavior, but in re-defining practices that have previously been judged as corrupt – it shifts from the field of political practice to the field of political discourse.

A. Looking at the strategies being used in this discourse, some interesting patterns have been found. First of all, there is a general shift in Bulgarian political discourse towards a frequent use of mutual accusations of corruption. The reason for this can be found in the depleting of “traditional” resources for political mobilisation. Like the political parties in most of the liberal democracies in Eastern Europe those in Bulgaria are in a precarious situation: their resources for political mobilisation are running out. Throughout the 1990s Bulgarian parties relied on three types of resources: ideology, patronage, and state aid (financial and in-kind).



Only the third type of resource – state aid – was increasing and became more substantial at the end of the decade. As it is well known, however, reliance on state aid does not always translate into greater potential for political mobilisation of voters and sympathizers: on the contrary, it might result in their alienation and the étatisation of the parties. The other two resources – ideology and patronage – which admittedly have a greater mobilisation potential, were gradually depleted due to a plurality of factors. On the ideological front, by 2000 all major parties in the country had reached a solid consensus on the most important political issues, such as membership in EU and NATO, the desirability of privatisation and restitution of property, strict fiscal discipline, and commitment to lower taxes. This consensus practically diluted the left-right cleavage in Bulgarian politics. The major parties shed most of their remaining ideological baggage, and the ultimate result was a grand coalition between the nominally center-left Socialist party and the nominally center-right National Movement Simeon II (NMSII), formed after the parliamentary elections in 2005.

In summary, the Bulgarian example suggests that the consolidation of democracy in Eastern Europe has paradoxically diminished any clash of substantive political ideas, and encouraged the creation of eclectic, heterogeneous party programs and platforms. In this sea of eclecticism and lack of coherence, it is no surprise that the ideologies and programs of mainstream parties lost their mobilisation potential, to the effect that the political parties are forced to draw more heavily on other resources: nationalism, identity politics or – the most important in the case of Bulgaria – the anti-corruption discourse. In a public climate characterized by the perception of an all-encompassing corruption, voters can be easily mobilized by promising pertinent administrative measures or by pointing to the political counterpart and suggesting its inclination towards corrupt practices. In this way, the talk on corruption becomes an implication of political interests.

B. Measures against corruption are in this sense a way of gaining control over the political discourse. The crucial point in this reference is the establishment of “discourse coalitions”. These are of specific interest for the government which, sticking only to the narrow, legalistic conception of corruption (see 2), could rely only on a very limited discursive support – coming mainly from the judiciary, which is hardly a vocal player in political life. Against such a “legalistic discourse coalition”, the government will see virtually everybody as a potential partner – the media, the NGOs, the businesses, and potentially the prosecutors and the police, if they enjoy a degree of autonomy. Governments, therefore, need to reexamine their discourse coalitions very carefully, if they do not want to be left in isolation. Furthermore, it is rational for governing parties to attempt to broaden their discourse coalitions – to relate to the discourse not only of the judiciary, but to other important groups as well, the media and civil society mainly. In order to break their discourse isolation, however, governments must take at least some of the following steps:



- publicly “admit” and “recognize” the problem of corruption. In this way they build a discourse bridge to potential partners in other groups, who are not directly interested in political changes (like the opposition);
 - start cultivating the partnerships with these other groups by using their discursive support for the adoption of specific anticorruption measures;
 - with regard to civil society, in exchange for the public “recognition” of corruption, governments could require cooperation with NGOs in a number of spheres, such as measuring corruption, legislative drafting of programs, action plans, and other normative acts, consultation with experts, etc. The governments will be successful in breaking up their discourse isolation, if most of the influential NGOs in the country adopt a “non-confrontational” stance towards them. This would mean that corruption is depoliticized and that change of government is no longer seen as the key measure to be taken;
 - in the case with the media, the situation is more complex. In contrast to NGOs, the media are not that interested in long-term institutional and legislative measures. They frame public discourse mostly through scandal and personalisation of politics: therefore, personnel changes are indispensable in order to bridge the gap between media and governmental discourse on corruption. For this purpose, governments must involve as potential partners elements of the prosecutors and the police, with the goal of starting investigations of public persons, possibly including members of the governing parties as well (but in exceptional cases, of course). It is important to stress that for the purposes of collaboration with the media, governments need to focus only on the start of investigations, since media interest is highest at this point, and goes down dramatically at the more complex judicial stages, whose intricate procedures are often impenetrable for the public in general;
 - even the opposition could be co-opted in terms of anti-corruption discourse by a skilful government. The key element here is the depoliticisation of the issue through the elaboration of a comprehensive anti-corruption plan, which requires long-term profound institutional changes in all areas of governance. Ultimately, governing parties will be successful if they obtain the consent of the opposition for these programs and plans, which is normally not impossible, since they predominantly contain common-sense measures aimed at the general improvement of governance. In certain cases, members of the opposition could also become members of watchdog bodies, supervising the implementation of legislative and institutional reforms;
 - the government must read very carefully the silent discourse of the business sector on the issue of corruption. The best strategy to ensure that this silence means support is to lead a policy of downsizing of the state and lowering taxes. These are the key anti-corruption measures which the business community looks for; normally, political change in terms of a political crisis and instability, in particular, are not in the interest of the economic players.
- To put it on record: in order to break up their discourse siege on the issue of corruption, governing parties must attempt to build “discourse coalitions”. From their perspective, one particular advantage of this strategy is the diffusion of responsibility for corruption: corruption takes place at many levels and in different centers of power in society; the government is not the primary site of corrupt activities. However, the long-term cost of this



strategy seems to be a particular level of depoliticisation and of further undermining the tools for political mobilisation of the established political parties as a whole.

5. Summary: Three theses on corruption in Bulgaria

Thesis 1: The politicisation of the understanding of corruption

One of the main conclusions is that in Bulgaria a transition towards an understanding of corruption exists, which transcends the accepted everyday meaning of the word. In every day parlance, corruption usually means a specific, illegal or illegitimate transaction – a quid pro quo situation. It is either businesses giving bribes, or governments extorting money, or something like that. One of our case studies demonstrates that debates on corruption generally start from this quid pro quo understanding, but then usually they replace it with a much broader understanding of corruption, which generally means bad government, irresponsible government, government not in the interest of everyone. It is this sense of corruption – degradation of government – which pervades the corruption discourse in Bulgaria. Indeed, in one of the investigated affairs, there was no specific corrupt transaction, no specific corrupt deal, identified in the normal democracies way for the – through a judicial proceeding. Nevertheless, neither the public, nor the elite, were convinced that there was no corruption involved. And this is so not only because it was proven, but because the corruption they had in mind in principle cannot be proven in court. This type of corruption – bad government, degradation of government – is in fact a political assessment of the governance of a given country. **Therefore, what one observes is that in Bulgaria a profound politicisation of the understanding of corruption has taken place. Corruption discourse has been transformed into a tool in everyday politics.**

Thesis 2: Disenchantment and superheroes

One of the most dramatic changes which can be observed during the research period concerns the groups of governing politicians. They have undergone significant metamorphosis in terms of discourse in the following direction:

- they have admitted the existence and wide-spread character of corruption;
- they have abandoned the “legalistic” and embraced the “inflated” public interest-based definition of the concept of corruption;
- they have adopted the view that modernisation and structural reforms in a neo-liberal direction (downsizing of the state, deregulation) are the key anticorruption measures;
- they have agreed to form coalitions with civil society (understood as a monolithic whole) in the fight against corruption;
- they have generally abandoned “the cultural” model of explaining corruption, and have adopted the “rationalistic” discourse of changing “the structure of incentives”, institutional reform, etc.



The paradox which the Bulgarian case study exhibits is that none of these elements of a quite substantial metamorphosis led to an increased public trust in the Bulgarian governing parties. On the contrary, despite this “rational” approach to the issue of corruption which they have adopted, governing parties in Bulgaria continue to lose elections and the confidence of the people. First, Kostov’s government was swept aside by King Simeon II’s movement in 2001. Then Simeon II dramatically lost the elections in 2005 to the Socialists – the two parties were ultimately forced to enter a coalition government. In the final act thus far (local and European elections 2007), the King’s movement shrunk to the point of non-significance, while the Socialists were badly beaten by the party of a new charismatic leader – Boyko Borisov. **Curiously, the Bulgarian case study demonstrates that the more one “rationalizes” anticorruption discourse, the more one “disenchants” the anti-corruption world (in the Weberian sense), the more anti-corruption magicians and superheroes emerge.** Thus, first the ex-tsar Simeon II built his anti-corruption platform on the fairy tale character of his personal story. Then, his bodyguard Boyko Borisov followed the model and created his own party. He won the hearts of the public with words, looks, and behavior: subtle details which only a connoisseur of domestic public consciousness would truly appreciate.

Thesis 3: De-politicisation

To conclude and not as contradiction to our first thesis, there is a tendency to “de-politicize” corruption as an issue. This term does not mean the removal of anti-corruption measures from the field of politics as such, but the devaluation of the issue in a very specific sense. As described above, parties build discourse coalitions with other parties or other target groups, and one can find such coalitions even between government and opposition. The key element in this latter case is the elaboration of a comprehensive anti-corruption plan, which requires long-term profound institutional changes in all areas of governance. Ultimately, governing parties will be successful if they obtain the consent of the opposition for these programs and plans, which is normally not impossible, since these contain predominantly common-sense measures aiming at the general improvement of governance. In this way the effect is that the change of government is no longer seen as the key measure to be taken and that instead long-term, institutional anti-corruption measures are favored. This would mean that corruption is de-politicized in the sense that the issue is de-valued with hindsight to party struggle. In other words, one can observe **a certain “de-politicisation of politics”, which dilutes the dividing lines between the major parties.** This “de-politicisation” of the concept of corruption is best seen in the perceptions of the causes and origins of the phenomenon. The governing parties and politicians seem to have won this debate, since the causes of corruption are not looked for in the character and individual morality of specific politicians, but in institutional, structural factors which shape the incentives in specific ways, so that individuals cannot act in corrupt manners.



PERCEPTIONS OF CORRUPTION IN CROATIA

1. Introduction

This report on perceptions of corruption in Croatia begins with some short remarks on the recent history of corruption and anti-corruption measures (2), followed by the introduction of the two case studies, from which most of the data were taken (3). On this basis an overview of the results of the empirical research (4), divided into the six target groups (politics, judiciary, police, media, civil society, economy) is provided. Chapter 5 puts forward explanations for significant features of the Croatian discourse, basically by depicting correlations between perceptions of corruption and the historical background of Croatia (as described in chapter 2). The report finishes with conclusions drawn from research (6).

2. A Brief History Regarding Corruption and Anti-Corruption Measures in Croatia

In its recent history, Croatia underwent major social, political and economic transformations which had a huge impact on the issue of corruption. We can roughly differentiate between three phases: (1) the war for independence from 1991-1995; (2) the after-war-period of political instability until the death of president Tudjman in December 1999; (3) a succession of years of growing stability from the year 2000 onwards.

(1) After the breaking up of the Yugoslavian multiethnic state, in 1991 the Croatian parts of Yugoslavia in a referendum manifested their will to become a sovereign nation. This decision led to a war of separation, lasting from 1991-1995, at the end of which Croatia had emerged as an independent state. In our data, this war is often associated with corruption in Croatia, both structurally and culturally. The former aspect refers to the flourishing of war-profiteering groups and organized criminality which benefited from the fact that the military arsenal was procured through illegal channels if nothing else. Thus, the organised crime gained influence on military institutions which later was to be expanded on further governmental domains. The latter aspect hints at the changing of the value system and the emergence of the belief that crimes are not prosecuted.

(2) After the war, there were systematic irregularities within the economic subsystem and a number of anomalies in public services which were caused by a combination of different factors. First, there were various disruptions and costs caused by the war itself. Second, there was a process of institutional reforms which ran slow and were tightly party controlled, the most important (with regard to the issue of corruption) being related to acts of privatization. This transfer of the cultural legacy of state socialism into the Western model of a market economy proved to be a major political problem, as it did in other post-socialist countries. Third, there was the regime of the late President Tudjman whose politics were characterised



by authoritarianism and clientelism. Combined, the three factors resulted in the widespread perception among Croatians that corruption is ubiquitous.

(3) In recent years one can observe an increase of various anti-corruption measures. With regard to the national legal framework, the Croatian government ratified the Council of Europe Criminal Law Convention on Corruption in September 2000, became a member of the Group of States against Corruption (GRECO) in December of the same year, and developed the first National Program for Combating Corruption in 2001. Also in 2001, the Office for the Suppression of Corruption and Organized Crime (USKOK) was formed and the Parliament ratified the Council of Europe Civil Law Convention on Corruption and two other related protocols, as well as United Nations anti-corruption and trans-national criminal conventions. In 2003 and 2004, various bills against corruption were passed and an independent Committee for the Monitoring of Conflict of Interest was formed. 2006 saw the emergence of the new National Anti-Corruption Program and the passing of the Bill on the Financing of Political Parties and Candidates.

All things considered, although there is still much to be desired, the period 2000-2006 was marked by growing political stability and also by an improving standard of living. Without any doubt, the influence of the EU played an important role in the anti-corruption discourse and activities in Croatia. Furthermore, available crime statistics suggest a decrease in corrupt activities. In contradistinction to this development, the surveys clearly document the increasing public perception of corruption, that is, the notion that corruption in Croatia is ubiquitous. Thus we can identify an 'objective' trend on the one hand, and a public perception which takes the opposite course on the other. One may assume that this perception has its roots in the instability of the war- and post-war-period.

Concerning the current situation (referring to the data collection which ended in 2007), one has to mention two highly publicised cases of alleged corruption which shook the government during January and February 2007. The first involved the Prime Minister himself, when it was pointed out in a magazine that he failed to report his valuable collection of wristwatches in the property card. The second affair took place in February when a large-scale fraud and corruption scandal involving the top management of one of the largest shipyards was uncovered, with the Minister of Economy being involved. Although both cases did not have any personal consequences, they illustrate the fact that at the moment, fighting corruption does seem to be high on the government agenda, at least on a rhetorical level.

3. Case studies

Before giving account of our findings about perceptions of corruption in Croatia, in this chapter we give a brief description of the two cases which built the basis of our empirical research.



Case A:

This case refers to the financing of Presidential Elections. The last Presidential elections in Croatia took place in January 2005. There were 13 candidates competing in the election including the President of the State who was re-elected after the second run. The main target of our analysis was the financial aspect of the campaign, which received a great deal of public attention after some alleged irregularities were reported by the media and a NGO. The scandal revolved around the unrealistically small advertising budget reported by the ruling party candidate. The analysis of this case study has largely focused on two processes: on the presentation of the case by the media and by civil society, and on the earlier process of adopting the Bill on the Financing of Presidential Elections in the Parliament in 2004. The content of the law is based on the definition of allowed and forbidden financial sources, conditions for spending of funds and the transparency of financial sources, which are regulated through early financial reports from presidential candidates. The Bill did not include any provisions for sanctioning wrongdoings.

In summary, our research revealed that the majority of actors agreed on the failure of the Bill on the Financing of Presidential Elections. This applies to the political opposition, various expert groups, the civil society as a whole, the State Electoral Committee, etc. Among these groups there is also a consensus on the basic measures that need to be enacted in order to bind political candidates to clear and enforceable rules of political financing. On the contrary, the minority, which regards the Bill at least as better than alternative laws, consists of the government, the majority of the parliament and the managing board of Croatian Public TV.

Case B:

This case refers to grievances in Croatian homes for the elderly (HE). Admittance to HE is free of charge and based on waiting lists. It is estimated that more than 10,000 retired people are waiting for such accommodation at the moment. The beginning of our case dates back to June 2003 when a client contacted a NGO (the Partnership for Social Development, PSD) and reported a number of irregularities. PSD investigated the case and later notified the local government (City of Zagreb) and the media. In July 2003 PSD and a popular newspaper started a campaign called "Stop Corruption". This brought forward a number of citizens' complaints, testimonies and anonymous reports implicating various criminal activities in the city HE. Among the irregularities mentioned were illegal use of the belongings and money of the deceased clients, bribing the managers of HE (in order to be admitted into a HE regardless of the waiting list), illegal and preferential supply deals, trading a place in a HE for a client's apartment, etc. In 2002, an inspection of the Ministry of Health, Work and Social Care investigated reported irregularities in HE-Centar. The Inspection identified several problems and omissions. Prompted by the report, the Municipal State Attorney's Office opened a case against the manager of HE-Centar. The ensuing court case was (temporarily) finalized in 2004, when the judge ruled the manager not guilty. In the explanation of the ruling, the judge stated that in spite of the fact that illegal activities were committed those responsible could



not be identified. The verdict was later annulled and the case transferred to the county court where it is still in procedure.

Many questions concerning alleged corruption in Zagreb HE remain unanswered, though the case seems to be only a segment of murky and potentially corrupt dealings involving the city government. Characteristically, no session or focused discussion devoted to the issue ever took place in the Municipal Assembly. Over the course of three years (2002-2004), only four questions related to the alleged corruption in HE were raised in the Assembly. Although all of them received only provisional answers by the Head of the Office for Health, Work and Social Care, none were followed through or re-stated at a later time.

An aspect worth mentioning is the media coverage of the corruption case in the HE-Centar (see IV.4). Whereas the accusations by the PSD as a NGO addressed the problem of corruption directly, the accusations by the media acted more indirectly. They focused on the facts and quotations from the individuals involved, but at the same time managed to convey the feeling (in between the lines) that something was indeed wrong with the case and that someone was not telling the truth. In this way, the media coverage may have had the (secondary) effect of justifying corruption for the cursory recipient.

4. The Target Groups

After describing the historical and empirical background of our research, we may now overview its results. This overview is divided into the different target groups and concluded by a brief account of general findings.

4.1 Target Group Politics

Concerning case A (the process of adopting the Law on the Financing of Electoral Advertising in Presidential Elections) we focused on two issues. The first was the plea of the President, Mr. Stjepan Mesić, that the government would regulate the advertising in presidential campaigns. Our analysis identified tactical motives as the dominant force of the President's behaviour. Seen in the light of public discussions carried out at the time in regard to Mr. Mesić's previous campaign financing, discussions in which the president was accused of receiving funds from a person of questionable background, one may assume this being a reason behind the president's motivation. Aside from strengthening his own credibility, his initiative also had a potential of limiting financial support for the rival candidate from the ruling party. The second issue was the parliamentary debate concerning the above mentioned law. Here, a number of opposition parties criticised the proposal and demanded far-reaching amendments to the proposed legislation. On the other hand, the government majority insisted on a rather limited approach and swiftly rejected all amendments that could have rendered the



law more effective. Although the motivations for this behaviour could not be pinned exactly, the issue reveals some insights in the perception of corruption in the target group politics. Generally we can say that corruption in this context (the financing of election campaigns) has wide ramifications – for example, the possibility of dependency of political actors on single donors with not-limited donations, lacking transparency on the spending of these funds that can easily be misused because of the missing control of the public, etc. The central problem remains the decreasing responsibility of political actors towards the citizens.

Concerning case B (the drawbacks in Croatian homes for the elderly), we first examined the communication between the two institutions responsible for the city HE: the City Office for Health, Work and Social Care on the one side and the City Assembly of Zagreb on the other. According to the City Office, which had to inform the Assembly, the results of a comprehensive investigation in a number of HE came to the conclusion that no irregularities had been found – except in the case of the HE-Centar. The relevant data indicate that the Ministry of Health, Work and Social Care treated the case with appropriate seriousness and according to procedures, leading to criminal charges against the manager of the HE-Centar. This behaviour reflects a professional administrative response to what seemed to be perceived as a minor crisis. The prevailing impression is of fulfilled duty: measures were taken in time, the actions necessary were executed and results reported. What is lacking from the data is a discussion (or at least an acknowledgement) of wider ramifications of the case in question. What about the structural causes which would have to be fought in order to prevent similar wrongdoings in the future?

Summing up the analyses of both cases as well as the interpretation of further data, we must state that the prevailing perception of corruption in the target group politics remains unclear. Although it seems that on local levels (the case study B) corruption is perceived as a nuisance or something potentially disruptive to usual institutional routines, the understanding among the highest-ranking politicians could be primarily tactical, that is, oriented toward reputation maintenance and credibility building – domestically, as well as internationally.

4.2 Target Group Judiciary

Relating to the target group judiciary, the analysis of the case study concerning the financing of the Presidential campaign in 2005 clearly pointed out that the responsible electoral commission felt powerless and lacked authority in solving problems. The State Electoral Committee emerged as the body with very limited and frustratingly narrowly defined authority, which were effectively preventing the commission from punishing any wrongdoings. The legal constraints led the committee into an impossible situation where it is expected to punish those who break the rules, but in reality has no means of doing that. It did fulfil its duty of informing the public about irregularities, but it had no means to sanction the irregularities observed. Such helplessness provoked substantial criticism of the commission,



coming primarily from the electoral candidates. The only way that the committee could and did respond to criticism was to point out necessary modifications to the existing legal regulation.

Concerning the case study on the homes for the elderly our data provided only general views on the phenomenon. They specified neither the perpetrators nor the victims, but they emphasised the complexity of fighting corruption, stressing that corruption was more prevalent in Croatia than the recorded cases suggested. On the other hand, they warned that corruption was certainly less prevalent than the popular perception would have it. The pertaining court case, resulting in the acquittal of the accused, the manager of the HE-Centar, left many questions open, especially if we take into account the arguments given by the judge in elaborating on her verdict. As reported by a popular newspaper, the judge had no doubts that numerous irregularities were committed, but (due to contradictory witness' accounts) she could not establish the person(s) responsible. According to the NGO involved in the case from the very beginning, the court process might have been just a show-trial intended to pacify citizens and the media, set up to prevent investigating further implications that would tie corrupt activities in HE with the city structures.

Further insight in the target group judiciary was given by a statement of the President of the Association of Croatian Judges (ACJ) which proved instructive in its defensive attitude. According to the opinion of the author, legal and court procedures could be perceived as corrupt only by those who are ignorant of the process. However, in spite of the expressed belief that corruption is not a significant problem among judiciary, the statement warned about negative effects of the wide-spread public perception of corruption within the judiciary. Unlike in the Ombudsman's 2005 Annual Report to the parliament where substantial delays in court rulings were seen as fertile ground for corruption, the document saw delays as merely technical problems that, unfortunately, sent the wrong message to the public. Also reservations about the new anti-corruption strategy were expressed. Its insistence on making the judges' property cards accessible to the public was interpreted as another potential attack on the reputation of judges. Along the similar lines, the statement was highly critical of the proposed security checks for judges.

Altogether, the position of the judiciary seems complex and insufficiently clear. Although corruption is perceived as a detrimental phenomenon, anti-corruption measures and concerns were met with reluctance and suspicion or were simply set aside. There is an impression that parts of the judiciary systematically underestimate the presence of corruption within the system, most probably in fear that focusing on corrupt activities could lead to the destruction of overall credibility of the courts and judicial practice. On the other hand, the analysis of the final text of the new National Anti-Corruption Program and its first draft – both commissioned by the Ministry of Justice – revealed a typical expert approach to the phenomenon of corruption. According to this model of understanding corruption, concerns over maintaining the reputation of the judiciary are based on an almost completely opposite



logic. Here, the basic rationale is that the credibility of the judiciary depends primarily on its ability to purge its ranks of the corrupt individuals.

4.3 Target Group Police

Due to a minimum of obtainable data our investigation referring to the target group police does not differentiate between the above mentioned case studies. Remarkable is the contrast between external (i.e. outside the police) and internal (i.e. inside the police force) corruption. The mentioning of internal corruption was limited to the low-level type, associated with a relatively small number of traffic and border police officers, and there was no mention of possible involvement of some higher ranking police officers in organised crime networks. The data furthermore focused on the prevention of corruption, finding it unjustly, but understandably marginalised at the moment. Trust building between citizens and the police (and other parts of the system of law) were considered as being crucial for efficiently fighting corruption. Concerning concrete measures, the data did not mention any concrete steps for such trust building other than listing a need for increased human resources in the police force. In stating that there is no need for additional professional education programs, the impression was created that a strategy of preventive anti-corruption activities has already been worked out. Organisational improvements, focusing on the needs of the Department for Economic Crime and Corruption, were prioritised.

Although our findings are based on a rather small empirical basis, their strategic nature and purpose attach considerable validity to the analysis. The focus on organisational improvements and potentially widely reaching preventive activities – together with noticeable avoidance of controversial issues such as corruption among high-ranked police officers and political corruption in general – suggested a rather pragmatic approach to the understanding of corruption. Within the pragmatic approach, corruption is perceived as a serious and potentially explosive societal problem. Fighting corruption, therefore, demands proper framing: defining corruption in practically and politically manageable terms and curbing it through sustainable activities.

4.4 Target Group Media

In the context of case A our first interest concerning the media was in a political scandal involving the state TV managing board, in which the majority of board members declined a request from a board member for full information regarding TV advertising expenses of all presidential candidates. Although the member had legal rights to this information, the board decided against it. The author of the request implied that the board was protecting the candidate of the ruling party; the one who spent more than allowed and then misreported the budget. Additionally, the text criticised other journalists for failing to properly investigate the



case and present it to the public. Further data dealt with the plea of the President for the new Law on the Financing of Electoral Advertising in Presidential Elections. The two possible motives being discussed were the same as already mentioned: (a) the restoration of the President's credibility and (b) the hindrance of other candidates (see IV.1). A final relevant topic in the media was the criticism of the new Bill on the Financing of Presidential Election, being aptly described as useless.

In the case of Zagreb HEs, the perception of corruption presented in the media reports was primarily latent. Although the recipient could sense that there was something going on, the journalists who wrote the analysed articles refrained from explicit accusations or condemnation. Rather, they subtly suggested that there may have been a backstage of hidden activities. Occasionally, the articles would name some of the key players pointing to several inconsistencies in their statements. In this way, the journalists managed to convey the feeling that someone was trying to mislead the public and the media. Also, their texts suggested that no institution or individual seemed eager to undertake rigorous measures that could reveal corrupt activities in HEs. This stands in contradistinction to the surface, where the authors were trying to give a fair, impartial and complete overview of the case.

Overall, the media expressed a highly alert and critical stance toward corruption. Although our analyses were not able to reconstruct operational definition(s) of corruption used by the journalists, by implicitly and explicitly focusing on the public as the main victim of corrupt dealings, the media shared at least some common assumptions about corruption and its impact with the NGO. Unlike the involved activists, the journalists did not display a similar commitment toward investigating the case. It is no surprise, therefore, that their articles did not uncover any new details regarding backstage activities.

4.5 Target Group Civil Society

Concerning the first case study we analysed two NGOs, GONG (“Ggradani organizirano nadgledaju glasovanje” or “organized citizens for overseeing voting”) and Transparency International Croatia (TIC), respectively their reactions to the hastily passed Bill on the Financing of Presidential Elections. They were highly critical of the adopted legislation. Nevertheless, they differed in suggesting how the shortcomings of the new law should be corrected. Although the term corruption was mentioned only once in the pertaining data, it was implicitly defined rather widely – anticipating a wide range of possible misuses. All analysed reports criticised the Bill for failing to introduce sanctions for breaking the rules, either explicitly or implicitly. Furthermore, problems deriving from failing to set the limit for donations were emphasised.

Referring to the case of the homes for the elderly, we focused on documents issued by the PSD which is the NGO that systematically dealt with the problem of corruption in HE in the



City of Zagreb. The position of PSD is clear and explicit. The NGO insisted that a number of corrupt activities were taking place in HE on the regular basis and with “all the characteristics of organised crime”. Moreover, PSD also implicated the City Office for Health, Work and Social Care, the Ministry of Health, Work and Social Care, and the management of HE in Zagreb and the judiciary, claiming that they are all networked. The tight structure, within this informal system based on mutual interests, would protect those involved and would render legal sanctions virtually impotent. Thus according to PSD, the scandal in HE has highlighted corrupt networks of power – the existence of which cannot be easily proved – that effectively victimise ordinary citizens. The appropriate countermeasure was seen in exercising public pressure on the pertaining groups, and, with this aim, PSD promoted the necessity of adopting the Bill on the Access to Information (the Bill was finally passed in 2004). PSD has also focused on socio-cultural ramifications of the situation describing an alarming and deepening apathy among Croatian citizens, the true victims of all unsanctioned corrupt activities.

In the both cases, the civil society representatives displayed a highly critical approach, based on what seems to be a comprehensive understanding of corruption. Their criticism, implicitly (the case A) or explicitly (the case B) based on the principle of the centrality of human rights, openly dealt with political corruption. In the first case, the criticism pointed to a lack of political will to set up an efficient prevention of political corruption, while in the second case it implicated a wide network of powerful people as corrupt or protective of those who are corrupt. The prevailing understanding of corruption in the target group civil society could therefore be described as the one anchored in human rights paradigm. Occasionally, at least, the approach entails an almost automatic suspicion toward those in power.

5.6 Target Group Economy

As in the target group police we did not differentiate between our two empirical cases since the analysed documents did not deal with any particular case of corruption, but provided some insight into general attitudes towards and perceptions of corruption. The relevant institutions were the Croatian Employers' Association (CEA) and the Independent Croatian Unions (ICU). The CEA believes that corruption is a systemic phenomenon and that one of the most troublesome aspects in combating corruption is the cultural tradition that supports and shields corrupt behaviours. The association emphasised the importance of mobilising citizenry against corruption through efforts that would successfully encourage civic responsibility and pointed to the lack of political will responsible for the inefficiency of the existing legal framework. The ICU material, on the other hand, contained only general comments about corruption. It emphasised the need for separating politics from the economy and the related importance of restoring citizens' trust in institutions. In discussing anti-corruption measures, the regulation of responsibilities of civic servants and the control of political power was the main focus.



All in all, the target group economy shares similar perceptions of corruption with the target group judiciary. Within both target groups the anti-corruption steps taken so far were recognised as important, but insufficient. The lack of relevant documents produced by the two target groups suggests that corruption is placed rather low on their priority lists.

4.7 General Findings

After reckoning the different target groups one by one, we may eventually adopt a more general point of view and state some typical features of perceptions of corruption in Croatia at large. Definitions of corruption vary between the different target groups, but not profoundly. Representatives of different social domains basically agree referring to the question of what is to be identified as corruptive behaviour. Thus, they focus all about the same phenomena when discussing corruption, anyway they emphasize different aspects. Whereas representatives of the media or of NGOs tend to refer to abstract concepts like “public interest” or “human rights”, e.g. policemen usually resort to specifications which are more concrete and more easily transferable into institutional practice. However, this observation does not deny the basic convergence, comprising elements like the breaking of legal rules, the breach of procedural norms like transparency, the object of private benefit and correspondingly the disregard of the welfare of society.

As these definitions already indicate, most actors share about the same opinion with regard to the negative relevance of corruptive behaviour. This perception hints at the supposed harmful consequences of corruption: erosion of social norms, increasing mistrust in institutions, increasing inequality as well as poverty, distorted social priorities, insecurity, slowing down of economic development – in sum, the suboptimal performance of the whole social system. Furthermore, there is a widespread public belief that corruptive behaviour could be found almost everywhere in the society, it is regarded as nearly ubiquitous. Nevertheless, there is a certain focus within public perception directed towards those domains where big business is decided upon, where power and authority are at their highest level, that is, politics and judiciary. These are seen as the two areas in which corruptive behaviour is, if not the most frequent, the most significant. This perception coincides with a specific belief concerning the differentiation between low and high-level corruption. In Croatia, one can observe a certain tolerance towards petty corruption whereas high-level corruption is seen much more critically. On the contrary, people believe that exactly petty corruption is the one form of corruption which is more likely to be prosecuted in Croatia.

The preceding remarks concerning the social ‘place’ of corruption, hint at another general characteristic which we called hyperopic (mis)perception of corruption (HMC). This notion describes the phenomenon that the majority of attendees in the Croatian discourse on corruption is critical of corruption in other sectors or groups, but tends to ignore or mislabel corrupt acts within their own institution or social group. This behaviour applies mainly – but



not exclusively – to target groups which are supposed to act as some kind of sentinel watching other social domains, like judiciary or police.

5. Causes and Counter-Measures

In the previous chapters we reflected on the historical background of corruption in Croatia (II), gave account of our case studies (III), and presented the most significant features of perceptions of corruption in Croatia, with regard to the different target groups as well as in general (IV). In this way, we have collected the necessary items to give by now an explanation of the phenomenon in question and to discuss possible counter-measures.

Turning towards sources of corruptive behaviour in Croatia, we may at first point to a cluster of causes which Croatia shares with similar countries of South-Eastern Europe and which can be termed as a ‘misuse’ of traditional communitarianism: pre-modern patterns of social behaviour originating from intimate social relationships, like kinship or friendship, are transferred to non-personal, systemic domains and disturb the functioning of the latter. The according tradition of tolerating corruption was described by a participant in the following manner: “Society as a whole has a habit of solving many things either with bribe or corruption and that is deeply embedded into the system”.

In the Croatian case this common source meets with a more specific factor, that is, with the historical setting as described above (see chapter II). One main cause of corruption in Croatia is the process of state building that was accompanied by the war against Serbia; the transformation crisis that came over all post-socialist countries after 1989 was enforced by the separation from the former State of Yugoslavia and the hence resulting war. Thus, the passage from socialism to capitalism in Croatia was complicated by specific circumstances that promoted those powers that were interested to elongate the former socialist “war economy”. The necessity to procure weapons through illegal channels enabled criminal elements to gain access to and influence on political institutions, thereby establishing a corrupt network which was to be expanded in subsequent years. This development falls under the topic of grand corruption which was thus heightened by the war of separation from 1991-1995.

A second specific source of corruption in the Croatian case is the Tadjman-era from 1990-1999. As the first president of the sovereign state Croatia, Franjo Tadjman administrated an authoritarian and autocratic regime in which practically all political power was concentrated in the hands of his Croatian Democratic Union (HDZ). This one-party rule was characterised by favouritism, e.g. in connection with the numerous privatisation acts that took place during the transition from socialism to capitalism. A counteracting reform process, i.e. institutional reform and cultural change started not before the end of the war in 1995 and did not take real effect before the death of Tadjman in 1999. This circumstance explains very well the institutional shortcomings which are effective up to now (wrong employees, over-bureaucratisation, low salaries, etc.) and are therefore frequently criticised in our data. One



consequence is the public perception that high-level corruption is not being prosecuted the way it should be. In this regard, we can state that, in comparison with other post-socialist countries like Bulgaria and Romania, Croatia is a “latecomer” in the process of modernization and this situation has its costs.

Pushing this line of argument further, it can also give an explanation for the peculiar observation mentioned at the beginning of our report: in Croatia, the public perception of corruption increased during recent years, whereas the crime statistics suggest a decrease of corrupt activities. The key to understand this paradox is the differentiation between petty and grand corruption. What we can generally observe in post-socialist countries is a decrease of petty corruption, but an increase of grand corruption. Or to put it differently, the number of cases shrinks (quantitatively), whereas their size rises (qualitatively). This displacement was initiated by the war of separation and the Tudjman-regime, two incidents which both promoted high-level corruption and it is this kind of corruption which, according to statistics, is less tolerated by the Croatian populace, whereas petty corruption is seen as a minor problem (in relation). In this specific sense one may say that the public notion of corruption in Croatia is ‘exaggerated’ since it perceives the problem through some kind of magnifying glass: negative personal experiences and the scandalizing of corruption (and, in consequence, the focussing on grand corruption) by the media pretend an increase of corruptive behaviour, whereas statistics suggest the contrary.

Another feature of the Croatian case was the phenomenon of HMC, where actors are critical of corruption in other sectors or groups, but tend to ignore or mislabel corrupt acts within their own institution or social group. Reflecting on the remarks already made, we are able to give a better explanation for HMC than the mere assumption that it could be based on an inadequate understanding of what constitutes corruption, especially in regard to conflict of interest and the abuse of public office. Such dual approach is more adequately understood as a cultural habit developed in the past circumstances and social practices. This interpretation converges with the one which sees HMC as a consequence of a strategic action of protecting one’s reputation – and the reputation of one’s own institution – by covering up corrupt behaviours of one’s closest associates.

Keeping in mind the described reasons for perceptions of corruption in Croatia, we may make the reflection on adequate counter-measures a brief one. Generally, most actors see the fight against corruption as a long-time affair, as a task which cannot be fulfilled just like that. In order to go more into detail we can again apply the distinction made above between petty and grand corruption. Concerning the former, the stress is usually on the importance of citizens’ cooperation. This presupposes a principal consciousness, an awareness of corruptive behaviour and its negative consequences for Croatian society, as it shall be secured by appropriate information campaigns. These would have to counteract the feeling of futility described above and strengthen citizens’ sense of justice and the importance of whistle-blowing. All in all, this approach aims at civic education, at the improvement of individuals’



morals. Concerning the issue of grand corruption, many participants identify a deficit of political will to fight corruption, caused by lacking independency of state institutions: exactly those who are supposed to watch conflicts of interest are subject to such conflicts themselves (e.g. politicians constituting the Parliamentary Committee for Conflict of Interest who are supposed to supervise members of their own political party). Therefore, aspirations are foremost set on the juridical system, in spite of its current shortcomings, like insufficient legislation and inefficient courts. This unsatisfying situation shall be improved by establishing clear rules and sanctions, by broadening juridical competences, and by simplifying juridical processes.

Most actors agree that the EU is principally able to influence positively the fight against corruption in Croatia. This appreciation, which was mostly expressed by representatives of the target groups civil society and economy, refers mainly to positive pressure on local institutions and decision makers, education about the costs of corruption, and transfer of the know-how relating to anti-corruption measures. Reservations existed primarily among politicians and were associated with the EU internal problems and the notion that corruption can be efficiently combated only within Croatia itself. Referring to this national combat, most relevance (apart from the judiciary already mentioned above) is given to the media, although their positive influence is seen as potentially biased by lacking expertise, economic interests, the practice of scandalisation and therewith the one-sidedness of news coverage. Less importance is accorded to NGOs because of their financial dependency.

6. Main results

We conclude with a brief summary of our main findings. First, we found a certain perception of cultural generators of corruption. In most expert groups we encountered numerous references to socio-cultural history of corruption. It was pointed out that corruption in Croatia can not be properly understood without taking into account the cultural legacy of the former socialist regime: persistence of traditional nepotism, loyalty to local community, reliance of personal networks and mutual obligations, etc. The transitional context of the 1990s, characterized by the 1991-1995 armed conflict, rapid privatization, increasing inequality, and the authoritarian political clientelism, was mentioned even more frequently. Both periods were seen by experts as crucial for moulding specific cultural habits and structural factors that reproduce corruption on different societal levels. To sharpen this result: sources of corruption in Croatia are of political rather than of economic nature.

Referring to the issue of defining corruption and discussing efficient society-level anti-corruption activities, expert and pragmatic approaches were found predominant. This encouraging result suggests a rather high level of understanding and awareness of corruption among the interviewees. Less encouraging was the finding that in most target groups the importance of internal mechanisms of control and prevention of corruption was



underestimated. Interviewees were highly critical of the lack of proper anti-corruption measures in the society, but tended either to dismiss the need for such mechanisms “at home” or to consider good intentions and informal checks a perfectly good substitute. This attitude coincides with the hyperopic (mis)perception of corruption (HMC). The phrase denotes a phenomenon where actors are critical of corruption in other sectors or groups, but tend to ignore or mislabel corrupt acts within their own institution or social group. Unfortunately, the data collected in our study proved insufficient for pinpointing the causes of HMC which was least present in the media and civil society expert groups. What seems clear, though, is that the social embeddedness of corruption in Croatia includes a differential perception, and, most probably, evaluation of corruption, which is dependent on social proximity with the implied actors.

Finally turning towards the issue of combating corruption, there is a frequently encountered disbelief in the existence of genuine political will in Croatia to fight corruption. The widespread suspicion that the political class is not willing to establish strict procedures rules for democratic power-control, but still beliefs in the privilege of an elitist access to and an exclusion of the people from political power, brings with it that governmental campaigns and proclamations, as well as national strategies, are often dismissed as window-dressing intended for the EU decision-makers. Accordingly, estimations regarding the role of the EU are not unanimously positive. In addition, anti-corruption activities and efforts were frequently perceived as misguided, i.e. focused on the low-level corruption and ignoring or carefully avoiding political corruption. Representatives of the media and civil society were most vocal in expressing this viewpoint. As expected, the most consistent confidence in the national anti-corruption strategy was observed among the representatives of the police and legal system.



PERCEPTIONS OF CORRUPTION IN TURKEY

The report about corruption in Turkey is basically split in two parts: one describing the empirical findings (1), and one which attempts to give a sociological explanation for them (2-5). It begins with an overview of the perception of corruption prevailing within Turkish society (1): in what social areas is corruptive behaviour is supposed to happen, how is it defined, which causes are identified? The remaining chapters develop an explanation of this perception. To this end, brief overview is given with regard to the historical setting against the background of which the findings are to be explained (2). In this way, the focus is directed towards the connexion between structural factors and patterns of perception which for example are reflected in the relationship between corruption and the general attitude of Turks towards their own state. This feature is of major importance so that it is dealt with in a separate chapter (3) which is followed by an account of two specific features of the Turkish discourse on corruption: instrumentalisation and relativism (4). The subsequent reflection on counter-measures against corruption (5), as they are put forward in the target groups, will allow us to investigate further the difficulty of corruptive behaviour in Turkey. The report is concluded by a short summary of the main results (6).

1. Corruption in Turkey: areas, definitions, causes

Before going “in medias res”, one has to state that there have been many changes in the last three or four years concerning the topic of corruption in Turkey. There have been many significant developments with the implementation of automation which have diminished bribery to a considerable amount. Given this fact, it is remarkable that the discourse on corruption went in the opposite direction, especially in the field of politics. Turkish politicians’ perception of corruption has undergone a significant change and the importance assigned to corruption has at least increased with time. Just a few years ago, MPs for Cumhuriyet Halk Partisi (CHP) commented that Turkey faced more important problems than those having to do with corruption and therefore corruptive acts – which were alleged at the time – should be finalised as soon as possible in order to proceed to more important problems such as the high cost of living and problems associated with internal and external financing, investments, employment, and democratisation. Contrary to this argument, since 2004 one can observe a shift regarding perceptions of politicians on how damaging corruption is. Political corruption and malpractices are now defined as the underlying factor of all problems the country faces. This increased relevance that is given by politicians to the topic can be seen in connection with a specific strategy of exploiting the discourse on corruption (see chapter 4). In any case, it coincides with the perceptions among NGOs that corruption in Turkey is so widespread that it could about economic and social decay or even collapse (not least because of the decline of ethical values), and it also complies with the talk among representatives of the economic sector who assume that the elimination of corruption would promote Turkey’s



political and economic stability and contend that Turkey has suffered from chronic inflation and budget deficits for the last 25 years partly because of corruption.

Taking these observations as preliminary remarks, one may reflect on the understanding of corruption within Turkish society: what do people mean when they talk of corruptive behaviour? In order to answer this question let us look at areas (a), definitions (b) and causes (c) of corruption in Turkey.

(a) To begin with the social 'locus' of corruption, there is to a large extent a consensus within all target groups: business, bureaucracy and politics are seen as the foremost places in which corruption takes place, supplemented by the more marginal mentioning of the media. There is a frequent talk of criminal interrelations between these areas, constituting some kind of corruptive network. According to TSHD (Transparency International's national chapter in Turkey) corruption in Turkey is yet widespread in all sectors (in public procurement, at customs, in tax offices, police departments, deed offices, etc.) and actions of public administration (rentals of public property and forested lands, granting of credit from public banks, etc.). Despite this somewhat undifferentiated perception, there is generally a focus on a certain area. Bribery is supposed to exist in every domain of daily life where citizens are faced with the state apparatus: the police, customs, hospitals and so forth.

Having said this, it comes as no surprise that our data mainly mention areas connected with the field of politics, when it comes to the question of concrete places of corruption. One of these refers to the issue of political party financing and the financing of politicians which is supposed to be problematic in Turkey. This view is widespread especially within the target group judiciary; the perceptions lying beneath it are: a) the designation of potential MPs by party leaders and their close entourage, i.e. the "appointment" of MPs rather than their "election"; b) the appointment of MPs not on the basis of merit but rather by reason of the direct or indirect contributions to the political party; c) the general need of MP candidates – apart from certain well-known names that are used by the party for attracting the public – to be financed to be (re)elected; d) the fact that fund providers do not offer their financial support without remuneration; e) the circumstance that this climate pushes away honest people from becoming involved in politics; f) the specific status of politicians who, in spite of their great executive power, do not have to render account of their deeds to any inspection body but the Supreme Court.

Further examples for corrupt areas refer to cases where politics is interrelated with other social areas, for example the construction industry. Its power has recently been at the highest level for the last 20 years and it is pointed out that "the growth rate of the debts of Turkey and the growth rate of this sector go hand in hand". In this context, the assumed cycle of the politician/political party and construction industry can be summarized as follows: the construction industry supports the central and local political candidates and when these candidates acquire the necessary political power that can affect investment decisions they pay



their “debts” back by making regulations in favour of these contractors. At this point the already mentioned businessman-bureaucrat-politician triangle emerges. Contractors expand their business by using public resources and gain more power in the system. The ones who gained the necessary power directly become involved in politics. It is well known that in the draft laws which aim to discipline the public contracts much legislation has been changed in favour of the construction industry because of the influence of MPs who were previously contractors. For example, the majority of corruption allegations regarding Adalet ve Kalkınma Partisi (AKP) claim a partnership between the leading party and emerging construction firms.

A second example of a combination between politics and other areas which is seen as corruptive is the media-political party affiliation. The process is as follows: during the election campaigns, the political parties go to the media organs to ask to be promoted on their channels. These broadcasters charge the political parties very low prices and give them significant discounts. The costs of these discounts are paid back by these parties when they control the government. In other words, these discounts are nothing but “discounts of corruption”.

The case studies, on which our first research period was based, both fall into the described range of corruptive areas within Turkish society. A) The so-called “Mercümeç case” is related to party financing. It represents the one and only case related to party financing against which a lawsuit was filed. Furthermore, it is related to a political party (Necmettin Erbakan’s Welfare Party, Refah Partisi – RP) which was alleged to be an enemy of the secular regime in Turkey. In brief, it is about donations collected in Germany in order to provide relief to Muslims living in Bosnia in the mid-1990s. The funds have been transferred to bank accounts owned by Süleyman Mercümeç, who was believed to be the unofficial treasurer of RP. Finally, allegations in the lawsuit were based on the fact that said donations have been misused in order to finance the general election campaigns of the RP. After a marathon of court proceedings against Mercümeç the case was dismissed in 2002 on the grounds of time-bar. B) The Türkbank case attained public attention in December 2003 when the Parliament voted overwhelmingly to launch investigations into alleged wrongdoing by former Prime Minister Mesut Yılmaz and five other former ministers before the Supreme Court related to the privatisation of the Türkbank. The trials came after extensive parliamentary investigations into allegations of widespread fraud in tenders, bankruptcies, banking reforms and power projects that cost Turkey billions of dollars in the 1990s. However, in 2006 and according to merely formal legal reasons the Supreme State Council allowed this case to be eligible for probation without arriving at a verdict.

A second area, besides the one of politics and state affairs, which is perceived to be of major importance in connection with corruptive behaviour, is the judiciary. This perception not only refers to actual wrongdoings but also to potential ones. For example, it is said that the discretionary power judges have with regard to punishment can be misused in exchange for



personal benefits. It is a routine that judges apply to experts for subjects outside their professional knowledge. The reports prepared by experts frequently constitute the reference points for verdicts. In this way, an expert, if he is corrupt, is very well capable of misleading the judge: the law is applied because it is the law, not because it is fair. Generally, the judicial system is seen as highly sensitive. Due to the values that the judicial system represents, any corruption case belonging to this target group would erode the trust relationship between the ordinary citizen and the State and thereby the legitimacy of the latter. Therefore, the judiciary stands at the top of an imagined hierarchy of societal areas with regard to corruption, whereas corruption, let us say, in the police is supposed to become dangerous (for the society as a whole) only under specific circumstances, e.g. if it collaborates with the mafia and other criminal organisations contrary to its mission. NGOs are usually at the bottom of the list.

(b) The preceding reflections on social ‘loci’ of corruption in Turkey can be brought together under the topic of definitions of corruption. Looking at the different target groups, one observes a plurality of characterisations which converge in their central aspects but also have some specific differences. The most precise definition is given by the Turkish Penal Code which declares any illegal act to obtain certain benefits to be corruption. However, legal actors define corruption much wider than the Turkish legal system does; even within the judiciary the strict legalistic definition – which is adapted by politics, police, and media as a part of their definitions – is extended to broader classifications as they can be found in most target groups. In all of them the breach of ethics – in addition or as an alternative to the violation of laws – is mentioned as a specific characteristic of corrupt behaviour. This way of signifying corruption by denoting it as harmful for public morals applies also to the concept of the “supreme interest”, the rejection of which is argued within judiciary to be an additional feature of corruption. Relevance is also given to the motivation behind corruptive acts which is generally seen as gaining personal advantage. Furthermore, the manner of corruptive behaviour is reflected, as it is stated that it is non-transparent and uncompetitive per se; an aspect which is stressed by politicians and businessmen. Finally, corruption is characterised by its effects like the hindrance of political, judicial or economic development. Such points that have been evaluated in the economic, social and political cost context affecting the entire society are listed as “unfair competition”, “low efficiency”, “misuse of resources”, “inequality of income distribution”, “economic and social instability”, “degradation of moral values”, “transgression of law”. It can be assumed that economic damage is most strongly emphasized within the target group economy. It is argued there that corruption reduces investments, and as a consequence, reduces the rate of growth and social expenditures such as expenditures for health or education, increases public investment, distorts the effects of industrial policy on investment, and reduces foreign direct investment, tax revenue, and the productivity of public investment and the country’s infrastructure.

Despite of all these characterisations which mainly refer to negative aspects, Turks do not necessarily see corruption as a bad thing. In our data corruption is quite regularly described as some kind of ‘natural’ phenomenon within Turkish society, as a traditional way of getting



things done within certain social contexts. To explain this somewhat positive perception one has to go into detail and clarify specific features of the Turkish case (see chapter 3).

(c) Before doing this, one must complete the account of Turkish perceptions of corruption by reflecting on the causes which are supposed to promote corrupt behaviour in Turkey. What has been said above referring to the definitions of corruption also applies to its causes: the perceptions differ between the target groups but there is also a consensus concerning certain topics. The different notions may be (roughly) divided in two groups. The first contains individual factors, that is, factors that refer more or less directly to the individuals 'engaging in corruption'. The second contains structural factors, that is, factors that refer to the historical, economic, or social situation in which corruptive behaviour takes place.

Within the first group of causes – the ones referring to the individual – corruption is mainly seen as a result of modernity. This view has been expressed mainly by representatives of Civil Society. Today's modern world is supposed to be vulnerable in creating common ethics and therefore, encourages each person to live individually within his/her own ethical values. The notion is that today's hegemonic concept is based on individualism and nurtures bribery. The pertaining erosion in the moral values is characterised by the motto: "the ends justifies the means", it promotes a social climate where the desire to earn easy money overrules the readiness to take responsibilities, where success stories are demoted to fortune regardless of the means. Such individual immorality is especially momentous if it applies to actors in public administration, which is supposed to be the case in Turkey since the notions of transparency and accountability have presumably not been internalized by those actors. This lack of a tradition of accountability in Turkey is conceived to be typical in less developed and developing countries and this is why Turkey as a member of this group of countries does not constitute an exception. To sum up, seen from the individualistic perspective, the main cause of corruption lies in the assumed fact that people nowadays seem to forget that their existence can only be meaningful when it is related to an entity (let it be universal, religious or humanistic set of values) superior to themselves.

Within the second group of causes – the ones referring to structures – one has to distinguish with regard to the societal areas where these causes are assumed to operate. Concerning the area of politics, one factor frequently mentioned is the administrative heritage of the Ottoman rule, expressed in sayings like: "Whatever you pick from the pig is your earning". Among the top administrative cadre in the Ottoman Empire, the idea to become wealthy by using one's own authority was internalised due to the lack of any formal, legal structure. Despite the penal and civil codes and the modern state institutions imported from the West, even today, this behavioural pattern is still valid for the administrators, as if it is genetically coded. This matches a state-subject interaction based on paternalistic forms. Rather than reinforcing their political power by representing the will and the interests of citizens as should be the case in a democracy, political leaders in Turkey prefer to seek political and social support mainly via networks of private relationships based on the distribution of benefits and services which



finally results in the creation of a leader sultanate. This situation is reflected in several aspects: lack of meritocracy, non-transparent governance and applications, uncertain aspects of tender awarding (leading to a low quality of human resources at the implementation levels of government) and payment decision-making processes, lack of evidence due to reciprocity of benefits, poor performance of inspection mechanisms – in short: a lack of access of people to government which is perceived as a general lack of democratic culture. Other factors which are supposed to cause corrupt behaviour in politics are: insufficient governmental control, quality and complexity of the bureaucracy, salary level of the civil servants, missing transparency of rules, laws, and processes, regulations and authorisations, tax policy, certain spending decisions, and economic protectionism. All these different aspects convene in the fact that the efficiency and the influence of the political class is based on the number of people it could reach by handing out first and foremost economic favours, which led to employment and overloaded bureaucracy. Eventually, the structure of the state became ponderous.

Concerning the judicial sphere, the factors mentioned in the data are as follows. One important issue is the lack of expertise of the members of jurisdiction related to new types of crime. This circumstance is worsened by poor quality of education and by the fact that the hard working conditions as well as the low income level of judges push the highly qualified law school graduates away from choosing this profession. In addition, the sheer quantity of actions has negative effects, like an overburdened prosecution personnel, long processing times, and, in consequence, strict time-bar regulations. This has the effect that ordinary people do not trust the judicial system in Turkey since “justice delayed is justice denied”. Together with surrounding conditions influenced by politics (like legal loopholes or frequent amnesties), all these points lead to a serious inefficiency of jurisprudence.

Besides these aspects connected to specific societal fields, there is a set of causes perceived to operate on a more general level. Lack of severe punishment and the unequal distribution of income are two of the most important factors in this respect, the latter being connected with the phenomenon of unemployment. In principal, the assumed mechanism is: in a social body where certain groups are more privileged than the others, where there is inequality, corruption becomes a natural practice and people become inured to it easily. Furthermore it is argued that the fundamental roots of corruption lie not so much in the structure of the public or the private sector as such, but rather in the interactions between both, shaping incentives and behavioural environment in a broader sense.

To be sure, our differentiation between individualistic and structural causes of corruption is a typification. It divides aspects which in social reality are combined in an irresolvable manner. To name just two examples which appear in the data: The economic paradigm shift after 1983 (see chapter 2) is often supposed to have facilitated corruption by promoting the idea of becoming rich regardless of where the money came from. And the individual immorality described above is seen as legitimate in situations where law does not function properly.



Notwithstanding such interrelations, the typification helps to structure the field. It is even used by actors within the field of research itself, where representatives of the target group police argued that the business world, media, and politics are characterised by structural forms of corruption, whereas the failures in other target groups including police, jurisdiction and NGOs are more often individual and trivial than systematic.

At the end of this account of perceptions of corruption in Turkey two peculiarities of the Turkish case are to be underlined, the first of which was already indicated in the description given above. It refers to the judicial system. Legal actors define corruption much wider than the Turkish legal system does. Corruption is not limited to illicit behaviour patterns. It includes any human behaviour in contrast to general ethical principles, honesty and good will. While accepting the fact that there cannot be a single and an absolute truth in social life, one can always suggest the existence of a “supreme interest”. Principles of honesty and good will stated in religious-ethical and cultural codes must remain superior to laws in all circumstances.

The second peculiarity applies to the target group police. Corruption is often seen by policemen as an issue of security. Therefore, the police force’s responsibility for the fight against corruption is sometimes over-presented and this complies with an under-presentation of incidences of corruption inside the target group itself. No reference is made about a number of corruptive acts committed by the police, ranging from small-scale bribes as given by motorists to traffic police officers to large-scale offences committed by high and middle ranking police officers in cooperation with the organized crime, as discovered by the courts. Therefore the police see themselves unfairly blamed for bribery and other types of corruption by the public opinion. On the contrary, the police department is presented as the most sensitive institution with regard to corruption prevention.

2. Historical setting

In the preceding chapter, an overview over the perception of corruption in Turkey was given and the question posed: where does it happen and what are the specific features and causes? The rest of this report will elaborate on this description and aim for a sociological explanation of the observations given above. In order to understand the phenomenon of corruption in Turkey, first of all one has to know about the historical setting in which it takes place and which is described in the following paragraphs.

The Republic of Turkey (founded in 1923) in its current form is essentially shaped by the influence of Mustafa Kemal Atatürk (1881-1938). After centennials of Ottoman rule he promoted a political orientation towards the West, pushing reforms in favour of secularism and equal rights, thereby upsetting a rather traditionalist society. In this way, the Turkish route to (Western) modernity was very much a top-down-affair, and this circumstance is



reflected by a deeply rooted scepticism within the Turkish populace against the state-apparatus which lasts right up to present days. One could speak of some kind of alienation between the Turkish population and the Turkish state which is subject of analysis in the next chapter.

Concerning younger history, the mandate of Turgut Özal from 1983 to 1989 is often mentioned as an important period in relation to the phenomenon of corruption in Turkey. His political ascendancy was enabled by the military coup in 1980 and this background is often argued to have shaped his political work. Like other military takeovers before (1960, 1971), this coup narrowed politicians' room to manoeuvre, leaving the direction of the economy as the primary sphere open to the free exercise of political power. In this spirit, Özal concentrated his political ambitions on the economy, promoting a liberalisation process that has been even reinforced by succeeding regimes, especially by the decentralisation process initiated by the AKP government some years ago. According to many observers, the cutting back of regulations in the economy combined with this process prepared a fertile soil for corruptive behaviour. This applies for example to private businessmen taking advantage of legal loopholes (e.g. referring to the tax return in export trade) and also to politicians misusing their influence by referring to the distribution of land or jobs. Further and more indirect effects of economic liberalisation which favour corruption are the widening gap between the public and the private sector salaries and, as a consequence, the low quality of the new appointees within the administration.

On the basis of our data, one cannot possibly give a serious evaluation of the most recent development: Turkey's candidature for EU-membership. Within the target group judiciary the perception was obvious that, until this very day, EU integration process has not provided Turkey with any noteworthy tool to decrease the level of corruption. With regard to the nearer future, the expectations are ambivalent, ranging from scepticism to optimism. The reasons for this will be discussed later on (see chapter 5).

3. The Turks and their relation to the state

The considerations of the last chapter lead us to the one feature which is most characteristic for the Turkish case: the scepticism among the Turkish population with regard to the state. Although most of the representatives of the target groups localize corruption, as mentioned above, in the triangle built by politicians, bureaucrats and businessmen, the dynamics of the state-citizen relationship are perceived to be the main cause of corruption. This issue refers also to the structure of the state and furthermore to certain relation patterns in politics laying the foundations of corrupt administration and favouritism.

The term "state mentality" can be taken as a key concept in order to understand the relationship in question. It goes back to the days of the Ottoman Empire which was perceived



by its populace as not paying any respect to the citizens; a perception which mainly applied to tax mechanisms. People were sceptical and even fearful concerning their treatment by the state and this attitude had been transferred to the times of the Republic. With the transition to multi-party governance in the 50's, the state has been used as a tool of setting up political cadres in public offices; a practice resulting in a low quality of public officials. A third aspect is the constant narrowing of political influence to the economic sphere already mentioned. It demarcates the boundaries of political life in Turkey and suppresses the dynamics of social life.

The outcome of the named aspects consists in a distorted relationship between the Turkish state and its citizens. People perceive the state institutions to operate quite poorly and their cadres to be formed improperly. Bribery is supposed to stem from the disrespect of the State towards its citizens who fear the Turkish state and especially its tax mechanism. Certain relation patterns in politics are believed to lay the foundations of corrupt administration and favouritism, especially the circumstance that political parties are formed in a chain of command. In this way, the legal and institutional framework is recognized as weakening Turkish political life in terms of representation, participation and democracy as well as preparing the ground for corruption by facilitating patronage and clientelistic relations: in a solid structure of politics, the political leaders in Turkey could easily overlook corruption. To give just one example: the data collected within the target group police revealed a critical view of the Treasury Department. Interviewees suspected corrupt practices referring to the distribution of Treasury funds running through illegal channels by the state itself.

The perception of the Turkish state described so far has important consequences concerning the issue of corruptive behaviour in Turkish society as a whole. As a general proposition one can say that stealing from the state has always been acceptable, while stealing from a neighbour has not, since the state has never been and still is not considered as a common institution. In other words, the understanding that the state provides public services is nonexistent. Although the structure has been transformed, the mental condition of those who form the state did not. The same old understanding and behavioural pattern persist there.

This general observation can be further elaborated on. Because of the paternalistic and patriarchal properties of political culture and the authoritarian impetus of government, the lack of trust of those outside the own group has pervaded even more deeply a society that has not internalised the reality of individual freedom and has led to the search for a community by the individual to obtain a sense of trust. Turkish society is characterised by specific solidarity reflexes to favour the members of one's own social group. This circumstance is an important factor in effecting the internalisation of the forms of relations that can be described as patronage and clientelism. It forms one of the most critical obstacles to political parties making the transition from "politics," in which they take care of their own, to "policy," whereby the public interest is promoted. Therefore the civil society and government relations have followed a parallel path during the last decades in Turkey. Throughout the history of the



country, the reflexes displayed by the government vis-à-vis the civil society have been shaped by a lack of trust of the latter. The government in Turkey represents a true aristocracy that imposes its own values on society and prevents the emergence of a bourgeoisie in the political development of Turkey.

On the level of the individual, the circumstances of the case impact a specific mind-set. The fact that the state is mainly perceived as a field of privilege outside society does not necessarily lead to an attitude of strict denial. On the contrary, people are continuously competing to get a job in government offices despite relatively low salaries, because it enables them to belong to a privileged network. Thus the main complaint concerning corruption relates to the fact that they somehow do not have the opportunity to access certain networks in which they can receive advantages.

Against this specific background one has to understand the fact that the majority of Turkish society is not against corruption. On the contrary, corruption is even presented as something taken for granted in Turkey's cultural codes through several idioms and proverbs, like "the property of the state is as huge as the sea, the one who does not take advantage of it is a pig" or "a cup of coffee commits one to forty years of friendship". Sayings like these reflect the cultural codes very clearly; patronage system comes as a kind of a natural notion. The majority of the Turkish society does not regard petty corruption in the Western sense as immorality. Instead, people perceive it to be a quite natural phenomenon. There is a common belief among the society that it is not possible to get a work done in the public sector without bribery. Bribery does not affect final decisions - it is just an instrument that speeds up the legal process by reducing bureaucracy: "It is like paying toll to cross the bridge". The ones who refuse to receive bribes are immediately isolated from the system. From this point of view, Turkish society is inured to corruption and this systemic circumstance which the individual cannot change is used as legitimation for corruptive behaviour. In addition, this somewhat affirmative attitude towards corruption is promoted by another factor which lies in the perception of loyalty for Turkish society. The loyalty that Turkish people feel for each other is experienced so deeply that contradicting ethical principles are easily disregarded. This perception of loyalty sets the ground for patronage and clientelism.

So after all, the perception of corruption concerning the Turkish state is ambivalent: on the one hand people complain about the negative aspects of corruptive behaviour, on the other hand they accept corruption as a rule of survival. This rule may even be legitimised in religious ways, as observed in the target group police: since the prophet Mohammed recommends "giving gifts to your friends and the beloved ones", it is argued that such action should not be considered as bribery. These kinds of practices should be thought as the support given to the protector by the protected.



4. Instrumentalisation and Relativisation

Another specific feature of the Turkish case is the way in which the discourse on corruption is instrumentalised and relativised; a feature which may explain the discrepancy between an increasing discourse on corruption and the factual decrease of the phenomenon itself, as mentioned above (see chapter 1). The aspect of instrumentalisation applies to certain practices by politics, the media and businessmen. Politicians in Turkey frequently use the talk on corruption in party struggles or as a propaganda tool for or against someone. The former occurs when politicians consider the submission of petitions of investigation as a party activity, ignoring the fact that the Constitution foresees that a number of MPs and not a party or a parliamentary group is allowed to submit such petitions. The latter is the case when MPs deliver speeches resembling an election campaign to avoid discussing about the case and prefer to explain how this or that party is honest and clean. A similar attitude observed is that the politicians use the investigations on corruption as a tool to speak ill of their political competitors or to damage their respectability in the public's eye. The parliamentary anti-corruption discourse provides an opportunity for politicians to declare themselves to be "pro-transparency", "honest", "clean" and "unstained", to position themselves on the axis of a moral conflict, and to advertise themselves to be moral.

The general attitudes of the Turkish media groups show a great similarity to those of the politicians in the sense that they promote anti-corruption not as a definitive end but as an instrument to attack their rivals that act contrary to their interests or choices. Media members are far from developing an ethical position on unveiling corruption. They can act only as much as the capital group behind them allows (see chapter 5).

Referring to the field of economy, there is a perception in Turkish society that exactly those "big bosses" who got rich through corruption during 1980s and early 1990s are now demanding transparency and regulations. That is, they exploit the anti-corruption discourse as a tool in defending their sinecures. Beneath this demand lies the fear of new rivals, mainly coming from Anatolia, challenging their position by using the same path that their forerunners followed.

The relativisation of corruption in the Turkish discourse consists in declaring corruptive behaviour a global, not only Turkish issue. Corruption is seen by members of several target groups as a worldwide issue arguing that despite being a highly recorded economy there is significant corruption in the USA as well. Although our data also document the notion of Turkey as one of the underdeveloped countries in which corruption is typical, the perspective which predominates in the empirical field sees corruption as a result of modernity (see chapter 1). This view allows us to put incidents of corruptive behaviour in relation to similar incidents in other countries, thereby relativising its significance for the own culture.



5. Counter-measures

In the data the topic of anti-corruption measures is a very popular one. As has been hinted at above, some of our data express the thesis of universality of corruption, that is, corruption is seen anywhere and anytime people live. This view (that has explicitly been held by representatives of the target group police) rests on a certain notion of human nature and implicates that corruption can never be eliminated, but its extent can be reduced. Nevertheless, nearly all of the analysed documents and interviews deal with the question of how corruption can be fought. Therefore, dealing with this topic is necessary in order to further advance understanding of the Turkish case. This procedure allows to shift from reflecting on the past to (possible) future developments.

Before considering specific contents of proposed anti-corruption measures, let us first take a look at the societal areas which are supposed to be important concerning the effort to fight corruption in Turkey. In our field of research, there seems to be some kind of tacit consensus that the judiciary system has the main authority in combating corruption. For example, the Corruption Report from the General Directorate of Security in July 2004 – i.e. a document from the target group police – indicates that alongside the law enforcement forces the judiciary bodies are the only institutions authorised to fight corruption. Although it is sometimes argued that the legal structure in Turkey is sufficient for fighting against corruption (except for the domains of party financing and public procurement), most of the according data speak of certain obstacles the jurisdiction is faced with that weaken its power and efficiency in fighting against corruption. These obstacles may be categorized under three headings: presumption of innocence that takes place in the Constitution, difficulty in providing evidence, problem of finding witnesses or informants due to the lack of sufficient protection. The report mentioned above comments that the biggest obstacle for the fight against corruption is the present inefficient state of the judiciary bodies and the law enforcement forces. It is suggested that regional prosecutor's offices or regional specialized courts should be created in such a manner to have full authority to fight corruption. Judicial authorities themselves believe that sometimes the politicians and even the laws themselves hinder them from fulfilling their duties. However, they refrain from making clear comments or even interpretations about cases of corruption in order to appear impartial beyond the conjectural effects. In doing so, they pass the actual responsibility to the legislative and, in turn, to the politicians whom they perceive to hinder or delay the judicial processes.

In summary, it is generally accepted that the inspection of corruption requires a willing legislative and a powerful jurisdiction over the system. However, some attendees of the Turkish corruption discourse doubt that this precondition has already been realised and they thus turn to the media as an alternative item of inspection. In this way, the media are often treated as a kind of substitute, i.e. second to judiciary with regard to fighting corruption. However, there is also the perception that corruption could be unveiled by journalism rather than jurisdiction and legislation. In any case, most attendees acknowledge the huge impact of



the media and therefore agree that they must form a healthy connection with society, create awareness and become the instrument of inspection, but there is disagreement over whether the Turkish media currently fulfil their function of unveiling cases of corruption or not. The critics argue that they do not combat corruption the way they should. Contrary to their claims, media members are far from developing an ethical position on unveiling corruption since they can act only as much as the capital group behind them allows. This is because the capital groups in the media sector are also involved in corruption. The advocates, on the contrary, detect a positive change in the media towards the abiding of certain ethical codes which are assumed to be introduced by almost every corporation (e.g. by the Dogan Group) by now. The existence of these codes of ethics is perceived as a significant improvement in this sphere compared to practices in the past. Representatives of the target group civil society described the media as a player who has the gambling chips, as a part of the game that goes on with bluffs and rests. Therefore, the interest of media in corruption, the exposure of the corruption cases to the public should not be evaluated as an outcome of an ethical stance at all. The main point is what the particular media group aims at, what kind of a government or Turkey they want to see. In essence media tries to figure out, which factors they can affect by giving corruption news. Consequently, none of the six target groups consider the media in Turkey to be the fourth estate, i.e. as the guardian of the public interest it pretends to be. In most of the cases, the corruption news is believed to take place due to the media cycle requirements of the media patrons. The patron, who also has businesses in other sectors different than media (banking, energy, and telecommunications), chooses either to use the insider information he has about corrupt acts of his opponents, the government or bureaucrats for his own good or to ignore it.

In comparison to the judiciary and media, the mention of further societal areas important in fighting corruption is clearly less frequent. This is an informative finding in itself. Similar to the areas described above, civil society has or should have the capacity to monitor political activities and to make open criticism of the government. Thus the mobilisation of civil society is often seen as a must to develop a broad strategy to combat corruption, yet it is argued that NGOs are relatively new bodies and they do not hold much power, leaving them only to create sensitivity in certain groups. Concerning the area of politics, the fight against corruption will accelerate if and only if the political sphere expands, i.e. if policies can be made in accordance with their common definition rather than becoming stuck in the practices related to distribution of public resources. Apart from this somewhat general remark most target groups seem to perceive politics as the locus of the problem rather than its solution. The exception are, not surprisingly, the politicians themselves. Almost all of them agree that the investigations carried out by Parliament are very important in terms of the struggle against corruption. They believe that such investigations are events which provide information about and prove corruption, so that they will lead to very important political outcomes and said outcomes will be reflected in all areas. Furthermore, they underline Parliament's duty of informing the public, and emphasize that the discussions they hold are for the sake of the nation. Politicians also frequently emphasize that irrespective of the issues, the legal



framework must be respected. Expressions such as “superiority of the law”, “independency of the judiciary”, “enforcement of judicial verdicts”, “respect for judicial verdicts”, “respect for the Constitution”, and “compliance with the Constitution” form the backbone of this discourse – and are prone to a certain tension, if not contradiction to the statements by representatives of the judicial system mentioned above.

After this review of areas which are supposed to play an important role in reducing corruption in Turkey, there are some concrete contents of anti-corruption measures to be examined. For reasons of simplicity they are divided in two groups: measures referring to partial aspects on the one hand and measures requiring principal changes on the other.

Most of the instruments named in the first group aim at the provision of better institutions respectively at the improvisation of their functioning which in the end absolutely shall have consequences for the individuals working in these institutions. On a rather general level it is stated that institutional reforms should be implemented in order to improve the quality of governance at all levels of public administration. The means of such reforms are usually seen in increasing transparency in the political system, the judicial system and public administration, to the effect increasing accountability to citizens by giving them access to information related to all kinds of public operations. Further measures aim at downsizing units of the state to simplify the bureaucratic processes, upgrading of Turkey’s educational system (especially concerning bureaucrats), improving financial conditions of government employees, or establishing watch groups for effective inspection. However, the issue mentioned most often refers to the current immunity status of MPs which in the opinion of most Turks must certainly be limited to the freedom of speech. The abolishment of parliamentary immunity is commonly perceived as right and this is a real issue in Turkey. On a ‘lower’ level the same applies to the immunities that public employees enjoy which are sometimes seen as equally important in the context of unfairness. Up to now, the prosecution of public employees for alleged offences is subject to the permission of their administrative authority and this is regarded as a circumstance promoting corruption.

Notwithstanding notions like these which apply to partial factors, there is a perception in Turkey that the reality cannot be improved just by changing the law or enacting new legislation, by reforming political institutions or downsizing of bureaucracy. From this point of view, no improvement is expected in the struggle against corruption, unless measures are taken which operate on a more principal level. For example: as long as actions in the political arena are limited to the distribution of economic resources, it is quite unrealistic to imagine the elimination of a system that condones the “corrupt” aspects of this relationship chain. Generally, any strategy against corruption in Turkey that fails to place democratisation at its centre will be doomed to failure in securing the desired success. Democratisation means, with regard to the state, the rearrangement of the relationships between the three estates (legislative, executive, judicial) based on superiority of law, creation of dedication to law and enforcement of judicial verdicts, as well as, in a wider sense, the changing of the reciprocal



perceptions between the society and the state. The focus hereby is broadened to society as a whole which must internalise the fact that corruption is lose-lose game. More specifically, this means that corruption is a matter of (im)morality and the moral values are transmitted not only through the formal education system but also through family and social interactions. In this way, anti-corruption measures become an issue of values education which should be planned in such a way that universal humanistic principles are included. On a large scale, corruption should be redefined in such an expanded way that it comprises social and ethical values. Otherwise, the measures taken for its prevention would not be functional. In this context, questioning the boundaries of ethical values and codes in Turkey may be of great help in understanding what is or what is not perceived as corruption and why.

These results may eventually be applied to the process of Turkey's (possible) integration into the EU. As has been said above, the pertaining expectations are twofold: they vary between scepticism and optimism. To begin with the latter, representatives of all target groups believe that the EU integration process will positively contribute to the fight against corruption in almost every field – regardless if by freewill or by external pressure from EU institutions which is sometimes seen of fundamental necessity. Even if it is acknowledged that the impact of the EU process (the adaptation to the EU legal *acquis*) will not eliminate corruption in Turkey entirely, it is nevertheless insisted that Turkey may improve in corruption reduction if and only if it sticks to its EU membership plan. This would be necessary for Turkey to reach a certain standard referring to contemporary civilisation, high quality of life, transparency and accountability. In this regard the process towards EU-accession itself could be more significant than the full membership.

The sceptical alternative is mainly widespread within the judicial system. Judiciary is the target group which has almost no serious expectation from the foreign anchors in the prevention of corruption in Turkey. The major reason for this approach lies in the fact that corruption is perceived as a systemic problem and above mentioned foreign anchors are just parts of the system. In other word, the institutions of the western world which have a monopoly on setting the universal standards and demanding their implementation at the same time have so far avoided the fact that corruption has been the main instrument of capital accumulation. The idea of combating corruption was brought to light right after this accumulation process had been interrupted at the expense of the big players of the global system. Apart from this general objection, sceptics mention two concrete points which are assumed to be discouraging. First, it is believed that especially the AKP government is in a state of hypocrisy regarding EU integration process. There are serious doubts that the present government is willing to meet the EU criteria. Second, the same doubts are valid for the EU itself. Its internal consistency is open to serious discussion for the following reasons: A) although the autonomy of jurisdiction is stated in the Copenhagen Criteria, the Union constantly puts the Turkish jurisdiction under pressure; B) EU admitted two countries, Romania and Bulgaria, as member states which are more corrupt than Turkey according to the Transparency International Corruption Perceptions Index; C) there are series of acts of



corruption in which the European Commission is directly implicated, the very institution which regularly condemns inefficiency, delays and cases of corruption in Member States.

6. Summary

At first, there is a discrepancy between the factual decrease of corruptive behaviour in Turkey (as documented by statistics) and the increase of the discourse on this topic. This incongruity may be explained with regard to the phenomenon which we entitled as “instrumentalisation”. Participants at the Turkish corruption discourse use this strategy according to their particular interests: politicians exploit allegations in party struggles, representatives of the media use it as a means to get a large print run, and established businessmen employ it in order to repress new competitors. In this way, a public perception is being promoted which in parts diverges from reality.

A second, unique feature of the Turkish case is the positive valuation of corruption which is quite widespread among the Turkish population. It is to be understood against the background of a deeply rooted scepticism towards the state which goes back to the days of the Ottoman Empire. As a heritage from these times, the average person in Turkey does not trust the state, whose *raison d'être* has never been perceived as the provision of services to its citizens, and instead prefers to stay among his relatives or friends as much as possible. In this sense, Turkish society is communitarian. This situation, being inconsistent with the concept of citizenship, entails the internalisation of nepotism and patronage as a natural part of life. Bribery is legitimised as a tool of survival for the average man. Furthermore, the named scepticism does not lead to an attitude of strict denial towards the state, in contrary people try to become part of this corruptive network themselves by applying for jobs in civil service. As a result, the average citizen in Turkey is inured to petty corruption and therefore stresses its (pretended) positive aspects.

With regard to this observation, it is hardly surprising that state affairs or politics in general are perceived as the foremost place where corruptive behaviour occurs. This collides with the fact that most attendees in the Turkish corruption discourse deny the possibility of self-purification within this societal field. The possibility of effective anti-corruption measures is rather seen beyond, mainly referring to the judicial system and the media which are proposed to operate as some kind of sentinel. Although their current state is often criticised as being deficient, judiciary and media represent those areas within Turkish society which are given most confidence with regard to fighting corruption. The estimation of a possible positive impact of the EU, in the contrary, is perceived as ambivalent.

The explanation of this latter point must refer to the causes of corruption as seen within the reviewed target groups. One cluster of such causes hints at certain deficiencies of the institutional framework in Turkey and on the basis of this diagnosis definite measures are



postulated which shall improve partial factors without changing the system as such. Advocates of this standpoint tend to detect a positive impact by the EU since they see Turkey in some kind of transitory state that just has to be completed in order to eliminate corruption – or at least to diminish it to a significant degree. An alternative viewpoint identifies a correlation between corruptive behaviour and modernity, assuming that modern individualism effectuates a decline of ethics. Representatives of this position advocate more global measures, aiming at a shift of basic moral standards, and they tend to be sceptical about the ramifications of Turkey's (intended) EU-membership, because they think that such changes are beyond its scope. One peculiarity of the Turkish case is that this standpoint is quite popular within the judicial system, showing that Turkish society did not take the path towards modernity described by Max Weber, since judicial and ethical values are applied within the same social system.



PERCEPTIONS OF CORRUPTION IN GREECE

1. Introduction: Ambivalences

What is striking about the question on how far corruption is spread in the Greek society, but also the nature of its causes, is the *ambivalence* that characterises the beliefs of all the target groups. This means a certain uncertainty underlying the attitudes towards the phenomenon. They generally oscillate between stark beliefs about corruption being widespread and diffused in the social fabric on the one hand, and equally convinced claims on the other, according to which the level of corruption is no greater than in other western democracies (1). Furthermore, they are also uncertain concerning the question whether there are systemic reasons or rather simply contingent causes, that is, political-economic determinations or merely moral-behavioural norm deviations (2). It is not clear where to locate the springing sources of corrupt conduct: (for example) in the public, or rather the private sphere, in the methods of state resource allocation, the type of elite competition, the role of the media, etc. (3) “Corruption” as notion is questioned regarding its objective validity: Is it a graspable social facticity or rather a discourse item deployed to certain ends? (4) After a summary presentation of corruption perceptions within the various Target Groups (TGs) (5) various and often incompatible suggestions over the question “what is to be done?” are examined (6). This of course comes as no surprise considering the considerable heterogeneity of the aforementioned perceptions.

To group together the various corruption perceptions in this way does not mean that the four groups are clear-cut defined fields, but rather relational categories.

2. Everybody takes it for granted, but nobody (as far as one knows) does it

Following the first line of perceptions in (1.) corruption should indeed be considered as a dominant social attitude and acceptable behaviour, or even as one of the main evils in modern Greek society. In order to underline the seriousness and scale of the diffusion of corruption these perceptions deploy biological metaphors, namely corruption being a “disease”, “social illness”, “social sickness” or “pathogen”. Given the wide spread propensities to embark on illegal practices perceiving corruption as an all-encompassing phenomenon can be expressed by deploying the even more sweeping metaphor of “flood” threatening to drown society. However, casting corruption in such highly alarmist terms entails the possibility that the agents of these perceptions themselves come to consider the phenomenon as somehow lying in the ‘usual’ course of events, which means that they may concede to the belief the overtly criminal conduct rests upon a widely shared and in this way “usual” social behaviour. The latter should of course not directly be associated to or even identified with criminal action – it rather refers to how easily in everyday life “approved social-moral standards” are disregarded.



For the Target Groups Police and Justice for example this inclination to violate normative standards is caused by the general collapse of traditional values: Greek society suffers an erosion of culture and therefore the ‘usual’ corrupt conduct does not coincide with the explicitly illegal action. To be sure, it goes against ‘approved social-ethical standards’, but these seem to have lost the binding force required to keep law-deviations at bay. This assessment is indirectly shared by the TG Media for they claim that the extent of corruption in Greece is inversely proportional to the social reaction it provokes. This means that the degree of tolerance has significantly decreased over the years, the social resistance against law-violations is low and what politicians generally proclaim as commitment to launch anti-corruption strategies is merely lip of service.

A similar strain of argument is deployed by the TG Politics: “Culture of corruption” means that citizens view corruption as a normal way of getting things done and that this way of thinking and practice is becoming deeply embedded into the conceptual, moral and practical attitudes of everyday life. However, it is not always obvious how to grasp the cultural dimension of corruption. For one thing, the ‘social-sickness’-attitude suggests that prior to succumbing to the ‘virus’ of corruption Greek culture was somehow intact. This conception is possibly suggested in the TG Police: Corruption has undoubtedly expanded over the years and this owing to the fact that the Greek society has progressively ‘acclimatised’ itself to it.

In the TG Media this perception is radically put into question. The counter-argument is twofold: *Firstly*, corruption is inherent in the capitalist system of western democracies. Therefore taking it to be merely a social disease obfuscates matters, or even worse, it represents a trivial justification of wrongdoing often used by the mass media and politicians. *Secondly*, one should take the cultural determinants accounting for the spread of corruption more seriously. This means perceiving the “culture of corruption” not as something that could have been avoided, but rather inherent in the cultural civilisation of the Eastern Europe: “the eastern you move, the bigger the problem”.

According to this line of thought Greece should be seen as a country of semi-Western/semi-Eastern type. Although the outlines of the West/East divide are quite nebulous, one thing seems to lie beyond doubt: Other things besides, the main determining difference between East and West consists in the “rules of the game”. Whereas in the latter corruption follows certain patterns or rule-sets that being stable make it controllable, in the former there are no such rules. Culture is in such degree permeated by norm-deviating practices, customs and attitudes that it is almost impossible to draw the line between norm deviation and corruption. Perceiving corruption rooted in the cultural alignment to the Eastern civilisation type reflects a national-ideological discourse that has accompanied Greece ever since the formation of the nation-state in the 19th century. The political and economic modernisation has always been seen as supervenient upon the autochthonous cultural development. One of the pillars of this national-conservative ideology consisted in claiming that having been alienated from the



European awakening of the new ages by the centuries-long ottoman occupation modern Greece could not any more catch up with the spirit of modernity. Neither should Greece aspire to do so mimicking the western ways. On the contrary, every attempt to implement socio-economical modernisation should be considered as cultural imperialism.

Now, corruption awareness in these culturalist terms proves in a curious way to carry an exculpatory function. To be sure, corruption should be considered as widespread or even omnipresent in the social fabric of modern Greece. This acknowledgement is however immediately blocked off by denying any personal experience of overtly criminal behaviour in ones own field of action. Thus it is quite telling to see how representatives of all target groups claim that they hardly know cases of illegal activities observed in their professional group, although they all perceive corruption as a deeply entrenched social problem that being a “mortal sin” undermines societal cohesion and causes all sorts of damages. Raising the diffusion degree of corruption thus helps this way of seeing things (i.e. corrupt conduct) to carry the matter of concrete cases of criminal behaviour off well.

It can of course not be disputed that the diffusion-perception rests upon the sound insight that corrupt conduct extends well beyond the scope of what penal law defines as criminal conduct. It can even mobilise to its support a kind of extension of this insight: the difference between what is *judicially sanctionable* and what is merely *moral-socially illegitimate* can be extended to include the difference between what is already defined as falling under criminal law and what is still not. Thus perceiving corruption as deeply diffused phenomenon helps to distinguish between the conventional, that is codified corruption definitions from some potential targets of anti-corruption prosecution like for example the activities of various lobbies, the role of off-shore companies etc.

Nevertheless, confronted with the question about concrete cases the attitude of taking corruption to be a ubiquitous phenomenon in social life is obliged to limit the extent of corruption down to well-known criminal cases. Thus the “everybody-knows-nobody-does-it” (diffusion-)perception must account for the sweeping judgement of corruption deeply rooted in social life by relativising it: For the Target Groups Justice and NGOs for example one ought not to fall pray to the Greek custom of exaggerating the problem, because it works like a *self-fulfilling prophecy*. Presenting corruption as all-encompassing helps create that social behavioural climate in which everybody takes it as granted and acts accordingly – making ultimately ubiquitous corruption true. For the NGOs in particular corruption is indeed alarmingly widespread, but it has taken control only over the one half of the Greek people: there are ‘two Greeces’.



3. Only some people do it

The second major line of perceiving corruption in Greece consists in disputing the claim it has taken control of the whole society, or, to put it mildly, that there is an extended, all-permeating corruption ‘culture’ in Greece. For one thing, the easiest way to refute the diffusion-perception is to claim that should this be the case, then all modern societies suffer more or less under corruption. Which developed country is not regularly confronted for example with political corruption, corruption of mass media and illegal party financing? No Target Groups groups apart from some representatives of the Economy and the NGOs accepted that corruption in Greece is higher or even much higher than in other developed European countries. Perceiving things in this way does not of course mean to obliterate the difference indicated by the North/clean-South/corrupt contrast. Nevertheless, none of the target groups seems to adhere strictly to this dichotomy – the TG Economy for example espouses the concept about the more corrupt European South and the less corrupt European North. Therefore the relative negative ranking of Greece should not be overestimated: After all the various Corruption Perception Indices and other indicators may be questioned regarding their integrity and credibility [Target Groups Justice, Politics], but also on the grounds that they reflect subjective opinions and not ‘hard facts’ and purport to present trends that are not (may not prove to be) quite reliable. In sum they provide additional reasons to succumb to the self-fulfilling fallacy of the ubiquitous corruption. For the representative of the Public Administration (TG Politics) this approach is quite convincing. Material about corruption perceptions generated by international organisations does not reflect the “peculiarities” of the Greek case, although the latter are not specified and furthermore it is taken for granted that the extent of corruption in Greece and its social tolerance is high.

Consequently, instead of perceiving corruption somehow as a disease that has affected the social body producing a corrupt culture, one ought to be more careful to pin down clearly definable sites of corruption. To begin with, the easiest and regarding the corruption-all-over-perception diametrically opposite way of perceiving corrupt conduct is to deploy the black-sheep-theory. Consider for example the case of political corruption (TG Politics): For some politicians neither capitalism or distorted development, nor decadent culture or wide-spread mentality of law defiance is to blame for corrupt conduct. Not even the usual motivations for violating social norms (like egoistic individualism, ruthless competition, greed for money and power, etc.) can immediately be held responsible for criminal deviations in the political sphere. It should rather be linked to the personal/individual ethos, in other words to the ethical standards and the morals of the individual. Thus instead of false generalisations that but come up with a deeply corrupt culture one should rather adopt a strict moralistic and ethicist stance paying close attention to personality characteristics. This way of perceiving corrupt conduct is to be observed in the TG Justice as well: No one seems willing or able to justify the involvement of judges in corruption cases (2005-2007). Obedient to the esprit de corps that demands the independent function of justice in the democratic system one must but consider such affairs as accidental attributing their causes to solely character defects. In the TG



Economy some bring into play a *slight variation of the strict individualist causation*: “Private individuals” are the wrong-does, albeit this is not because they lack morals, straight character or integrity, but because they strive to attain their goals through illegal practices.

4. Structural or contingent?

The equivocations regarding the extent to which corruption is spread in the Greek society function as a kind of frame in which the question about the causes the perceptions of corruption hold to be responsible for the Greek malaise can be dealt with. In a certain sense there obtains a correlation between perceiving corruption as all-encompassing owing to structural causes on the one hand, and person-oriented corruption-perceptions that can but solely see contingent reasons on the other. Of course, matters are not straight forward co-extensive, because some structural reasons supporting the perceptions of corruption diffusion can also be mobilised to buttress the person-oriented ones.

Consider for example the *cultural-heritage-argument*: Some take it to be the structural cause of the high degree of diffusion of corrupt practices in the Greek society. For others it rather helps to account for the defects in the personality make-up of the wrong-does. Furthermore, considering corruption to be a serious structural problem does not automatically entail calling for structural changes, control mechanisms and organisational reforms. It is often accompanied by individualistic-ethicist appellations to character improvement.

5. Where and what is petty corruption?

Trying to account for corrupt practices by referring to certain causes, be they of structural or individualist nature, presupposes a sufficiently clear idea of what corruption is. Therefore, before looking for what the current opinions and perceptions claim to know about the issue of why corruption occurs, it is worth noticing the following fact: However different the perceptions of corruption across the Target Groups may be, they all subscribe to one ground distinction, namely the difference between petty and grand corruption. However trivial at first glance this distinction may sound, it characterises the dominant way of being aware of the seriousness of the phenomenon, for there seems to be a basic consensus that what differentiates Greece from other (especially developed countries) is the widespread phenomenon of ‘petty’, ‘everyday’ corruption.

Although the term ‘petty’ corruption normally denotes small-scale (illegal) exchanges of favours, there is a noticeable uncertainty among the Target Groups about the question how exactly to define such “pettiness”. In the TG Economy for example perceptions of what should be termed “(petty) corruption” varies according to which side in the social antagonism and class struggle one finds himself on. The business class favours a “bottom-up” approach



that situates ‘ordinary’, widespread corruption in society at large confining ‘extraordinary’, i.e. large-scale corruption to the realm of politics in the form of illegal party financing. The representatives of the working classes perceive the issue the other way round: viewed from the position of subalternity corruption can but be inherent in the practices of the ruling classes – “top-bottom” as it were. Although it is not specified whether the ruling economic and political interests are involved in petty (“everyday”) or grand corruption, the Union of the Employees considers corruption to be a structural component of the Greek economy owing the fact that being non-competitive the private sector relies on the state for public procurements. This existential dependency and the accompanying phenomena of merging of public and private interests are of course ideal grounds of all sorts of law-deviating practices. A similar pattern of distinguishing petty/grand corruption according to class divisions is observed in the TG Police. Petty corruption is associated to the lower and middle social strata while grand corruption to those at the top of the socio-economic pyramid. Two other criteria that justify this social class linkage of corruption are a) the amount of money involved and b) the kind of services exchange. Although it is not clearly stated what the motivation for grand corruption is, petty corruption is for the lower classes unavoidable – it represents a form of ‘survival’-strategy against the odds of class subalternity. For the TG Justice petty corruption has also taken grips of the middle classes and particularly the lower middle stratum of administration employees: Embarking on illegal practices is among the clerks and civil servants a kind of way out of the miserable remuneration conditions.

In the face of this petty corruption is across the Target Groups often perceived as not only unavoidable, but almost justifiable. It comes as no surprise then that in the TG Politics the so-called avant-garde of the working class, the Greek Communist Party, considers it as *quantité négligable* and focuses fire on the grand corruption of the ruling classes. Apart from this rather oversimplified approach there seems to be a common opinion among the Target Groups that petty corruption is not a contingent occurrence, but rather fulfils a kind of *redistributive rationality in the frame of class antagonisms*. It should be not considered a real redistribution of resources in favour of the socially disadvantaged and poor population though, but a way through which a certain segment of the middle class takes advantage of a ‘grey zone’ in the public sector through corrupt exchanges and mutual services (bribery, clientelism and the like).

Generally speaking, petty corruption is normally called “everyday”. A notable difficulty among the Target Groups consists in coming to grips with the ‘everydayness’ of the phenomenon though. Like the diffusion-perception this one lacks the power of clarity and distinction. Petty, ‘everyday’ corruption is perceived to be out there, a kind of elusive facticity lurking everywhere in social life, but when it comes down to pinpointing sites of everyday corrupt conduct only public administration is picked out. Now, the peculiar thing about it is that not the whole of the administrative state apparatus is considered as being corrupt, but (possibly) only those segments of it, where “the (big) money is”, which in turn arises associations of rather grand corruption!



A similar equivocation can be observed regarding the question how serious petty corruption is perceived to be. Some (for example TG Media) underline the multifarious aspects of corruption (political, social, cultural, etc.) and in doing so they seem to incline to the diffusion-approach. However, they all the same uphold a scheme of gradual gravity increase from petty to grand corruption. This probably means that however extensive-diffuse petty corrupt conduct may be, corruption at large only becomes quite serious, when “big money” is involved. Additionally, they suggest that the progress from petty to grand corruption correlates with the development of the political and economic system.

6. Where and what is grand corruption?

Coming now to perceptions of grand corruption it is equally difficult to discern where exactly the phenomenon should be located, what dimensions it must have in order to be defined as such and what the driving forces or causes leading to it are. For the TG NGOs the perceptions of grand corruption are obviously guided by an additional amendment to the development-thesis: In developed societies it emerges only among the elites, but in contrast to the Greek case there are sufficiently robust control mechanisms to sanction it. This of course leaves open the question, how far-reaching the relational interweavement of socioeconomic development, grand corruption and prosecution effectivity should be thought of, because in these terms Greece is either a) an exception among developed countries (grand corruption occurs, but it is not sanctioned), or b) not a developed country at all exactly out of this reason. This ambivalence is reappears in the question of where to locate it. In the discourse of NGOs grand corruption is limited to party financing and transparency in electoral expenses, illegal or extra-legal exchanges between politicians and private sector, mainly mass media enterprises. One the one hand illegal party financing is common among western democracies: in this respect Greece is no exception. On the other hand the illegal transactions between state and media enterprises are indeed a distinguishing trait of grand-scale corruption in Greece. Ever since the great scandals of the late 1980s, in which the socialist government aligned itself with a media tycoon and bank owner ordering state companies to deposit funds with his bank and taking bribes from stolen money, the interface between state economic policies and business interests of the mass media sector has been a constant issue of concern regarding corruption dangers. The situation became even more aggravated by the fact that the entry of construction companies, ship-owner companies and various business concerns in the media market provided them the opportunity to use politics through the influence of public opinion, in order to serve their entrepreneurial interests and strategies.

In the TG Economy the question of the context of grand corruption is equally disputed. The representatives of the employees seem to be aware of the phenomenon in terms of the diffusion-approach, albeit only in its semantic dimension: As an ‘elastic’ terminus whose exact semantic core is not at all clear “corruption” is too grave a notion to be applied to what otherwise is normally called petty corruption and therefore only grand corruption deserves



that name. This of course corresponds to and results directly from the attitude of the employees to downplay the phenomenon of everyday corrupt conduct, either by ignoring it or by rendering it an unavoidable (or even justifiable) means of social survival of the subalterns. However extensive corrupt conduct in social life in general may be, what counts as grand corruption are only the (illegal) machinations of the various ruling elites.

In the TG Politics (Public Administration) it is indicated that the difference grand/petty corruption can be attached to the two levels of management of public affairs: high level (national government) and low level (communal administration and services). Whereas in the former illegal party financing, norm-violating conduct of the MPs and a certain kind of interweavement of public and private interests (for example the state procurement of military/arms equipment and public works) have long ago become a close-circuit rendering the governments' anti-corruption strategies powerless, if not hypocritical, petty corruption generated and reproduced at the lower level of communal administration is particularly repugnant and therefore the main target fighting corruption. Perceiving corruption according this two-level schema raises the question of the relative significance: What is the main source of corruption in public affairs? It is not unreasonable to conjecture that trying to allocate responsibilities in this manner complicates matters in twofold respect: Firstly, it seems to regard political corruption fatalistic as impervious to control and sanction policies. Secondly, it suggests that despite the various illegal procurements large scale corruption does not really take place at national level, but on the basis of the everyday contact of the citizens with the local administration.

For the TG Media on the contrary it is beyond doubt where grand corruption should be situated: in the 'political-economical system' itself. The latter does not primarily mean the capitalist mode of production, but designates the peculiar form of power relations the Greek course of modernisation and integration in the world capitalist economy has established. The 'peculiarity' of the Greek power structure lies in the fact that the protagonists of this system (i. e. the powerful economic and political groups, the organized pressure groups, and the economic and political oligarchy) not only revert occasionally to law-violating means, but systematically reproduce corrupt practices in order to secure the rules of domination and expand the power basis.

7. Fighting back: Corruption as 'class struggle'

Turning now to the question how the structural/contingent distinction qualifies the perceptions of corruption there seems to obtain a predominance of those patterns of arguments that buttress the widespread character of the phenomenon in the Greek society by mobilising a socio-political and socio-economical reasoning. Leaving the second term of the distinction by side, it should be noted that viewing corruption as structurally embedded in social practices can be shown to rest upon two kinds of arguments: either a systemic-



functional and/or one in terms of the social-capital-thesis. According to the first corrupt conduct can exhaustively be explained by taking into account the determining causes dictated by or resulting from the frame conditions of the (capitalist) mode of production. The second highlights behavioural patterns or dispositions that represent ways of ‘translating’ systemic imperatives in individual experience and action.

The great part of corruption perceptions is based on the first type of argument and runs across all Target Groups. The main elements of thinking of corruption as structurally rooted in modern Greek life are: a) Corruption is inherent in the capitalist mode of production being steadily reproduced through commodity exchange relations; b) It is rooted in the Greek socio-economic and political structure; c) Petty/grand corruption are due to state-capital relations (interface between modern state and capitalist interests); d) the reproduction of the power elites runs also by the way of corruption; and e) corruption is one modus operandi of the political-economic system.

Now, all this raises the question of where exactly the systemic place or the structural operational value of corruption lies. The main thrust of the arguments underlying perceptions of structural corruption situate it in a functional context: corruption fulfils functional requirements of economic and political nature. To begin with, there is a way of viewing corruption as part and parcel of what in Marxist terms is called “primary (primitive) accumulation” of capital: It entails all forms of violent and ‘corrupt’ processes of appropriation of value and income (for example theft, deceit, use of position power to extract value etc.), till capital is expanded enough to take off on its own. From the oldest (England) to the latest (Russia) all capitalist countries have passed this stage – some less developed (like Greece) are apparently still not able to dispense with it.

8. Corruption as ‘redistributive justice’

The functionalist explanation shows a wide range of perspectives. For some the mode of capitalist production of surplus value per se should be called corruption (TG Politics, Greek Communist Party), because it represents an expropriation of labour power. However erratic this viewpoint may at first look like, it certainly does not lack a certain affinity to the dominant current definition of corruption delivered by Transparency International: The misuse of entrusted power for private gain. According to a Marxist reading the social powers of productive labour are exploited for private profit. For others on the contrary it is rather restricted to specific fields of power relations, for example to mechanisms of regulating the succession of power elites.

The socioeconomic deduction of corruption represents of course a theory informed stance. All the same, what perceptions of all Target Groups seem to converge on is a functionalist awareness of corruption as a means of compensating for various shorts of distribution



inequalities: corruption as form of redistribution. Characteristic for this attitude is the consensus in TG Media that corrupt practices (mainly petty corruption) may operate for the 'redistribution of wealth', thus qualifying it as 'functional'. Viewing things this way can be said to combine the diffusion-perception with widespread beliefs about redistributive effects that (petty) corruption may be called to have. To think of corruption as functional in this way means to confer upon it the status of a compensatory mechanism that is motivated by perceptions of re-establishing social justice.

In the TG Economy this corruption-as-redistribution perception is attached to the notion that being underprivileged certain parts of the population resort to law-deviating conduct not because they are driven by criminal energies, but simply in order *to have access to that they feel entitled to*. Speeding up an administrative process for example through illegal actions does not necessarily mean that the individuals are (or see themselves as) law-breakers – on the contrary: they act upon the premise that existing regulations function to their disadvantage and the latter is a form of injustice. Because in the short term there is no perspective of structurally cancelling this injustice the only way is to circumvent existing rules. However blurred the distinction between this art of circumventing rules and ordinary economic crime (fraud, tax evasion, market abuse and manipulation) may be, wanting to see (petty) corruption as a kind of redistributive justice, 'bottom-up' as it were, seems to rest upon the widespread feeling of injustice in the relations between citizens and state. Another variation of perceptions of 'justified' (petty) corruption in this TG is delivered by deploying the neoliberalist arguments against the 'overstretched' state: in the face of heavy bureaucracy corrupt methods are in a certain sense justified as a means to bypass bureaucracy and legislation shortcomings, although they should of course be rejected.

In the TG Justice this perception of corruption in relation to felt injustices is further explained in terms of a general public discontent with and depreciation of the state authority after the reestablishment of democracy in 1974. This is a much more complicated issue though, as it looks at first sight. To be sure, ever since the Second World War the state was perceived by great parts of the population as a mechanism of repression, political exclusion and ideological authoritarianism. The seizure of power by the socialist party at the beginning of the 1980s signalled in a certain way the break up of the conservative status quo and the reintegration of the masses in the processes of parliamentary politics and civil society organisation. However, the Socialists soon established their own party-state through cynical nepotism, boundless clientism and populist demagoguery.

Thus, corrupt conduct soon came to be perceived, but also practised as something lying 'in the course of events'. The ambivalence observed in the attitudes towards corruption reflects among others the twofold citizens' perception of the state: On the one hand it is approached with reservation and cautiousness, because over the years the citizens have accumulated a considerable amount of experiences of whimsical treatment, arrogant attitudes, irritating unprofessionalism, lack of manners, or even almost tyrannical dispositions (of the civil



servants). On the other hand, (almost) everybody thinks of himself either entitled to or qualified enough for a job in the public administration. Therefore the feeling of an all-encompassing, diffused corruption can also be regarded as product of this ambivalence: Everybody can consider oneself a victim of bureaucratic mistreatment against which only 'deviating' methods can bring about the desired effects. Nevertheless it is equally true that nobody can exclude the possibility that once in public office he would not himself reproduce the attitudes he now criticises which provoke 'deviations' in the first place.

Put in more general terms, the wide social discontent felt by the citizens against what they perceive to be inequality and discrimination practiced by the state apparatus cannot but reasonably articulate itself in law-deviating conduct. Given then this 'equalising' effects of (petty) corruption it comes as no surprise that although dysfunctional because of all sorts of damages it causes, corrupt practices have somehow established a state of equilibrium in the exchanges between citizens and state. This holds true of organised economic interests as well. Taking advantage of the protectionist 'umbrella' provided by the state the environment of low competition has led to an oligopolistic structure of business and industries that often operates on the basis of corruption.

To sum up, this type of functionalist reasoning about (petty) corruption shows the following traits: It presupposes a matter-of-fact approach that rests upon the diffusion-perception. It connects both to a structural characteristic in the relation between state and citizens, namely perceptions of injustice and unfair treatment. Out of this all it deduces in a way the 'justified' attitude of corruption as means of redistribution or reclaiming justice, but at the same time rejects all law-violating behaviour.

9. Social capital

A closely connected aspect of perceptions of functional corruption is the notion that corrupt practices do not only represent a kind of reaction against what is perceived as detrimental to or, worse still, inimical to individual interests, but in addition a form participation in the system of power relations. Seeing things this way means that the functional perspective does not exhaust the social significance of corrupt conduct, because the latter is much more than a mechanism of redistribution. In a certain sense the informal and law-deviating social networks of corruption represent a form of social capital.

Some elements how to approach this issue are delivered in the TG Media. Contemporary Greek society has incorporated corrupt practices as accepted social behaviour, because given the set of power relations corruption has come to be a component of the life-world, namely a peculiar form of solidarity among the various forms of reciprocities and mutual services. Indeed, a quick glance at how social capital is conceptualised, namely consisting in social trust, institutional trust, social networks, social norms and political participation, helps to



convince that informal networks of corrupt practices must but play an important role in Greek society. The lower the level of these variables is, the greater the relative value of informal networking including corrupt practices. Generally speaking, all South European countries, Greece included, show similar tendencies regarding levels of social trust, political participation and involvement in social networks. Furthermore, even within Southern Europe, Greece presents the lowest stocks of social capital.

The issue of social capital boils down to the role of civil society in contemporary Greece. Across all Target Groups the dominant view is that of a considerably weak civil society. This is generally attributed to the ubiquitous presence of party-politics and as well as the financial and administrative reliance (i.e. professional federations, labour unions, some NGOs) on the central government. Regarding the parameters of social capital the Target Groups agree upon that decreasing citizens' trust in the state and increase of corrupt practices are parallel phenomena. In a certain sense "corrupt exchanges" are perceived as trying to cover up the gap or breach of trust between citizens and state and the low trust between state institutions and civil society in Greece is viewed as lack of a positive form of social capital. However, there seems to be a considerable amount of uncertainty regarding the question of what causes citizens' mistrust: The inability of the state apparatus to effectively control law-deviating conduct or rather the fact that the state itself is deeply involved in corruption? In any cases the low level of social capital must be seen as a result of the state being totally controlled by party politics and populism.

10. (Political) corruption: who does it?

In the face of all the divergent and sometimes incompatible beliefs about how to come to grips with the phenomenon of diffused corruption in Greek society a renewed approach that concentrates on springing sources of corrupt conduct is certainly worth undertaking. This makes it possible to tie corruption perceptions to specific areas of socio-economic and socio-political life highlighting at the same time how in the different Target Groups corruption in their own field, but also in the others is perceived of. Taking political corruption as a starting point has the advantage of examining corruption perceptions centring on a set of rules, for example public versus private spheres, methods of state resource allocation, elite accountability, mass political participation, type of elite competition and the role of the media.

The uncertainty that generally characterises corruption perceptions in Greece turns up again in regard how to reliably determine the economic or the political reasons of political corruption. It seems that the phenomenon is inextricably elusive. Grosso modo, one can however distinguish between economic and political causes in the following manner: Exchange relations taking place between the social spheres of economy and politics consisting in granting advantages, no matter whether the latter are of monetary nature or not, constitute grounds of corrupt conduct. On the contrary, the purely political reasons of corruption in the



political sphere are much more difficult to trace down. One way to do so could be to link corruption to the degree of democratisation. Therefore, corruption decreases as democratisation increases, where democratisation means not only the establishment of democratic institutions but the way of functioning of those institutions (consensual power, legitimisation, political development along with liberalisation).

Now, turning to the corruption perceptions in the field of politics one observes that contrary to the general attitude of perceiving corruption as a widespread phenomenon in Greek society, in the TG Politics and especially regarding the two major parties that have ruled Greece ever since the 1970s there is no such mention and political corruption as such evaporates. For obvious reasons here dominates the black-sheep-theory: Following a strict moralistic and ethicist stance associated only with personality characteristics politically corrupt conduct is attributed to individual deviations from the 'proper' ethical values. As mentioned above the grounds of these 'deviations' must but remain rather obscure, lest it turns out that the norm deviations rest indeed upon material interests.

For the other political actors in the field, mainly left-wing parties, it is on the contrary obvious that corruption in Greece lays deep rooted in the political system of the country. For one thing, for them the pure fact that two parties monopolise the rule of power constitutes a sufficient ground of supporting the corrupt nature of Greek politics. Thus far from being merely an aberration of wrongdoing individuals, political corruption is perceived as a modus of reproduction of the ruling elites. According to them this holds also true for the economic underpinnings of political corruption. Given the nature of the Greek state-economic development, that is the systemic merging of public and private interests that has formed the current system of state-capitalism, or state-sponsored capital, it is not surprising that the political-economic system is seen as not only producing corruption (mainly grand corruption) but also reproducing it on constant basis. Thus political corruption appears – not only to some segments of the political landscape, but to others (for example TG Media) as well –, as an effective instrument to remain in power by all means and without scruple.

On these grounds political corruption can also be linked to the type of (power) elite competition prevalent in Greece. Although the item 'corruption' or 'merging of interests' is not absent from political discourse, when a specific case emerges, the debates of the ruling parties turn to be mostly party-political. More often than not corruption charges against members of the elite mostly by other elite-members follow when power is transferred from one to the other. In this way corruption accusations carry a great part of the competition discourse between the main political parties. Generally speaking, as soon as a corruption scandal is made public the attitude that informs the perceptions and argumentations of the political actors is one of *mutual delegitimizing and discredit*. Since both ruling parties have been involved in such affairs they try to outbid each other raising continuously the claim that the opponent, being oneself morally disqualified or lacking the integrity, can by no means have the right to castigate the wrongdoings of the other side. In this sense *corruption*



(discourse) functions a means of party competition. Thus corruption rhetoric, such as often deployed in corruption debates, offers a broad area for symbolic politics, which has often been used by the Greek governments to serve party-political and commercial interests.

Apart from this awareness that corruption has become a stable component of party competition there is another way to link perceptions of corruption that refute the black-sheep-theory to those beliefs that are based on the diffusion-thesis and consider political corruption as inherent to the Greek political system. Across the Target Groups one encounters the widely shared view that the one of the main springing sources of political corruption should be seen in those informal networks through which a great deal of the state resource allocation takes place, namely clientism. Clientelism is considered to be the illegal, or better, the non-institutional communication between the political power and the citizens/'clients' through rent-seeking. Although clientistic networks are perceived to be a kind of functional mediation between state allocation supply and societal demand and therefore a mechanism which absorbs social inequalities, they are all the same regarded as the site of norm-violating, even illegal behaviour. How is this ambivalence to be explained?

In the Target Groups Politics (and Public Administration) and Media the ambivalent perception of clientistic relations can be attributed to the possibility of a twofold explanation: According to the traditional approach they should be seen an 'instrumental relationship between patron(s) and client(s)', operating in favour of both sides 'as contractually founded'. Obviously, these informal contracts are the nourishing grounds of corrupt practices. The second one operates on the lines of a functional socio-political integration: It considers clientism as a modus of political participation of the masses, which are otherwise excluded from the mechanisms of interest articulation. As a 'vertical' political participation of the citizens it is regarded as an institutionalized form of social organisation and behaviour which is indirectly legitimised.

Taking both as sound ways of explaining one possible source of political corruption helps to elucidate the *ambivalence characteristic of the attitudes to clientistic networks*. On the one hand there obtains a wide consensus that such an informal system of non-institutional 'contracts' should be castigated as the one of the 'evils' of modern Greek society. On the other they are taken to have legitimacy in the sense of a) providing routes of political integration and b) filling up the gaps where the state mechanisms of redistribution of social wealth, welfare benefits and social protection fail to work, or worse still, are missing. This ambivalence can shed additional light on the paradoxical fact at first sight that perceptions of corruption in Greece are guided by the assumption that it is deeply diffused in the social body and therefore to be taken for granted, although nobody in particular (except perhaps the 'poor devils', i. e. the civil servants) seems to be responsible for it. Cast in terms of clientelism as political corruption the paradox dissolves in a way: Since a considerable part of the Greek society has probably been (still is) involved in clientistic relations – although it regards them in the third-person perspective as norm-deviating –, it can but acquiesce to the belief that



corruption through clientelism is ubiquitous. Furthermore, since everybody can be possibly the beneficiary of the clientistic system, it is beyond doubt difficult for somebody to point to concrete cases of clientistic violations of the rules that are normally supposed to regulate the relations between state and society or state and economy.

11. Who does it? The others, of course

This diffuseness in perceiving concrete sites of or actors responsible for (political) corruption is reflected in the various ways *the* phenomenon is ‘displaced’: Across the Target Groups it seems to be a commonly shared attitude to ‘outsource’ corruption either by a) relativising it, b) redefining responsible actors or c) removing the burden upon others. Take for example TG Economy: For the Hellenic Federation of Enterprises corruption as a socio-cultural phenomenon of norm-violating exchange relations disappears behind a nebulous discourse of economic rationality and the citizens involved are presented as ‘private individuals’ apparently driven by the only motivational force liberal economics seems to know: rational choice to achieve economic (i. e. income) ends, albeit deploying illegal means. At the same time the responsibility is put on public administration – economy itself is presented as the main ‘victim’ of corruption. Although according to this perception corruption is harmful for competition and business ethics, curious enough it is not the economy itself where this competition principle is violated, but the state, which does not function ... competitively, meaning in the effective allocation of resources.

The same line of argument is deployed in the TG Politics: Aiming to defend the political sphere the main responsibility for corruption is passed over to other Target Groups, such as the media, justice and NGOs. For the two great parties in particular the case is obvious: the media are the most corrupt institution of the country’ and the bigger their businesses the more the products of corruption. For their own good reasons they promote the view and reproduce in public opinion the diffuse feeling that ‘everybody is a crook, everybody steals’, thus discrediting political life.

In the TG Justice the responsibilities are allocated in a broad manner: there is of course political corruption, because politicians decide on the basis of party political criteria, political cost and re-election interests, thus making themselves tolerant of corruption, but all the same there are also various other culprits to be held responsible as well: public administration, local authorities, mass media and trade unionism. What underlies corrupt conduct in all these fields is the collapse of the traditional values together with the collapse of the classic bourgeois family and that now most people (in power) are ‘uplifted peasants’, where only money counts. In the TG Police it is by way of relativising that corruption in the police force is dealt with: Although corruption is at first taken to correspond to the legal concept as defined in criminal law, when it comes to give a broader account of the phenomenon, the perceptions oscillate between a sociological description (social ‘phenomenon’) and a medical one (social



'sickness'). In any case, corruption in the police is estimated to be limited, not higher than in other public services.

What seems to unite all Target Groups regarding the aforementioned argumentations to the end of 'outsourcing' sources/sites of corruption is the perception and belief that the discourse on corruption in the mass media tends to or helps to reproduce patterns of societal self-perceptions that are highly 'constructed'. In addition, attributing corruption liabilities to the whole society the mass media reproduce those patterns of self-perception in which the "miserable" state of societal affairs is perpetuated. Last but not least, the media discourse functions as a mediating instance with the help of which corruption accusations can effectively be launched.

12. The medial 'construction' of corruption

Considering the almost unanimous condemnation of the media on the grounds of launching representations of corruptions that are perceived to be offering a totally distorted image of the Greek society can help link *a*) the examination of corruption perceptions centring on a set of rules (i.e. in this case the role of the media) to *b*) the question how they take "corruption" to be: a graspable social facticity or rather a discourse item deployed to certain ends. The general tenor of the media-bashing seems to be that the medial representation of corruption reflects social realities, but in a rather distorted way. Instead of a level-headed treatment the media are charged with all sorts of defaults ranging from totalising gloominess and oversimplification to inflationary scandal mongering.

However, given the fact of corruption being taken for granted and perceived of as an all-encompassing phenomenon by almost all Target Groups, it is not easy to discern what the inflationary treatment of corruption scandals consists in. To begin with, the most frequent criticism levelled at the media is that excessive raising of public awareness against corruption helps 'normalising' the phenomenon. How is this done? Mainly by the way of a self-referential outdoing affirmation: For example, when the Press presents International Organisations' reports on the rank and scores of the country on corruption, the discourse reverts to a kind of universal miserabilism against the whole society, thus reproducing everyday theories and stereotypes in the worst way. This affirmative reproduction of what in everyday life is perceived as diffused corruption reinforces these perceptions thus 'constructing' a mentality habitus tolerant to or approving of corrupt conduct as basic fact of social relations contributing at the same time to further eroding ethical values.

Along these lines of seeing things the overrepresentation of corruption cases by mass media during the last decade has created a false image about the seriousness and size of the problem in Greece. Now the question arises, how and why this image is false. Regarding both questions it is not easy to discern a clear-cut answer. Sometimes it is claimed that the media



tend to over inform the public producing feelings of helplessness and disillusionment without delivering any constructing proposals to fighting corruption. Media reports just confirm what everybody already knows, or has serious reasons to believe. Alternatively, the view is put forward that media representations do not just simply over inform, but rather 'create' issues thus launching distorted images of social realities. Nevertheless, it makes no difference which should be held more responsible, for both are part and parcel of an escalation spiral: medial representations conjure up the image of an all-encompassing corruption, the citizens for their part take this for granted and behave accordingly in everyday life, which in turn fuels the sensation greed of journalism..., etc. At the end of the day perceptions of diffusive corruption seem to be indistinguishable from those offered by the media.

However 'constructivist' this way of viewing things appears at first sight, it should not be forgotten that the great scandals of the late 1980s, which laid bare systemic grounds of political corruption preceded the vast expansion wave of media enterprises of the 1990s. In a way the former set up certain conditions under which the entry of big business in the media sector took place. It comes, then, as no surprise that the perception is gaining ground of the 'system' operating in a triangular form: the political and economic power is at the base, and the mass media at the top.



PERCEPTIONS OF CORRUPTION IN THE UNITED KINGDOM

The recent scandal shaking public trust in such institutional pillars of the British political system as the House of Commons, but also a number of other scandals in the last decade, in a certain sense reveal of some important characteristics of corruption. Perhaps because in the UK societal self-perceptions are traditionally characterised by a strong sense of national self-consciousness and perceptions of corruption-free public life seem still to hold sway, the issue of corruption has usually been dealt with in a rather nonchalant manner. Thus, observers are all the more (apparently) taken by surprise by the extent to which key sectors of British public life (politics, civil service, business, the media) are afflicted by corruption. In fact, Transparency International-UK recently claims corruption has come uncomfortably close to the heart of the British establishment.

In the face of this paradoxical situation it is all the more fascinating to explore how the disparity between corruption-free perceptions on the one hand, and growing awareness of corruption becoming a structural problem in British public life on the other, could be accounted for. Before embarking on an examination of (perceptions of) corruption in the UK it is worth reflecting on what corruption awareness consists of, why raising anti-corruption sensibilities has become an issue of concern and how both can be shown to be highly relevant for contemporary British life (1). Based on these introductory remarks we can deal with the question to what extent perceptions according to which the UK may be considered corruption-free can be shown to be justified or not (2). Looking closely at possible causes for the persistent recurrence of corruption affairs one is forced to ask about sites of (structural) corruption, at home and abroad (3a-b.).

1. Corruption awareness

One crucial trait in examining corruption perceptions concerns the question about how subjective corruption awareness depends upon what socially, that is objectively, has become to be taken as corrupt conduct. In other words every account of subjective consciousness of wrongdoing has necessarily to do with what at any given time can be assessed as such in the light of socially established standards. *Then the* interesting thing about corruption that calls for an examination approach based on the sociology of (everyday) knowledge consists in the insight that a great part of what makes up the social facticity of corruption depends on how certain practises have progressively come to be perceived as corrupt conduct. From this perspective the question whether subjective attitudes reflect socially prevalent corruption perceptions has paramount significance. This is especially true in the case of the UK.

Reflecting on the impact legislative and discursive developments in the British political arena since the 1990s have exercised on the issue of corruption awareness, one is recurrently



confronted with the argument whether an act could reasonably have been identified as corruption at the time it took place. Like similar cases in Germany (i.e. the Siemens scandals) one can identify the disparity between subjective accounts of doing and social or legally codified perceptions of wrongdoing as a cognitive lag: The perceptions guiding action somehow fail to match up with what have become new social perceptions determining realities in the field of what counts as corrupt conduct. Take for example the relation between politics and civil society: Whereas NGOs working on anti-corruption are regarded as pioneers in developing a new understanding of what constitutes corruption, politicians' perceptions often lag behind what NGOs have pushed through as standards currently to be complied with.

This of course raises the issue of responsibility, for the argument is sometimes made that people cannot be held responsible for their shortcomings in not identifying cases of corruption because they are not to blame for tolerating corrupt activities that were not perceived or not identified as such at the time they occurred. This is exactly what some politicians perceive to be a justificatory reason for not to be held responsible. They argue that NGOs have succeeded in transforming common attitudes towards some types of conduct, only to redefine them as corrupt conduct in order to catch those politicians who somehow fail to keep pace with the changing shifts of public opinion.

For politicians the most irritating thing is to see actions, which were not illegal at the time they were committed, subsequently transformed into corrupt conduct just because some anti-corruption agencies were successful in labelling them as corruption. Furthermore, the argument of necessarily not being able to attend to new perceptions of corruption generated in civil society is sometimes buttressed by pointing to the deficiencies of sanctioning regulations: As legislation has developed in a rather ad hoc manner over the time, there a situation of uncertainty has arisen about what is to be prosecuted, or even worse, of certain irrationalities characterising anti-corruption laws. Besides, judicial sources themselves point to the complexity and confusing effects in the legal treatment of corruption that result in raising the danger of exposing politicians or businesses to criticism for being involved in acts which were not clearly designated by law as criminal. Anyway, here as elsewhere, the factor of time (and opportunity) plays a crucial role in constituting what perceptions of corruption and wrongdoing are about or refer to.

What holds true of the awareness of corruption in the political sphere seems to apply in the realm of civil society anti-corruption engagement as well. Generally speaking NGOs have played an eminent role in raising awareness of wrongdoing and decreasing the level of tolerance against corruption. However, the situation in the UK is not as clear as it appears at first sight because of two considerations that often accompany the self-perceptions of civil society activists. *Firstly*, there seems to be a dilemma concerning the overall picture of corruption in the country in which one must operate: on the one hand there is undeniably a development towards raising corruption awareness, but one should nevertheless not fall prey to exaggeratedly presenting matters as worse than they actually are. On the other hand



attempts to avoid overplaying the phenomenon have given rise to certain perceptions of the NGOs as having a rather conciliatory attitude to or under-focusing the seriousness of corruption.

Secondly, the very assumption of increased corruption awareness should somehow be relativised, because the general public does not seem to play an important role in constructing the discourse in the UK or to be a source of anti-corruption pressure on government or businesses. Public perceptions are not guided by the necessity of anti-corruption policies, but are rather concerned with seeing British economic interests promoted – at home and abroad. Taken together, these considerations indicate that primarily the activities of NGOs to put pressure on government policies that must be seen both as the sole bearer of consciousness-raising and main actor of fighting corruption.

2. How corruption-free is the UK?

In the face of the rather ambivalent stance of NGOs regarding success and impact of the anti-corruption trajectory one must pose the question of how much corruption is perceived to be taking place in the British society. In rather general terms there seems to be a consensus among all Target Groups that *Britain has a long* tradition of being relatively corruption-free, although in recent decades there has been growing awareness of the need to identify and tackle corrupt conduct. Whether amongst the political classes, the police, or the judiciary – the levels of corruption should be assessed low. One can offer a number of reasons sustaining corruption-free perceptions: For one thing, one can argue that petty corruption is absent in the world of experiences of everyday people. Furthermore, the scant cases of corruption brought to court certainly contribute to the low-profile of corruption perceptions – assuming of course that the low number of prosecutions does not mean low detection rates. After all, one can argue that the British are culturally indisposed towards corruption because it conflicts with their adherence to the concepts of fairness and openness (the ‘cricket’ norm).

Corruption-free perceptions need not be in conflict with the fact that new corruption scandals have emerged in every recent year. There apparently seems to be little concern among the Target Groups about this recurrence having structural reasons, or being simply the result of law-deviating habits. Rather, personal ignorance and oversight can be viewed as explanatory causes. Moreover, wrongdoers are not really to blame, because bureaucratic regulatory confusion and complications, rather than greed and deviousness are the source of trouble. To put it another way, what all Target Groups except that of Media converge on is the perception that intentional perpetration of corruption is considerably rarer than accidental forms of corruption, where regulations are infringed upon unwittingly. All in all, corruption is regarded as an anomaly related more with individual contingent failures than systemic causes.



The *absence of petty corruption* that justifies to a large extent the corruption-free perceptions can be attributed to the wealth of British society and the decent salary levels of the officials in the public administration, both at local and national level. Societal affluence seems to be both a negative incentive to embark on corrupt practices and a source of legitimacy of and citizens' trust in the state as well. In addition, the images of fair play that characterise cultural perceptions and the reputation of UK abroad play a significant role in strengthening self-perceptions of a corruption-free society. Thus, the high standards of public office together with the argument of affluence as deterrent to corruption sustain perceptions of corruption being a *quantité négligable* in UK society. Besides, what additionally sustains perceptions that standards of public life in Britain are high is the argument pointing to the recent rise to prominence of the issue of corruption and the efforts to promote clearer and more modern legal and political approaches to the subject. However, the corruption scandals of the last years surely do not testify that considerable progress has been made.

This is quite probably the reason why the very word corruption is generally avoided and people prefer more specific terms like sleaze, spin or cronyism instead. Even in the recent (and earlier ones) scandal involving Members of Parliament (MPs) who over-claimed personal expenses, underreported gifts and fees or hired and over-paid family members as personal assistants, there is a characteristic reluctance to term the whole affair, which has undeniably shaken a great deal of the beliefs in the integrity of parliamentary life, 'corruption'. The latter is rather perceived of being something extraneous, bedevilling other, mostly underdeveloped, countries. There is obviously a connection between this 'extraterritorial' attitude and cultural self-perceptions of British life as governed by and complying with firm standards of socio-ethical action and long-standing, binding cultural/customary codes of conduct. Along the lines of the distinction between external corruption and internal corruption-free culture one must also consider the difference regarding approaches to case of corruption at home and abroad: While there is a strong prevalence of cultural explanations (usually combining a dual systemic/individual level approach) for the perceived low level of corruption in the UK, economic explanations (also bringing together systemic and individual levels of explanation) are often employed to explain cases where British or foreign nationals have been complicit in the corrupt arrangements.

The perception of corruption as somehow un-British can thus be accounted for by using both cultural preconceptions – that is, the more stable institutional life is considered/felt to be, the more inclined the public will be to perceive corruption as insignificant –, as well as arguments based on the reverse relation between corruption and affluence: the greater the latter, the lesser the former. However, beyond the obvious correlation between satisfactory remuneration levels on the one hand, and dispositions to petty corruption especially in public administration on the other, it is rather unclear to what extent levels of societal affluence must have an impact on perceptions of corruption. The usual argument supporting a strong positive correlation goes like this: The more one (for example one with higher educational backgrounds) is likely to succeed in society, reap the available benefits or have reasonable



aspirations of doing so, the more positive one is likely to be in assessing the general standards of fairness of the system, thus diminishing the significance or scale of corrupt conduct.

There are sound and empirically verifiable reasons not to believe so, at least not as regards grand corruption. First of all, socio-economic status does not automatically determine an individual's perspective on and perceptions of corruption. Consider for example certain practices in the business world. As the Siemens scandal in Germany and similar ones in the UK involving corruption abroad show beyond doubt, the elevated socio-economical position of management circles did not prevent them from using illicit methods of securing business advantages. Now, if one does not wish to immediately attribute such practices to motivating criminal energies, one has to look elsewhere for possible explanations. The assumption of a kind of *cultural or cognitive lag*, as defined above, is surely one. Higher educational backgrounds in turn can obviously not safeguard against the possibility that economic agents are not able or even do not want to accept that important societal or judicial changes regarding what has come to be corrupt conduct have taken place.

Why is this so? Pondering on this question may help illuminate an aspect of structural corruption, which is not sufficiently being dealt with in current discourses on (economic) corruption. To begin with, entrepreneurs and managers (politicians too) are strategic actors with a strong success-orientation. Apart from subjective capacities (cleverness, strategic thinking, the power to self-assertion, etc.) and prerequisites for successful economic action, there must be something else that can help account for the fact that the business class often shows a stubborn inclination to trespass existing regulations. Now, the best candidate explanation for rendering the close connection between economic rationality and corruption propensities transparent is to point to a powerful habitus that partakes of the economic logic itself: *the commitment to permanently raising efficiency*. Seen from this perspective, the motivation for corrupt behaviour is by no means incompatible with economic rationality.

3. Sites of corruption

Bearing in mind the insight of the *far more intimate relation between rationality of efficiency and corruption liabilities* than usually assumed, the question to be posed is to what extent *relating rationalities of action to motivations of corrupt conduct* can shed light upon a series of corruption events otherwise considered contingent. Furthermore, seeing things this way can help recast the explanatory terms under which the apparent divergence between corruption-free perceptions on the one hand and the persistent occurrence of corruption on the other, can possibly be dealt with. How contingent are the causes for the corruption scandals of the last years in the UK? In order to get a firm grip on the matter, it is worth considering the issue of corruption being perceived as contingent against the background of the stubborn recurrence of corruption scandals.



3a. Corruption abroad

Let us at first consider the issue of British companies doing business by bribing foreign officials abroad. There are some types of arguments under which perceptions of corrupt behaviour can be examined:

(1) *The dilemma argument*: corrupt conduct is contingent upon the decision of the individual either to uphold ethical standards, that is, observe certain rules guiding fair competition thus declining bribes, or executing business, where extra payments are expected, if not lawful;

(2) *The competition argument*: Doing business with ‘facilitation’ bribes is contingent also in the sense that it can only sometimes be bad and therefore it need not necessarily always be so. It just happens sometimes to depend on the sort of business executed. Consider for instance the following example: In a market for consumer goods, bribery would distort the rules of fair competition and therefore be bad; if, on the contrary, the multinational enterprise gets a contract with a foreign state, that is, where there is a limited market, giving bribes does not do much harm. This type of corruption can also be called contingent because it is often caused by lower level company staff who are inadequately supervised and overtly ambitious, even if they are only seeking profit for the company rather than for themselves;

(3) *The patriotic argument*: Since facilitation payments are in some countries a normal means of acquiring access to markets and infrastructures doing no harm to nobody, they can be seen as a demonstration of patriotic competitiveness; at the worst, they could only be called ‘petty corruption’ – inexcusable perhaps nowadays, but all the same helpful in promoting labour market policies, that is, securing British jobs at home. The force of the argument is somehow thwarted by pointing out that ‘corruption’ may protect jobs at home by allowing British firm to win international contracts, but this is all the same bad for the British taxpayer;

(4) *The development aid argument*: The promotion of particular business interests by the foreign policy-making of the government follows the legitimate double goal of observing British national interests and helping poor countries to develop. Regarding arms sales this argument is strongly questionable though;

(5) *The unavoidability argument*: Using ‘facilitation payments’ as a means of securing business advantages must be seen as unavoidable for various reasons. First of all, as long as rules regulating business conduct abroad are not consistently applied amongst member states of the OECD, it is disadvantageous for British businesses to stick to ‘ethical’ requirements – all the more so since such non-member states like China, India and Russia have begun competing more assertively in foreign markets. Secondly, if international efforts to tie all countries into the same standards of competition do not succeed, then there could be a ‘race to the bottom’ in which British, European and American companies could lose out – but things



being as they are, there is no reasonable ground to ‘opt out’ yet. Thirdly, facilitation bribes are a means of rendering the environment of the investments abroad safer and more predictable. Last but not least, it is a cultural issue after all: in certain countries abroad receiving bribes is what normally is expected to be part of the business deal. Trying to impose regulations would be something like restricting the abilities of management to adapt economic strategies to local cultural specificities and customs. Far from being corruptors, managers doing business abroad could as well be thought of as victims of a foreign environment that does not care about ethical standards at all – or, worse still, victims of blackmail;

(6) *The argument of indeterminacy: Who is after all to determine whether facilitation bribes are illicit or not?* The state/law, society, business or international organisations? The first and the last do not seem to be firm candidates, since they – if at all –, often impose legislations only post festum, that is, after a considerable amount of norm-violation has already taken place. Society can articulate itself solely through the activism of civil society organisations, but this is too weak a basis upon which to build sustainable judgements, because NGOs *a)* can solely castigate certain practices as illegitimate, but not illegal, *b)* do not necessarily reflect wide societal attitudes, as the relative indifference of the public in the UK shows, and *c)* are among themselves not one-minded regarding how to (appropriately) approach the issue of corruption. Some focus on bribery and contract awards involving businesses, while others draw attention to patronage and interlocking interests between politicians and businesses (‘revolving door’) and still others focussing entirely on wastage and inequalities (i.e. largely in developing countries rather than in the UK itself).

Besides, *when is something to be called corruption?* This question is also quite vague, since as mentioned above there is often *a cultural/cognitive lag between doing and wrongdoing*. Perhaps the most important question of all, *what is corruption*, is ridden with indeterminacy too, because existing regulations by no means exhaust what can still one day be brought under penal jurisdiction – what currently is described as particularly harmful or negative, but not corruption right way, may in the future turn out to become codified as such. Last but not least, *why call facilitation payments corruption at all*, when no private financial gain is normally aimed at?

Apart from (5) all these patterns suggest a kind of contingent motivation for observing the rituals of bribe abroad. It is up to the acting individuals after all to decide whether it is reasonable to embark on practices not conforming to existing regulations or not. A closer look at the issue though reveals that the subjective factor, even when the individual acts in good faith, is not as contingent as it appears at first sight (1), for we are talking about *habitualised attitudes*. This means that the rationality of the type of action in question must be situated in the context of the compelling relation between motivational dispositions, company objectives and the rationality of maximising efficiency (profit). What this in turn implies is that the order of justification for practices of illicit payments abroad is much stronger than considerations of rules for ‘ethical’ conduct. Pitted against the latter, the type of action, the rule of which can be



characterised as ‘the end justifies the means’, must (often enough) gain the upper hand. Cast in terms of the argument patterns in question [(2), (4), (5)], this means *corruption for the sake of ...* (i.e. the long-term economic interests of the corporation, the positive effects on employment foreign investments will have for the company home, the benefits for the country as a whole in global competition, etc.) (3). This explains partially the reluctance, cautiousness or outright dismissal observed in the Target Groups to hold British attitudes and practices towards to corruption exportable to the rest of the world – despite the widely acclaimed fairness and openness characterising British culture.

(6) is more difficult to prevent, because it touches on certain aspects of corrupt practice that involve (normative) conflicts between the various rationalities governing economic action, state/judicial regulation, civil society engagement and international co-operation rules and conventions. At the end of the day, it all revolves around the distinction (sometimes still to be made) between the status of a (corrupt) practice and the perception of and attitude towards this status. If the former is what is laid down and defined as corruption through legal regulations, sanction rules, policy measures and international conventions, the latter circumscribes what is socially taken to be corrupt or illegitimate. This distinction is of course a reformulation of the difference between the normative status of a practice (usually codified in legal causes and institutional practices) and the normative attitude to that status (exemplified in societal perceptions and everyday stances).

Thus, not everything having the status of corrupt practice is also taken to be such, and conversely, not everything perceived to be corrupt conduct need necessarily be conferred that status. The former helps explain adequately the cultural/cognitive lag between doing and wrongdoing. The latter facilitates understanding for example why what civil society organisations working on anti-corruption put forth as elements or facts of corruption awareness and concern often fail to be translated in institutional action, i. e. law regulations and policy measures.

3b. (Political) corruption at home

The somehow strong attitude that corruption as such is not something of serious concern in the UK, British political and business elites even suggesting that it should rather be considered part of other peoples’ culture, may in the face of the recent MPs’ expenses scandal appear a little awkward. Perceptions of the sort that the pursuit of politics is an honourable profession held by those within it and generally more positive perceptions of standards in British public life than in other states in Europe are reasons why Britain might be perceived to be a country in which corruption is a relatively rare occurrence affecting public life. All these reasons seem to be in blunt contrast to the findings of anti-corruption NGOs like that of Transparency International-UK according to which corruption cuts across key sectors of British public life – affecting in considerable manner political parties, parliament, business



life and media. These findings are all the more remarkable, as they are based on evaluated perceptions before the peers-for-sale and MPs' expenses scandals came to light.

How is this discrepancy to be accounted for? For one thing, thinking of corruption as not of serious significance must have something to do with broader perceptions of social stability. Taking for granted that corruption awareness is among other things a correlate of perceived social dysfunctions or socio-political transformation processes means conversely that where society is perceived as stable – as for example in Sweden – corruption, though existing, will not be thought of as 'that bad', since everything else is in place and works. This seems to hold especially true of the UK where the forces of tradition and cultural customs, the firm hold of parliamentary democracy and the rule of justice exercise a powerful force in keeping the legitimacy of the socio-political system high.

A related issue is the question to what extent perceptions of corruption-free public life rest upon the fact that corruption is not overt, making it harder to expose and people more cautious in applying the term. This is a rather questionable assumption though, because at the same time it is observed that the very high standards of public life have sustained the recent rise to prominence of the issue of corruption and the relevant efforts to promote clearer and more modern legal and political approaches to the subject. Thus, it is not that clear what function the argument of high public standards sustaining corruption-free perceptions is supposed to point to – apart from the necessary distinction between 'corruption' as a legal category on the one hand, and behaviour considered inappropriate in public life on the other, of course. This proves even truer, if one takes a look at how the issue of *political corruption* has been perceived of and dealt with both within the political class and the wider public (i.e. NGOs, civil society) as well.

How can we reconcile the two following pictures of politics gone corrupt? *On the one hand* politicians are often portrayed or see themselves as unfortunate, misguided individuals who inadvertently break anti-corruption regulations; or simply argue in all innocence that they have been either unaware of the regulations in question, or prompted to transgress them because of their high complexity and burdensome nature. *On the other hand* the recent account of TI has presented politics as the UK's most corrupt sector? Obviously, there is at least one possible way to explain this: Let us take the **expenses scandals** as a starting point and assume that the conditions of corrupt behaviour have indeed been contingent upon the failure of certain individuals to observe existing rules and therefore there was at first little reason to suppose that corrupt behaviour rests upon deeper, structural causes – at least not in the view of public perceptions. However, given the development of growing societal awareness of corruption as an issue to be dealt with and on the basis of perceptions of high public standards the presumed contingencies assumed another character, that is, of regularities (regular-structural patterns of behaviour) now perceived definitely irregular or corrupt.



The crucial issue is therefore to reflect upon how the regular improprieties of conduct observed in previous affairs of illegitimate expenses claims have recently come to be seen as *structural regularities* to be called corrupt. Two aspects of the issue of corruption in the UK may help us get a grip on the matter. *For one thing*, the perception of corruption as insignificant because it is not overt and therefore harder to expose seems to be reasonable only to the extent that it highlights the original *implicitness* (not overt, hard to expose) of corrupt conduct. Implicit does not mean something hidden, but rather a certain character of a practice conducted without taking a (positive or negative) stance towards it. Prior to being castigated as corrupt and dangerous for the parliamentary institution in the UK illegitimate expenses claims were perceived as just a certain way of acting without standing under particular justification requirements (for some MPs this is deplorably still so). Second, the growing awareness of corruption in the British society, promoted among others by the activity of TI and sustained by perceptions of high public standards, made just this ‘customary’, implicit and, any way, rather unquestioned practice *explicit* – in both ways: making tacit/implicit regular behavioural patterns (of illegitimate practices) public, exposing at the same time their ‘irregularity’, impropriety or corruptness.

Given the soundness of seeing things this way, one can discern the difference between political and economic corruption quite clearly. The rationality, that is, the rules governing the regularity of economic action can only be rendered ‘irregular’, damaging or corrupt, from ‘outside’: turning economic conduct into wrongdoing obeys, as it were, a different logic than that of a purely economic assessment of certain actions as unprofitable, ill placed or insufficient. As the issue of corruption abroad shows anti-corruption regulations refer to overall framework rules circumscribing rules of fair competition in a globalised economic system and imposed by state political will and international conventions. The economic sphere is thus progressively subjected to ‘extraneous’ regulatory overseeing and control mechanisms.

Things are quite different with political corruption, because the rationality of political action can be (positively or negatively) assessed only by deploying standards immanent to this sphere of action. As collective articulation, organisation and fulfilment of public interests politics is subject to the imperative of executing policies best suitable to serve the advancement of public good. Therefore political corruption is the abuse of entrusted power for private gain par excellence, because the implicit rules followed by politically corrupt behaviour run contrary to societal perceptions of and stances towards the proprieties that ought to be ruling politics as form of realising the public good.

On the basis of these considerations the alleged contingency of corrupt behaviour turns out to be either erroneous or hypocritical. Both can be substantiated even ironically by pointing to the reactions of politicians (MPs) involved in the recent expenses scandal: instead of conceding personal failures, something that could give perceptions of contingent corrupt behaviour new grounds, they tried to deflect suggestions of responsibility by putting the



blame on the ‘system’ or the ‘rules’ – *thus unwittingly contributing to making the structural character of corrupt behaviour even more obvious.*

The question whether political corruption in the UK should be seen as having structural causes can also be posed in reference to the **relation between the spheres of politics and economics** as practically realised in such activities as the award of contracts and the promotion of British industry abroad, the role of businesses in providing funding for political parties (party financing), lobbying, the so-called ‘revolving door’ of consultancies with business and the holding of political office, the close ties between public officials and businesses the patronage system, etc. It is this relation that seems to be of most concern amongst all Target Groups.

Let us begin with **lobbyism** as the most manifest form of exercise of influence on public politics by private economic interests. The interesting thing to observe about how this influence is perceived and valued in contemporary Britain is a kind of unanimity on whether this influence is worth talking about at all. On the one hand there are some (mainly politicians) that deny outright the claim that access equates to influence. They attribute this ‘popular prejudice’ to the propaganda spun by lobbyists themselves to raise their power upon political decisions in the first place. Business lobbying of politicians is considered to rarely confer unfair advantage, and therefore the chances of exerting desired influence over political decisions via corruption must be assessed to be extremely slim to non-existent. Not surprisingly, business’ perceptions on the other hand regard efforts to secure illegitimate influence over political decision-making within the UK – via bribery/‘gift-giving’ – as negligible, putting all emphasis on the maintenance of standards of public office instead. As regards promoting British economic interests abroad, there is however a degree of sympathy shown by politics towards the predicament of British business having to operate overseas in corrupt environments.

The issue whether lobbyist activism must necessarily have corruptive effects revolves around the question whether access to policy making is translatable into exercise of influence on public agendas. One reason for being aware of this necessity can be traced to the argument of civil society activists who claim that anti-corruption NGOs have successfully counter-lobbied the UK government to strengthen anti-corruption measures following successful industry lobbying for relaxation, for example regarding UK’s export credits guarantee anti-corruption measures by departments. This fact makes the claims of politicians that access does not equate to influence and it is simply a myth propounded by lobbyists appear groundless. Taking anti-corruption lobbying to be influential means inversely that economic lobbyism is also undoubtedly powerful. Apart from the political promoting of economic interests abroad, this need not however necessarily mean that lobbyism in the UK should be seen as a structural source of corruptive influences, although perceptions relating to faults and shortcomings in this realm ought to be taken seriously. In any case we do not have sustainable evidence for believing that to lobbyist activities exercise a direct influence on public policies.



That does not mean that there is no intrusion of private economic objectives into public policies though, something that can in a way have more corruptive effects: *the fact that governments and public administrations themselves invite organised private interests to participate in shaping public policies*. Lobbyists can find seats on government task forces for its clients partly because the government is so keen to involve the private sector in financing and otherwise supporting government policies. The context in which this occurs is *a)* the scheme of PPEs (Public-Private Enterprises) and *b)* the strategy of using the methods of the new managerialism in public administration in order to raise effectiveness by means of a fundamental reorientation in law-making procedures: instead of being merely responsive, the state bureaucracy should adopt a collaborative model of handling an environment in rapid change in the form of integrating various social players, such as the private sector. Thus, the state apparatus creates a basis of *illegitimate intrusion* of private interests into the very sphere of law-making policies, for one can reasonably surmise that certain business interests are being smuggled in behind the apparent objective expertise and the professionalism involved in drafting laws.

Why call this kind of participation illegitimate, or even potentially corruptive? In order to see this clearly, one must make the distinction between the *rationality and the normativity of the rules of action*. Concerning the former it is certainly beyond dispute that the current trend of ‘opening up’ the public decision making procedures in order to enable a kind of societal participation may be considered indispensable for raising the efficiency of administrative performances. Given the widespread attitude to treat an ever growing part of social practices as objects of *economic rationality*, it is no surprise that administrative procedures are increasingly subjected to the control criteria of efficient economic planning and rational management of resources.

However, this kind of rationality is certainly not identical with what the administrative/bureaucratic spirit of impartial objective rationality is *supposed to be able to perform*. The objectivity of this rationality has always rested on the claim that decision making processes and public policies are motivated and sustained by the orientation of action towards certain norms, the validity of which lies beyond any particular interests. In other words, the performances of public policies (ought to) have a normative status (i.e. value orientation, the ‘public good’) beyond any specific rationalities, whether procedural, party political or economic. Thus it comes as no surprise to sometimes see the rules governing the performance of governments and public offices *a)* discharging their normativity of attending to the public good and *b)* coming under the influence of the specific rationality governing private economic objectives. In other words corruptness consists in the fact that the normative status of state action, that is, the orientation towards the value of advancing the public good, is reduced to the non-normative status of practices, whose (purely economic) rules are just oriented at advancing private interests.



Now, granted that the issue of lobbyism inductive of corruption is on the whole far from clear, the situation regarding the link between **party financing and economic interests** is somewhat different. As the recent loans-for-peerages (cash-for-honours) scandal clearly shows, exploiting loopholes in existing regulations on party financing is surely something that transcends what can be called contingent or casual norm violation. That the issue of transgressing limits of legitimacy in the system of party financing goes far beyond this is indicated by the fact that although the government shortly afterwards introduced legislation requiring loans to be disclosed in the same manner as donations, the negotiations between the two main parties on the substance of these reforms broke down, because they could not agree upon the limits to be set up regarding election campaign expenses and the size of law-conforming donations.

If not for lobbyism, the widespread beliefs about structural corruption in terms of access being translatable into influence are in any case justified for the field of illegitimate party financing. Now, apart from dubious and extravagant donations, one structural source of illegitimate party financing lies beyond doubt in the way political parties perceive the spending requirements apparently imposed on them by election campaigns. Of course they do not believe that bigger spending helps win elections and raising spending levels follows the rules of the economic logic of increasing returns, but they definitely assume that spending less than the competitor will bring them certain disadvantages. Thus, in a curious way overspending has come to be considered a means of preserving equality of chances, the political balance of party competition and fair electoral play. What this leads to is the phenomenon of most political parties 'overstretching' their spending capacities, which more often than not means deepening the economic/financial dependencies from private economic interests. Under pains to ensure ever growing levels of financial capacities the regular methods of donations acquisition unavoidably become 'irregular', that is, illegitimate or norm-violating.

Exactly here is where *perceptions of economic interests' access as equal to influence upon politics and policy-making* come in. The increasing self-imposed coercion of relying on ever larger donations is what is commonly called the phenomenon of 'fat donors' referred to by all those societal perceptions according to which party funding offers opportunities for the rich to buy influence over policy-making. Nevertheless, in defence of the political parties a kind of unavoidability argument is sometimes put forth: Given the financial constraints of political parties owing to the loss of party members and the decline of business contributions party funding thanks to 'fat donors' has become inescapable. Be it as it may, the dependencies on very wealthy donators have come to be seen by NGOs and politicians as symptomatic of a wider political malaise in the UK.

Some consider **patronage** as part and parcel of this malaise. Being a major and widely accepted source of the Prime Minister's power within the British political system patronage is perceived as a synonym for a state of affairs characterised by lack of sufficient accountability,



transparency and clear-cut demarcations of competencies between the executive, supra-national bodies, government-appointed committees consulting policy-making on particular subjects, business and lobbyist interests. What is sometimes considered as illegitimate exercise of power is the fact that the competencies of the Prime Minister are uncontrolled by the usual parliamentary control mechanisms. If you add to this the elitism perceived inherent in the attitudes of the MPs – as displayed in the recent expenses claims scandal – it is not difficult to understand why the political malaise also includes the fact that politics are perceived as the uncontrolled decision-making by a handful at the centre of power. Of course, it is just one step from the legitimisation deficit to the popular concerns about politicians abusing their position to further personal interests. It is just structurally intransparent, democratically uncontrolled politics, after all.



PERCEPTIONS OF CORRUPTION IN GERMANY

1. Introduction

Like in the UK one observes a paradoxical state of affairs concerning perceptions of corruption in Germany. Although it generally seems that in terms of public perceptions the issue of corruption is not a serious, or simply significant problem confronting German society, there is nevertheless in recent times a growing awareness of it having become a social facticity of considerable gravity to be urgently dealt with. How is this paradoxical disparity to be explained? The short-cut way of doing this is to make clear that the terms of this contrastive relation obviously do not have the same reference: Whereas perceptions of corruption in a wide sense (i.e. public life at large) refer to it being an extensive social phenomenon, that is, a fact of everyday life or *petty corruption*, the other type of corruption awareness points to there being certain domains in society where corruption has become (or has come to be perceived as) a *structural* feature.

A quick look at how both types of perception have come about helps also sustain the similarities between the two countries. As regards the former (i.e. petty corruption) there are certain cultural determinants underlying perceptions of corruption-free social life. In the UK these are mainly cultural self-perceptions of British life as governed by and complying with firm standards of socio-ethical action and long-standing, binding cultural/customary codes of conduct. Furthermore, these customary codes contribute decisively to British people being (or perceiving themselves to be) culturally indisposed towards corruption, because it conflicts with their adherence to the concepts of fairness, rule-bindingness and openness (the 'cricket' norm).

In Germany on the other hand the absence of petty corruption especially regarding the relation of citizens to public administration can best be explained taking into account that public officers and civil servants trained according to Weber's work ethic of administrative-technical professionalisation enjoy high esteem by the public due to the efficiency and performance standards which they must meet. Furthermore, if we add status characteristics such as tenure, bureaucratic accuracy, professional identity based on the principle of serving the common welfare and non-partisan integrity, it is immediately apparent why civil servants almost never engage in 'deviant conduct', unless the advantages from it are of such a magnitude that they outweigh the risks of criminal prosecution. This is a rare case though, because the cost/utility calculation places too high obstacles on the willingness of civil servants to breach their duty. On the contrary, the win-loss calculation among politicians need not necessarily be negative, because even though they are subject to investigation by public prosecutors, they are protected by immunity. In this way, their relative 'intangibility' partially accounts for the fact that politicians feel committed more to the party apparatus than the public sphere.



This is where the issue of the increasing awareness of corruption as a structural feature of political (and economic) life enters the scene. Despite the fact that petty corruption is almost absent from public life there has lately been a growing public awareness that corruption nevertheless takes place in Germany, even on a grand scale. As a result, the perception has increased that corruption cannot simply be identified with private enrichment (i.e. the ‘gain politician’). The two biggest affairs of political corruption of the past decades, i.e. the Flick Affair (1980s) and the party donation scandal of the Kohl government (1990s) can beyond doubt be traced back to efforts by individual politicians to financially enrich themselves, but rather to illegal donations given and taken in the name of matters of ‘national necessity’, well-intentioned party welfare or fair party competition.

Thus, given dominant perceptions of corruption in the public, which are characterised by trust in the rule of law, broad confidence in the state as an institution which provides for citizens and factual absence of everyday corruption, it seemed at the beginning that these affairs were just a kind of an “on-the-job accident”. However, a series of other scandalous affairs, both political and economic, have paved the way for increasing awareness of corruption no longer as simply an erratic contingency, but rather a structural trait of the rationality governing political and economic action. In this way, one can argue that becoming aware of corruption as structurally inherent in the political and economic domains means relating corruption perceptions to the structural constraints and determinant factors in the political and economic fields of action.

Therefore, addressing the question of (apparent contradictory) perceptions of corruption presupposes some general thoughts about the relation between perceptions and realities, or in other words the question of how social reality is essentially shaped by what at any given time is thought of or perceived of as having the status of social reality (2). Based on these general assumptions there follows an examination of beliefs, perceptions and stances determining how the issues of political corruption (3) and economic corrupt conduct (4) are dealt with in contemporary Germany. Trying to provide an explanatory account of what sustains these beliefs and stances leads to patterns of interpretation that raise considerably the level of theoretical reasoning. In the face of this apparently paradoxical situation of petty corruption being non-existent, but grand corruption advancing, the means of explanation must possess the required theoretical underpinnings to cope with such disparities. Broadening the scope of the examination to include public discourses the report then focuses on how the issue of corruption is taken up by the media and promoted by NGOs working in the field of anti-corruption (5).

2. Perceiving corruption

The disparity observed in corruption perceptions in Germany seems to be entangled in a contradiction. Why is one and the same phenomenon perceived in such a divergent manner?



Now, it is a matter of not ‘refuting’ the disparity and contradiction by claiming that it is nonsensical, but rather providing an account of the necessity of ‘illogical’ or self-contradictory thought activities or perceptions – that is, to try to reconstruct the way ‘real’ structural factors determine what at first sight appears irrational or absurd.

Referring to our cultural approach, reality can be thought of or perceived to be a social construction, i.e. ‘real’ can only be what is socially taken to be such. This insight proves to be all the more fruitful in reference to the phenomenon of corruption, because the semantics of the notion cannot be exhausted by what is just legally regulated and judicially codified as such. Going beyond the codified regulations and sanction rules of penal law, corrupt conduct emerges as a social perception and fact, or better, as a perception of facts. If (reasonably) taking/perceiving something to be the case makes up a great part of social facticity, then trying to account for the origins of how certain practises come to be perceived as corrupt must deal with the question of what these perceptions consist of. Therefore it all depends on *treating corruption as a factum constituted through socio-cultural perception patterns*. In short, corruption is not simply a ‘fact’, but rather a factum and as such the result of human action that in the last instance is based on value oriented decisions and cultural schemes of perceiving and therefore shaping reality. It is these *images or perceptual patterns that guide the very awareness of there being corrupt conduct at all*.

3. Political corruption

Since the state polis of the ancient Greek world, corruption as a form of deviation and perversion of good governance is mainly a matter of politics. What has somehow changed is the description of corruption: From a moral value judgement on state institutional rule to public criticism of politicians as wrongdoers. However, the difference between legally sanctionable corrupt conduct (for example buying votes or an office) and the illegitimate forms of granting/receiving advantages (landscape services, lobbying) still applies. Although perceived illegitimate, some forms of corrupt conduct do not as such fall under penal jurisdiction. Therefore political corruption includes both the dimensions of what is penally prosecutable and what is perceived as (social-ethically) illegitimate action.

In a certain sense, all political corruption originates in the realm of exchange relations that make up the fabric of societies based on market economy and especially the forms of exchange taking place between the domains of political and economic action. Now, with regard to *how perceptions of political corruption arise*, we can first take a look at those aspects of exchange relations between private interests and public policies that provide grounds for perceptions of an excessive exercise of influence by private interests on public politics. Now, the practices through which the economy exercises influence on political decision making or public policies must in a certain way be backed up by the claim that private interests *should be taken account of* by politics or the state. In this way the practice of



exercising influence must follow the rule of persuading the political sphere that in the name of national economic development and international competition state economic policies should be consistent with the demands of the private economy. Thus the rules governing those practices, which aim at rendering the relation between the economy and the political sphere favourable to the former, consist in making the pursuit of private interests capable of being embedded in the overall framework of economic policies with the goal of advancing the national public good. Accordingly, if the regularity of the practices is making private interests fit the scheme of public (economic) policies, then the question regarding possible grounds for corrupt conduct revolves around the issue of what forms societal perceptions of the illegitimacy or 'irregularity' attached to these practices can take.

Thus, some indicators of perceived illegitimacy could for example be:

- (1) The 'cultivation of the political landscape' (through donations or any other type of manifestation of 'good will') takes one-dimensional forms, e.g. a particular, normally governing political party disproportionately being favoured. This is perceived as a violation of the independence of the political parties or political party competition. The perceptions around the issue of when donation activities start to become dangerous for the political life vary of course from country to country, but also in historical terms. In Germany for instance it was common practice well into the 80s and therefore not considered illegitimate that all major parties were well taken 'care of' by the economy and only when this care became one-sided, did the awareness increase that certain unwritten limits were surpassed. This case substantiates among others the claim that corruption perceptions often depend upon and originate in the awareness that one's own position in a competitive game is put at a disadvantage.
- (2) Another form of interweavement of economy and politics that frequently fosters corruption propensities or gives rise to corruption perceptions is that of lobbyism. The various business associations and lobbies naturally have their own methods of "caring for" the political landscape, the most important of which being public relations and information campaigns. As part of the democratic rights of collective articulation of interests, the PR events the various lobbies organise are nevertheless often the social space in which economic interests exercise direct influence on the political will, e.g. potential legislative action. This exercise of influence takes among others the apparently harmless form of all sorts of presents or granting advantages.
- (3) Regarding its objectives and motives political corruption can also have a purely political character, when for example illegal donations are used to ensure control over the party apparatus. Of course the question arises, whether control of the party mechanisms results in corrupt conduct. Taking into account the definition of Transparency International of corruption as "the misuse of entrusted power for private gain, whether in the public or private sector, in the scope of satisfying some personal or group interests", it is not clear from the



start, what in this case ‘private gains’ consist of. The reason for this lies both in the fact that a) in such cases more often than not no private/personal benefits of financial nature are gained. Of course one can argue that the group interests which the TI definition speaks of should be extended to include party interests as well, although illegal funding does not always directly serves certain party interests. Looking at the TI definition the other way around, i.e. starting from the misuse of power, is more promising, because the hegemonic position in the party or state apparatus enables party leaders to attract various donations. Furthermore, this form of political corruption does not necessarily imply that the donations are causally connected to the political decision process. Rather, the private benefits the TI definition speaks of can be interpreted as political assets invested in keeping the party in line. In a sense one may naturally claim that this type of fund allocation is not far away from the misuse of power. Nevertheless referring primarily to the mechanism of party leadership and control it does not quite fit the TI corruption definition. Such forms of corrupt conduct must therefore be seen as oscillating sanctionable corruption and general political exercise of influence.

Turning now to the other possible forms that political corruption can take, one observes the following:

(1) Party financing through donations. Nourishing grounds for politically corrupt conduct can be those donations to political parties by means of which private economic interests purport to create a favourable ‘climate’ regarding public economic policies. No direct exercise of influence is pursued by making these donations; instead politicians are motivated to take a favourable stance to potential large-scale projects planned by big businesses. The issue of party financing is of course the Achilles’ heel of politics in a parliamentary democracy with professional politicians, because there is always too little money to feed all the civil servants or to satisfy the expanding expenses of election campaigns and party competition. This tendency is enforced by the mediatisation of politics that has generated a permanent election campaign and the necessity of opinion polls and political consulting as a means of policy making. Generally speaking, societal perceptions of possible corrupt conduct can legitimately raise the claim of wrongdoing taking place to the extent that they can make a strong case out of the observation that the politicians’ understanding of regular competition confounds the competition rules that apply in the political and economic system. This means that perceptions and criticism of the current party financing and spending practices are legitimated insofar as they can point out that the politicians’ understanding of fair play rests upon deeply anchored perceptions of the necessity for liberal economics of equal chances to find application in all realms of public and private life. According to this understanding political competition should function as non-normative economic competition. Apart from that, suspicious perceptions of corrupt conduct may also arise in respect to what is considered a ‘normal’ standard of donation activities: this case does not involve perceptions pitting the (formal) propriety of donations against their impropriety in respect to what is socially considered as fair rules of political play and competition, but rather with a quasi quantitative assessment. Although not easily graspable, this means that at a certain point donating activities begin to be perceived as



an excessive exercise of influence, meaning that they go beyond what is widely considered to be the 'normal' level of influence private interests try to exert on public policies.

(2) Furthermore, what seems to nourish perceptions of possible corrupt conduct is the fact that members of parliament demand on the one hand a more restrictive practice of donations, while on the other hand rejecting every attempt to control their second income from professional activities in the private sector. The fact that members of parliament have one or more jobs in addition to their parliamentary function gives rise to certain doubts regarding the nature of remuneration flowing from private business activities. What raises mistrust in this case is the obvious contradiction between double or multiple jobholding and parliamentary functions or the political representation of public issues vs. private profession. The crucial issue revolves around the exact amount of money received, but also where additional income comes from. An unmistakable indicator of political corruption in the sense of the illegitimate interweavement of political and economic activities is the commitment certain MPs show in the law-making process regarding for example private insurance policies: more often than not they function as mouthpieces of insurance companies, for example, i.e. they act as the missionaries of capital in the centre of the legislative process.

(3) There is a transfer of knowledge and administrative know-how from the public to the private sector that raises suspicions of improper conduct. Politicians turning over to managerial functions in private corporations ('revolving door') help accrue the relative advantages required either in terms of sectoral business competition or public contracting. Conversely, switching to the private sector means that the politicians receive advantages (i.e. often very well remunerated posts) on the grounds that they bring in knowledge or public relations capital. In some cases the politician who switches to a public stock corporation does not even need to deliver any knowledge capital: it suffices that in his previous ministerial function he took a 'friendly attitude' to the company in question. Particularly evident is this type of "ex post" political corruption in the case of politicians acting strategically, that is designing their political career in such a way that they already have the indispensable qualifications for getting the future job in the private sector prior to their withdrawal from politics. Either way, i.e. rent-seeking in office or private employment that draws upon the prior advantages of having been in office, the implicit rules followed in such practices display a pattern of behaviour that runs contrary to societal perceptions of and stances towards the proprieties (that should be) shaping the relations between the economy and politics.

(4) The particular form of lobbyism that describes how MPs are currently striving to 'widen' the scope of activities to include stable contacts in the sphere of business is the increasing role of consulting agencies in mediating between politics and economics. This type of mediation can imperceptibly provide the basis for economic interests to gain direct access to parliamentary political decision making processes, because MPs slip much too easily into those characteristic dependencies the various consulting agents are keen to establish in order



to better serve, that is to make politicians receptive to the demands of private economic interests.

(5) Certain 'up to date' methods of large corporations to create the preconditions for gaining direct access to the administrative decision making procedures also contribute to political corruption. For example when weapons producing companies finance events organized by the army, or pharmaceutical corporations sponsor campaigns of the Federal Ministry of Health, it is an issue of private businesses sponsoring the ministerial bureaucracy by various means. It takes little suspicion to conjecture that such forms of public sponsoring represent a kind of postmodern circumvention of the 'classical' methods of direct exercise of influence through briberies and the like.

(6) Certain current trends towards 'opening up' the state apparatus and rendering it a flexible, collaborative partner in a societal network of interacting agencies, i.e. social and economic interest groups, can also induce political corruption in public administrations. In this way under the pretence of objectivity, that is, of applying expert knowledge, the state apparatus creates a basis of illegitimate intrusion of private interests into the legislative sphere. One can reasonably surmise that certain business interests are "smuggled" into the apparent objective expertise and the professionalism of formulating laws.

(7) Against the background of this norm-laden aspect of public policies one can quite easily account for the current perceptions of illegitimacy in respect to the 'outsourcing' activities of the state apparatus. Perceptions of corruption (can) justifiably arise to the extent that the rules governing the performance of public offices a) lose their value normativity and b) become identical with the specific rationality of economic efficiency. Why should this be thought of as form of illegitimate action though? The reason lies simply in the fact that the normative status of state action, that is, the orientation towards the value of advancing the public good, is reduced to the non-normative status of practices, whose (purely economic) rules are merely aimed at advancing private interests.

(8) What makes this case interesting from the point of view of the actors themselves is that the regularities or the rules governing political/communal administrative action are somehow taken by them to have become 'irregular', that is 'out of tune', improper or dysfunctional in respect to what nowadays is taken to be the quintessence of raising performance: economic efficiency. If the rationality of administrative action is supposed to comply with the imperative of raising efficiency, then the traditional norms and rules regulating the practices of public offices should be substituted by performance rules pertaining to economic rationality. This kind of substitution is what commonly is perceived as (possibly leading to) corruption and the norm implicit in this practice is just a pattern of corrupt behaviour.



Now, turning our attention to how politicians themselves are aware of the issue of corruption, we observe an interesting phenomenon. Although different political affiliations could be taken to imply different ways of perceiving corruption, in practice the attitudes towards corruption are not so much determined by political beliefs and ideologies, but by the professional reasoning of the political actors. The politicians' perception of corruption is 'realistic' or 'pragmatic', because it does not relate to their representation of interests (of others, i.e. the citizens and the voters), rather to their personal interests in political power as a source of private income. Thus, the problem of corruption is often exploited by politicians as just another means of party competition, or as a continuation of party struggle with other means.

Moreover, one crucial property of political professionalism is the constant and strategic evaluation of everything according to the principle of securing access to power. A professional and success-oriented politician has to transform his/her 'good will' (moral ideals) into means of attaining and maintaining power. What for the politician means rationally meeting the demands of political action, looks from the point of view of the non-politician to be an opportunistic instrumentalisation of political ends and moral principles as expressed in such phrases as 'dirty politics'. Thus, the issue of political corruption revolves around the (indissoluble) tension between the rationality (i.e. optimising/securing access to power, the logic of power politics) on the one hand, and the normativity (i.e. orientation towards advancing the public good) of the rules of political action on the other.

Speaking of political corruption entails of course considerations on how other actors in the realm of administration and the public sector in general cope with the phenomenon of corruption. The judiciary and the police forces are such domains in which the sensitivity towards cases of political corruption has risen considerably over the years. Therefore, it is of high importance to examine how the terms of professional rules of conduct on the one hand, perceptions regarding the advancement of the public good on the other are weighted in these target groups.

Surprisingly enough, one can observe in the domain of the judiciary a better 'fit' between rationality requirements and normative attitudes. Attorneys and judges place strong emphasis on common social values. In their everyday practice of investigation and jurisdiction the actors of the legal system follow a strict legalistic approach, but their professionalism is also based on general ethic principles or normative goals. Attending to professional rules of legal expertise, prosecutors and judges simultaneously take a normative approach that includes both everyday experience and political, fiscal, economic, social and other discourses, and 'real life context', as well.

Thus, the high moral standards the prosecution authorities observe in tracing down corrupt conduct can also be seen from their assessment of current societal trends and the resulting anti-corruption stances. According to them the prevailing attitudes of economic or social success have a corrosive effect on the moral fabric of culture, with ethical rules of action only



being observed if they comply with or do not decisively go against the logic of economic performance. Raising public awareness on the everyday roots of corrupt behaviour means in this context focussing on the contradictions arising from the double standards the individuals are subjected to, when they split up behaviour between observing certain rationality rules applicable to the sphere of private, economic life on the one hand, and normative rules governing public life the other.

A similar stance concerning binding professional rationality to normative attitudes can also be observed in the case of the police. As in the case of the judiciary, there is in the field of police-work a productive fundamental differentiation and tension between the formal legal framework and the substantial professional pragmatics including normative stances. The difference to the legal system is to be seen in the fact that the 'ultimate value orientation' and legitimation of police work is not part of an ethical code of office ('justice'), rather the public spirit or integrity (in German 'Anstand'). Referring to the public spirit, police activity is not only a state function, but a form of politics, i.e. activity for the common good. This original historical meaning of police as a moral institution seems to be reanimated in the current anticorruption task forces.

Now, what essentially determines perceptions of and professional dealings with corruption in the case both of justice and police is the effort to match what is 'materially correct' (i.e. sufficient evidence) with what is formally valid (i.e. penal regulations). Given this fact a crucial pillar of both the investigative and prosecution practice is to determine what is implicit in all those 'shadowy' practices of 'accords of injustice' explicit, or, in other words, to establish a consequential relationship between the (perceptions of) preconditions of corrupt conduct and the rules and prescriptions of penal law. This involves basically three operations: **a)** Tracking down the general notion-definition or rule suitable for the empirical particulars. The judicial definition rule determines what can be subsumed under it; or **b)** starting from a 'ground floor' investigation that focuses on the particular pieces of the factual state of affairs and then tries to make them fit into the judicial scheme, either through 'overstretching' the semantic import of the latter or cutting all irrelevant aspects off from the former; **c)** Deciding on the propriety of applying the judicial rules/definitions, because this depends on some sort of practical (everyday-commonsensical) propriety.

4. Economic corrupt conduct

At a general level, the difference between political and economic corrupt conduct lies in the fact that economic practices are discharged of such rule-binding norms or normative attitudes as characteristic of political action. While someone trying to attain or preserve political power is obliged to proceed in a mediated form, that is, show that political interests (shall or purport to) exert power in order to advance the public good, someone following the aim of realising private economic interests is not subject to such constraints.



Moreover, if politics (“public interests”) is the eminent objective of corruption, then the economy (“private interests”) is the main source and force of this crime. Therefore it is both surprising and significant that actors in the economical sphere – *representatives from ‘capital’ as well as of the ‘labour-force’*, i.e. entrepreneurs, managers, functionaries from industry-federations and trade unions – contest that *corruption is not a structural, but an individual problem, not an economical, but a psychological phenomenon (i.e. ‘criminal energies’)*. To be sure, there may be imperceptible forms of possible corruption, for example when businesspeople accept all kinds of invitations from big corporations. However, in such cases one can speak of corruption taking place, only if the individuals act without having the agreement of the management of the company they work for. Considering this it is no surprise that the issue of corruption seems to be no problem for the representatives of business interests!

There are sound reasons to be sceptical about the argument that corruption is not a structural problem in the market economy, but only a personal or contingent environmental (political, judicial, cultural, mental or psychological) deficiency, e.g. a contingent phenomenon, though. First of all, certain attitudes, capacities and dispositions (cleverness, strategic thinking, the power to assert oneself, etc.) pertaining to the sphere of economic rationality, i.e. efficient and success-oriented economic action, can prove to be grounds for corrupt conduct. Now, what makes *the relation between economic rationality and corrupt conduct* sometimes unavoidable?

Whatever else, one thing seems beyond doubt to be necessary for this relation, namely a certain *habitus* that partakes of or makes up the rule of economic rationality: *the commitment to permanently raising performance efficiency. Habitualised practices based on this rule* (regardless whether in politics, public administration, economics, culture industry, etc.), confer upon the origins of corrupt conduct a kind of structural key. The best way to understand this is to compare petty and large-scale corruption: While the former is situated in (everyday, situative) exchange relations, arises out of practical contingencies and, no matter how culturally entrenched, need not involve any long-standing motivational resources, the latter presupposes *firm behavioural patterns* demanded by the entrepreneurial ethics of extended accumulation. It is accordingly no surprise that in large enterprises career advancement is almost concomitant with *character qualities or work attitudes*, in which the internalised imperatives of optimisation combined with a cunning power of self-assertion, can initiate or make possible corrupt conduct.

Consider for example the Siemens scandal: The case is quite informative regarding structural aspects, i.e. *habitualised attitudes*, discernible at the origins of corruption, because it highlights the intricate connection between *motivational dispositions, company objectives and the rationality of maximising efficiency*, i.e. optimising profit. The crucial point in the whole affair of setting up a system of secret accounts for potential bribes for foreign companies or officials seems to have been personal identification with the management/economic



objectives: the leading motivation of many employees to embark on unlawful conduct and participate in the systematic bribery of foreign officials complied with a type of action, characterized by the rule that ‘the (economic) end justifies the (norm-deviating) means’. Cast in terms of the case in question, this means corruption for the sake of raising performance (i.e. promoting the long-term economic interests of the corporation, the positive effects on employment foreign investments will have for the company home, the benefits for the country as a whole in global competition, etc.).

The Siemens scandal is also very interesting regarding the question of how corruption perceptions arise and what impact they have on economic actors. Like similar cases in the UK involving bribes of foreign officials abroad ‘facilitation payments’ – so goes the argument of management circles - were not illegal until 1999. Acting in the ‘old ways’ well beyond that point is then not surprisingly attributed not to criminal motives, but to a certain inertia. Cast in other terms the issue of corruption in the economic sphere (or that of politics) is often a kind of disparity between subjective accounts of doing and social or legally codified perceptions of wrongdoing to be thought of as a cognitive/behavioural lag: The perceptions guiding action somehow fail to match up with what have become new social perceptions determining realities with regard to what counts as corrupt conduct.

Turning now to the other side of the ‘class divide’, trade-unionism, we curiously observe exactly the same attitude, that is corruption being perceived as contingent. Therefore the issue does not enjoy a particularly high priority among the federations of the employees. This attitude is characteristic of the corporate structures dominating the relation between capital and the working class in Germany. In terms of the organisation and the whole industry, employers and the workforce are all ‘in the same boat’. Both sides have a common interest in a thriving industry and macro-economy. This is reflected in the efforts to which the representatives of both capital and workforce go to put in place corporate structures and in the symbolism of the rhetoric of industrial ethics. Given this ideology of ‘class peace’ it is not surprising to see trade-unionists advocating the same beliefs about corruption being contingent, because they adopt the managerial habit as an attitude of a professional functionary of labour force interests. The idle-type of a modern trade-unionist is not any more the charismatic class-struggler with roots in the proletariat but the academic functionary of a professional organisation who shares his life-style with his former fellow students of economics. Those trade-unionists, who see the structural causes of corruption, represent traditional “left” positions and still believe in the moral integrity of the working-force, its solidarity and its strong will to withstand the temptations of selfish behaviour.

5. Public discourses of corruption

Corruption as an issue of public concern is mainly dealt with by NGOs and the media. As for the former, one observes that the work of the NGOs is closely connected to the issue of



legitimate representation of public interests. The legitimation problem is addressed in terms of transparency, i.e. democratic control and enlightenment. There are two types of legitimation/transparency: a) representation and b) accountability. Whereas representation is political/public legitimation, accountability belongs to private legitimation. Civil society in the neoliberal discourse is designed as a world of competing private interests of bourgeois individuals, not as the sphere of the political citizen. Legitimation of private power is success, legitimation of public power is a common good like the social welfare, the security or the *raison d'être* of the state. Now, a pivotal organisation in promoting corruption awareness is of course Transparency International.

Looking at the history of the making of Transparency International, it is evident that the idea of corruption as a state of affairs that required attention from society at large was only the initial stage of bringing and establishing the issue in the realm of public affairs. Corruption only gained significance in society to the extent that the corruption discourse could be held the issue upon and in terms of which a determinate social stance would be able to articulate itself. Hence there is the need a) not only to ensure that the prerequisites of the anti-corruption stance are anchored in articulate social group action (“movement”), but also subsequently b) to make the movement be heard, that is, through the exercise of social influence bringing about wider public awareness and institutional change, and finally c) to control the institutional implementation through a monitoring process that tests whether changes are substantial and standards are met.

Socially situated stances like this one bearing upon and carried out by articulate group action are of course part and parcel of *civil society: private group action for public goods*. Raising sensibility for and helping establish mechanisms against corruption or any other issue perceived as a socially relevant field of action originates in that sphere that, in contrast to the institutional complex of public-state governance, is private. However, as regards both the mobilisation radius and the institutional change, this private initiative can also be seen as component of the process of advancing public good or extending democratic participation. Contrary to the wide-spread notion of vesting them with powers that they cannot dispose of, it can by no means be assumed that the organisations of civil society are somehow empowered by an unified entity-body called “civil society” to come to negotiations with the central state power. In this sense it is important to distinguish two layers of enacting democratic procedures: representative and participative democracy. Whereas the former mediates the articulation of private interests by means of party politics, the latter lends itself organisation forms of direct interest articulation. For example TI is a moral institution and not an interest group as an organised political (party) or economic institution (company) or the media. Therefore TI does not get involved in politics or business, for example by cooperating with a private consulting company in creating an anti-corruption policy for the government or any other political institution.



However “dazzling” the innovative idea of a private initiative may be, how it is perceived as a sound/legitimate reason for broader social engagement and as a subject that is worth fighting for, is not that straightforward. In a certain sense it resembles the way an innovative product idea strikes roots in a market place or an intellectual market place. Under this light civil society organisations like Transparency International should not at all be thought of as organs of representation: As the market-place metaphor suggests the legitimacy does not consist in articulating ‘pre-existing’ interests, but in succeeding in establishing the issue they stand for as a social state of affairs deserving public attention, organised action and institutional policy making. Since they do not represent any clear-cut segment of the societal whole and are not elected by anybody, the only way to justify the claim of pursuing a valid issue is public resonance, effective dissemination, inducing institutional action. Thus legitimacy (of putting corruption on the public agenda) boils down to success (in making corruption an issue of serious public concern) and this in turn is like in business.

As regards **the media** one observes different patterns of perceptions of corruption in the same field. The fact that there is not a single homogenous pattern of perception in the target group media has its roots in the fact that the media as a whole represents a second order construction, i.e. always produces representations of other realities. Other differences notwithstanding, one detects a continuous pattern of dealing with corruption that revolves around the question whether corruption should primarily be regarded as a breach of trust in terms of human morality or more in technical terms as a control problem. In general terms corruption is understood to be an indicator of the misuse of power (violation of the ‘spirit of the constitution’, ‘nuisance’) and as a failure of the institutionalised procedures of the political system.

Actors from media with conservative tendencies prefer a functional explanation of corruption as an irritation that enforces a renovation and consolidation of the social order in the sense of a self-healing system. They reproduce a perception scheme that shows similarities to the reasoning of the political and economical elite in Germany, independent of the political and ideological standpoint. In progressive or liberal media corruption is seen as a violation of social norms (justice) that let to a de-legitimization of the political order and therefore demands a structural reform to strengthen the institutions.

As far as investigative journalism is concerned, the approach is a multi-layered one, taking into account different patterns and rationalities of action: social, cultural, economical, police/judicial. However, a crucial issue continual awareness of the line drawn between what counts as corruption according to penal law on the one hand, and a wider notion on the other: in other words the difference between judicially sanctionable and socially immoral or illegitimate action. Another characteristic of journalism investigating corruption affairs is a ‘bottom-up’ orientation that starts from everyday co-operation and works all the way up to manifest criminal conduct. Working with notions of corruption as communicative networking can be developed under certain circumstances into a full-blown theory that deals with



corruption as a structural, mafia-like network that includes political, administrative institutions and economic activities. Perceptions of what constitutes a mafia-like network depend of course on the various legal and judicial cultures. Take for example the Siemens scandal: According to Italian penal law this corruption case would be dealt with in terms of the laws prosecuting the criminal structures of the mafia. In Germany, on the contrary, it is just another case of organised crime.



COMPARATIVE CONCLUSIONS

Why perceptions of corruption matter?

Posing this question is not as obvious as it may appear at first sight, for the usual response consists in pointing out all sorts of damages *caused* by corrupt conduct. However, no matter how justifiable such an approach has come to be, it tends to bypass a crucial aspect of dealing with the phenomenon. Taking corruption to have become a stable feature of contemporary life, it draws attention exclusively to what negative effects corruption can exercise upon social, political and economic activities. This is an one-sided way of coping with corruption though, because it takes corruption to be solely a negative causality, only to be dealt with by deploying a counter-causality, that is, anti-corruption legislation, prevention regulations, ethics compliance rules, administrative control mechanisms – in short counter-corruption measures, all based on a ‘top-down’ approach.

Seeing things the other way round, i.e. ‘bottom-up’, may help contribute to delivering a more comprehensive understanding of why corruption matters and how fighting it could work better. First of all, it matters because it has progressively come to be perceived as an issue of grave societal concern. Talking about corruption as a matter of growing societal awareness touches upon one of the cornerstones of our approach. If according to the sociology of (everyday) knowledge taking/perceiving something to be the case makes up a great part of its social facticity, then trying to account for the origins of how certain practises come to be perceived as corrupt must deal with the question of what these perceptions consist in.

Treating corruption as fact constituted through socio-cultural perception patterns rests upon the assumption that social “facts” represent solutions to social problems, in other words, they are social constructions. The motives and causes that underlie corrupt conduct are rooted in current conditions as well as in long-standing socio-cultural contexts, both of which are to be disclosed through sociological analysis. Social situations are not simply objectively determined, but are instead formed by subjective situational definitions that are culturally transmitted and therefore vary not only from society to society, but also from social milieu to social milieu.

Moreover, our cultural sociological approach can be sustained by pointing to the widely acknowledged fact that the common-sense perceptions of corruption often go well beyond what the penal law prescribes as such. The pragmatic dimension of corruption, i.e. its embeddedness in socio-cultural forms of action, reaches far beyond what the classificatory definitions of penal law circumscribe as criminal deed. From the perspective of the experts, corruption is nothing other than deviant, criminal behaviour incommensurable with institutional values and for this reason to be combated. In average people’s daily lives on the contrary, corrupt conduct can be a part of that social order of things that is perceived as securing their existence, thus making it appear a factual “normality“. Under such conditions,



corruption may not even be considered criminal. Alternatively, corruption might commonly be seen as a widespread and socially tolerated trivial offence.

In the everyday life of a society, corruption is enmeshed in people's existential interests to the extent that the consciousness of wrongdoing may resist both rational reasons and institutional enforcement of sanctions against corruption. Therefore attending to everyday life orientations rooted in socio-cultural contexts and conducive to corrupt behaviour comes closer to how more effective prevention policies may look like. Thus, taking our bearings from the cultural embeddedness of corruption perceptions facilitates examining those aspects of corrupt conduct that are almost insusceptible or even resistant to administrative measures.

We believe that the considerably varying perceptions of corruption, determined as they are by "cultural dispositions", have significant influence on a country's respective awareness of the problem. This is particularly true in socio-cultural contexts, where one observes corruption perceptions and stances that do not seem to be efficiently targeted by administrative and judicial control. Focussing as we are on Southeast Europe purports to show the way corruption is perceived in countries such as the EU-candidate states **Croatia** and **Turkey**, but also member states such as **Romania**, **Bulgaria** and **Greece**, represents a substantial threat to or a retarding factor against their efforts to adjust their political, social, and economic systems to EU-standards. Taking full account of the socio-cultural embeddedness of corruption how corruption is experienced in these countries with corruption perceptions observed in North European countries such as **Germany** and **the UK**.

Based on the research findings of the project we can generally say that there are certain comparison points that help group the countries under examination together in three separate clusters. So, for example, countries such as **Bulgaria**, **Romania** and **Croatia** show similarities in perceiving corruption as a phenomenon diffused in the social fabric. Although similar patterns of perceiving corruption can also be observed in **Greece** and **Turkey** there is, nevertheless, a distinction that must be made: whereas in the former corruption perceived as diffused is a result of the ways transition from communism to post-socialist democratic regimes took place, in the latter perceptions of diffused corruption are grounded in the specific traditions of modernisation. Furthermore, the distinguishing feature between **Bulgaria**, **Romania** on the one hand and **Croatia** on the other is that while in **Bulgaria** and **Romania** diffused corruption can be seen as the result of fraudulent privatisation, in **Croatia** an additional factor of corruption becoming widespread was fraudulent transformation owing to corrupt mechanisms of the war economy. What in turn distinguishes all these countries from such countries as **Germany** and the **United Kingdom** is that there are no perceptions of diffused corruption there, but rather a growing awareness of structural corruption in certain domains of public life such as politics and economy.



Romania, Bulgaria, Croatia

Let us at first look at what corruption patterns can be observed in former transition states like **Romania, Bulgaria** and **Croatia**. To begin with, what seems to be the common denominator is that perceptions in these countries are guided by the assumption that corruption is deeply diffused in the social body and therefore to be taken for granted.

In this respect **Romania** represents an outstanding example because in this case one can speak of a full-blown “culture of corruption”: This means that citizens view corruption as a normal way of getting things done and that this way of thinking and practice is becoming deeply embedded into the conceptual, moral and practical attitudes of everyday life. Now, what is the reason for these perceptions of diffused corruption? There seems to be one dominant thing that sustains common-sense perceptions of diffused corruption:

- The awareness of a ‘mafia ensemble’: a complex mechanism that aggregates multiple interests forging a ‘thick fabric’ of interdependencies, mutual liabilities and law-deviating networks spreading across all social fields. Involved can be almost everybody: politicians, policemen public administration servants, magistrates, judges, lawyers, private businessmen, NGOs.

Similar perceptions of an all-encompassing corruption can be observed in **Bulgaria** and **Croatia** too. In **Bulgaria** they are based not so much on the belief or awareness of corrupt networks occupying ruling positions in state and economy², but rather on public-interest notions: diffused corruption is perceived as bad and irresponsible government, i.e. public policies acting contrary to or violating the national interests of the country. This public-interest-based perception of diffused corruption is however challenged by legalistic attitudes that narrow the phenomenon down to law violations or infringements of legal rules. Similarly in **Croatia** there is a widespread public belief that corrupt behaviour can be found almost everywhere in society. However, although falling short of being perceived a ‘mafia ensemble’, there are certain interconnections between big business, politics and the judiciary that are perceived to be sources of structural, grand corruption. Now, turning to the question how these diffusion-perceptions are accounted for, there are two points to make:

- a) the one has to do with the traces the transition process has left behind,*
- b) the other with the distinction between petty and grand corruption.*

a) Romania can again serve as starting point. As regards the legacy of the past we can say that the corrupt mode of resource allocation in the former communist regime was transmitted to the transformation period. The inherited beliefs and perceptions regarding resource allocation by means of corruption became part of the mind-set, forged in the transition years. For this mentality corrupt conduct as a legacy of the communist period is

² Although currently this seems to be the case.



taken to be an individual right and this in turn a social norm everybody must but observe under the existing state of affairs.

- *'Rightful' corruption is perceived and practised not only on the grounds of 'legitimate' privileges accruing to certain social positions, but also because it is seen to fulfil compensatory functions – compensating for social and economic injustices and inequalities.*

Now, a great deal of contemporary perceptions of diffused corruption originates in how the transformation process from communism to free market economy has been associated by large parts of the populations in East Europe *with fraudulent privatisation mechanisms*. In **Romania** the 'old ways' of official-state corruption were supplemented by corrupt private appropriation of public resources, that is of common property. In **Bulgaria** the mechanisms of property transfer were determined by corrupt politics, the privatisation of big companies serving the financial interests of political parties. This kind of marketisation of politics has also contributed to the whole public sphere perceived in the grips of corruption.

b) Another component of corruption being perceived diffused in the social fabric is the fact *grand and petty corruption becoming (almost) interchangeable*. This is most clearly the case in **Romania**:

- *High level corruption could mingle with ordinary petty corruption to the extent that the more successful and stable the fraudulent methods of wealth accumulation became, the more likely it became for the masses to disregard any form of law-conforming behaviour, or to perceive that the only way to cope with and take share at the possibilities the new situation offered was benefiting from lawbreaking oneself.*

Concerning the transition period something similar can be observed in **Croatia** too, with an important difference though. The weird ways of privatising former common property was in this case aggravated by the fact of war economy which was dominated by war-profiteering groups and organized criminality. The political regime that emerged from the war marked as it were by authoritarianism, favouritism and clientelism transferred in a certain way the cultural legacies of state socialism into Western model of a market economy. Both processes helped blur the distinction between grand and petty corruption. However, although public perceptions take for granted that corrupt behaviour is nearly ubiquitous, there is a kind of differentiation between them: one can observe a certain tolerance towards petty corruption whereas high-level corruption is seen much more critically and is therefore less tolerated.

In addition, there are three other possible causes explaining perceptions of diffused corruption, the most important of which being:



- *deficient prosecution,*
- *political instrumentalisation of corruption as a means of party struggle, and*
- *what is perceived as inflationary corruption discourse in the mass media.*

To begin with, what currently nourishes perceptions of an omni-present corruption is that juridical prosecution practice falls dramatically short of producing any substantial number of verdicts – if at all. In both **Romania** and **Bulgaria** everybody takes corruption for granted, but (almost) nobody, at least nobody that matters, seems to be held responsible or guilty. The inefficiency of justice – or even, as in **Romania**, its involvement in corruption – are the main causes of such diffusion-perceptions such as “corrupt country without corrupt people”. In **Croatia** the state of affairs seems to be similar, because parts of the judiciary systematically underestimate the presence of corruption within the judicial system, most probably in fear that focusing on corrupt activities could lead to the destruction of overall credibility of the courts and judicial practice.

How the issue is dealt with in the sphere of politics proves to be another reason corruption being perceived omni-present: the problem of corruption is often exploited by politicians as just another means of party competition, or as a continuation of party struggle with other means. Riding the anti-corruption ticket has more or less become a steady factor in politics in the post-communist societies of Eastern and Central Europe. This holds particularly true in **Bulgaria**: In order to raise the mobilisation of voters ideologies and programs of the mainstream parties draw heavily on nationalism, identity politics or the anti-corruption discourse. Exploiting the prevalent awareness of corruption being widespread, political parties in **Romania** have also deployed an excessive anticorruption rhetoric: Trying to discredit the political opponent by all means, corruption as a political instrument has degenerated into ‘witch-hunt’ situations.

Closely connected with how public discourses are currently perceived to reinforce widespread corruption perceptions is the issue of corruption discourses launched by the media. There is a growing public awareness that the inflationary treatment of corruption affairs by mass media has counter-productive effects: Instead of promoting transparency, the media reinforce existing perceptions of widespread corruption.

- *The affirmative reproduction of what in everyday life is perceived as diffused corruption reinforces these perceptions thus ‘constructing’ a mentality habitus tolerant to or approving of corrupt conduct as basic fact of social relations.*

This criticism leveled at the media is most acute in **Romania**. The way they capitalize on corruption is publicly perceived to have produced a ‘snowball effect’: The media representations tend to reproduce everyday ‘theories’ or perception patterns thus making out them hard-boiled social facts, giving them a kind of ex post pseudo-legitimacy. In **Bulgaria** one sees governments establishing discourse coalitions with the media, accepting their more



broad definition of corruption and ‘feeding’ them with information about cases of corruption that serve party political goals. In **Croatia** on the contrary there seem to be no widespread perceptions about the media being an amplifying factor in making corruption a diffused social fact.

Greece and Turkey

Although no transition countries **Greece** and **Turkey** share some of the corruption perception patterns observed in **Romania and Bulgaria**. For one thing, in both countries perceptions of widespread, diffused corruption are prevalent. However, there is an important difference: Whereas in **Greece** everybody knows about corrupt conduct taking place in every sphere of public life, nobody seems to know who exactly the perpetrator is, in **Turkey** everybody knows there is corruption all over, but only few are uncomfortable with this.

Regarding **Greece** there are still some other aspects of shared ways of perceiving corruption as permeating the social fabric. Like in **Romania and Bulgaria** one speak of a ‘culture of corruption’ in the **Greek** case, since it is widely believed that Greek society suffers an erosion of culture and therefore the usually tolerated corrupt conduct does not coincide with illegal action. To be sure, it goes against ‘approved social-ethical standards’, but these seem to have totally lost the binding force required to keep norm-deviations at bay. Now, what sustains these perceptions seems to be a variation of regarding (petty) corruption as somehow ‘legitimate’, as in the **Romanian** case. Widespread corruption is accounted for by means of the assertion that it represents a form of ‘survival’-strategy against the odds of class subalternity. This can be termed a functionalist awareness of corruption to the extent that it regards it as a means of compensating for

- *various sorts of distribution inequalities (i. e. corruption as form of redistribution) and*
- *the widespread feeling of injustice in the relations between citizens and state.*

In addition, the inflationary corruption of the media is also in Greece perceived as aggravating the phenomenon. However, in contrast to **Romania and Bulgaria**, where there are serious concerns that the media somehow blockade the road of Europeanisation, in **Greece** it is not easy to discern what the inflationary treatment of corruption scandals consists in. One possible explanation for this would be to argue that the picture of deep-entrenched corruption delivered by the media is extremely harmful for the self-perceptions of **Greek** citizens. Since a main component of contemporary Greek self-consciousness is the European identity, failing to catch-up with European standards is perceived as cause of distress.

Comparing **Greece** and **Turkey** on this there seems to be less uneasiness with widespread corruption in the latter. In **Turkey** petty corruption (briberies) is taken for granted in every domain of daily life where citizens are faced with the state apparatus: the police, customs, the



health sector, hospitals and so forth, but corruption is not necessarily perceived as a bad thing: According to prevalent notions it is regarded as some kind of ‘natural’ phenomenon within Turkish society, as a long-standing traditional way of getting things done within certain social contexts.

The role of tradition or what is regarded to be a set of binding normative rules is an interesting point by means of which the ‘cultures of corruption’ in both countries can be compared. In **Greece** the usual moralistic accounting for widespread corruption runs like this: The decay of public morals and the diffusion of corrupt conduct should be attributed to the prevalent mentality of possessive individualism (i.e. egoistic self-interests, ruthless competition, greed for money and power, etc.). In **Turkey** we encounter the same line of reasoning, albeit the cultural factor plays a much greater role. Whereas in **Greece** perceptions of diffused corruption take for granted that the traditional bonds of social coherence seem to have disappeared allowing the pursuit of self-interest or hedonism by all (corrupt) means to hold sway, in **Turkey** corruption is pitted against traditional collectivist notions of moral conduct the binding force of which is still considered powerful. Principles of honesty and good will stated in religious-ethical and cultural codes are perceived to provide counter-forces against corruption propensities generated by egoistic individualism. The Greek individualism is of a more hedonistic style coupled with a consumerist welfare-state orientation. i.e. has political roots It is the result of a false distribution of EU-transfers used for a kind of political corruption in the form of buying votes. Turkish individualism has strong economic features and is an expression of traditional bazaar economy and as such a part of carrier-planning.

In both countries patronage, clientelism and nepotism are perceived as major sources of widespread corruption. In both the breach of trust between state institutions and civil society runs deep, the latter perceiving the former as permanent oppressors, only to come by deploying rule-deviating methods. In short, corruption is somehow perceived a legitimate means of dealing with the state apparatuses. In **Greece** the “corrupt exchanges” inherent in favouritism and clientelism are tacitly considered to be means to cover up the gap or breach of trust between citizens and state. With other words the gains from corrupt conduct are taken to be a positive form of social capital which citizens are entitled to, confronted as they are with a whimsical, arrogant or even tyrannical state machine. Nevertheless, there is a certain ambivalence attached to such perceptions of (petty) corruption being a short of curious retrieval of citizens’ empowerment: they help perpetuate exactly that state of affairs against which they feel entitled to resort to deviant, corrupt behaviour. In **Turkey** in turn the mistrust against the authoritarian state is equally developed and deep-entrenched, although the accent is mainly put on participation in the corrupt networks of clientelism as means of securing a position in the state apparatus, that although not always good remunerated is nevertheless associated with certain privileges only the all-powerful Turkish state can confer.



The UK and Germany

Moving now to the North and looking at how awareness of corruption looks like, we encounter a completely different picture – at first sight. In both countries there can be no talk of perceptions of widespread corruption. However, no sooner has one observed this fact than another observation crops up: Although in both countries it generally seems that in terms of public perceptions the issue of corruption is not a serious, or simply significant problem confronting society, there is nevertheless in recent times a growing awareness of it having become a social facticity of considerable gravity to be urgently dealt with. How is this paradoxical disparity to be explained?

The short-cut way of doing this is to make clear that the terms of this contrast do not obviously have the same reference: Whereas perceptions of corruption in a wide sense (i.e. public life at large) refer to it being an extensive social phenomenon, that is, a fact of everyday life or petty corruption, the other type of corruption awareness points to there being certain domains in society where corruption has become (or has come to be perceived as) a structural feature.

In **the UK** there are certain cultural determinants underlying perceptions of corruption-free social life. They are mainly cultural self-perceptions of British life as governed by and complying with firm standards of socio-ethical action and long-standing, binding cultural/customary codes of conduct. Furthermore, these customary codes contribute decisively to British people being (or perceiving themselves to be) culturally indisposed towards corruption, because it conflicts with their adherence to the concepts of fairness, rule-bindingness and openness (the ‘cricket’ norm). Therefore, until lately, perceptions of corruption as somehow un-British ‘outsourced’ corruption, taking it to be something extraneous, bedeviling other, mostly underdeveloped, countries. Thus, observers are all the more (apparently) taken by surprise by the extent to which key sectors of British public life (politics, civil service, business, the media) are afflicted by corruption. In fact, Transparency International-UK recently claims corruption has come uncomfortably close to the heart of the British establishment.

Something similar can be observed in **Germany**. Given dominant perceptions of corruption in the public, which are characterised by trust in the rule of law, broad confidence in the state as an institution which provides for citizens and factual absence of everyday corruption, it seemed at the beginning that the party financing scandals that shook the country in the late 90ies were just a kind of an “on-the-job accident”. However, a series of other scandalous affairs, both political and economic, have paved the way for increasing awareness of corruption no longer as simply an erratic contingency, but rather a structural trait of the rationality governing political and economic action.



The divergence between certainties about corruption being non-existent on the one hand, the growing awareness of corrupt conduct in key sectors of public life on the other, explains one common feature of contemporary experiences with corruption in both countries. One encounters very often the argument whether an act could reasonably have been identified as corruption at the time it took place. Looking at comparable cases of economic corruption (i. e. bribes abroad) one can identify the disparity between subjective accounts of doing and social or legally codified perceptions of wrongdoing as a cognitive lag: The perceptions guiding action somehow fail to match up with what have become new social perceptions determining realities in the field of what counts as corrupt conduct.

It seems that there is a structural reason accounting for this disparity: Characterised as it is by habitualised attitudes as expression of the compelling relation between motivational dispositions, company objectives and the rationality of maximising efficiency (profit) economic action follows an autonomous logic often detached from what in society at large has become standard ethical behaviour currently to be complied with. Mutatis mutandis this holds true of political action as well. Take for example the relation of politics and civil society: Whereas NGOs working on anti-corruption are regarded as pioneers in developing a new understanding of what constitutes corruption, politicians' perceptions often lag behind what NGOs have pushed through as new rules of compliance.

Regarding a number of other issues, like party financing, MPs' norm-violating behaviour, lobbyism, the participation of private interests in shaping public economic policies, we can reasonably assume that given the development of growing societal awareness of corruption as issue to be dealt with and on the basis of perceptions of high public standards what previously was seen as rather contingent has now assumed another character, that is, of certain regularities (i.e. regular-structural patterns of behaviour) now perceived definitely irregular or corrupt.



CHAPTER 2: PERCEPTIONS OF CORRUPTION ACCORDING TO TARGET GROUPS

PERCEPTIONS OF CORRUPTION IN ROMANIA

1. Target Group Politics

Although neither the gravity and diffusion of corruption nor the involvement of government circles is denied, one can nevertheless make out a certain tendency in the field of politics to ‘outsource’ the phenomenon putting the blame either to local administration and the incompetence of the judiciary or to the inflationary discourse of the media. The fact that politics itself has deployed an inflationary anti-corruption rhetoric as means of party struggle is conspicuously downplayed. However, parts of the political spectrum do not deny that fighting corruption has been merely an image campaign and just a superficial response to EU monitoring.

2. Target Group Judiciary

Perceptions of socially diffused corruption hold strong in the judiciary. Moreover, there is no lack of acknowledgement of law-deviating conduct even in the judiciary itself. The main causes for it are located in the conflict of interests between executive, legislative and judicial functions, the lack of transparency in public administration, and last but not least in the fact public positions being employed in various ways to meet private interests as well. Equally strong is the value orientation guiding judicial perceptions of anti-corruption efforts: human rights, law supremacy and equality in front of law, responsibility, cooperation, transparency, efficiency, integrity and fairness.

3. Target Group Police

In general terms corruption in the police is considered to be primarily a breach of ethics (or professional standards) and a form of abuse of power. The prevailing attitude justifying corrupt conduct in the police relies upon the compensatory function of bribe: In this case ‘rightful’ corruption takes the form of turning positions in the state sector serving the public good into sources of private income according to the rules of the market economy. Apart from this perception of public services as market exchange goods corrupt conduct is justified along the lines of reasoning against heavy bureaucracy in favour of speedy ‘getting-things-done’.



4. Target Group Media

As system that observes all the other fields of society mass communication media tend to provide a more comprehensive perception of and attitude to the phenomenon of corruption. Accordingly, perceiving corruption in this field as deeply diffused means taking it to be an aggregate of multiple interests and overlapping rationalities of action resulting in a 'thick fabric' of corrupt networks. Equal emphasis is laid on the lingering effects of miscarried transition and the corruptive influence former members of the security apparatus now in positions of political and economic power on state and economy. Although it is not denied that the media sometimes fall prey to the tendency of exaggerating the graveness of corruption, it is nevertheless claimed that this helps raising awareness of and alertness against corruption the most.

5. Target Group Civil Society

Organisations of civil society seem to have a broader account of corrupt practices going beyond the law definitions, for example traffic of influence, tax evasion, conflict of interests, switching parties for more than once in the past decade. At structural level one major cause of existence and perpetuating of corruption is placed in the fact that legislative changes that were put into place up to 2004 were not reflected in daily life; the legal country and the real country remain two separate worlds. Perceptions of diffused corruption are shared by civil society organisations that additionally claim that except those segments of society perceived as deeply corrupt, there are others that are not in the public eye, even though corruption might affect them as well, for example the educational system. As regards the everyday, individual level there seems to obtain an attitude holding corrupt conduct to be a short of rational economic choice.

6. Target Group Economy

In the field of economy perceptions of diffused corruption are also widespread. It is mainly attributed to the shortcomings of the transition period resulting in the deficient functioning of market mechanisms (i. e. slow privatisation, incompetent state companies, low competition, etc.). In addition, the burdens of the excessive bureaucracy, overregulation and unclear legislative framework, as well as the strong influence upon the economy exercised by former oligarchic groups and their loyal supporters in government are perceived as providing serious incentives for deploying fraudulent methods of 'getting-things-done'. However, one observes a certain attempt to 'outsource' the origins and large scale of corruption by means either a) of relegating it to the sphere of law-breaking practices where public money is involved, or b) denouncing the inflationary use of corruption discourse as practised by the media.



PERCEPTIONS OF CORRUPTION IN BULGARIA

General remark: The study of the Bulgarian case refers mainly to corruptive behaviour in politics, with a special focus on acts of privatization. This means that the perceptions of corruption in the different target groups, which are condensed in the following, mainly refer to corruption in politics and less to corruption in the particular target group itself.

1. Target Group Politics

The different perceptions of corruption largely correspond to different actors' perceptions of fair privatisation. The major questions in this reference are: who is to make the decision about the final buyer of an enterprise and how? Should the decision be made on the basis of political arguments, where elected bodies have 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? Or should it be based on purely technical and formal considerations, where appointed bodies decide to follow a strict legal procedure?

The ruling parties and the Government tended to refuse the latter answer. They perceived privatisation largely as a political process where negotiations should be organised in a flexible way, instead of sticking strictly to procedural rules, especially juridical ones since the juridical system in Bulgaria was estimated as unreliable. The notion of "national security" is of major importance in this argumentation, which is why it is limited only to major, structurally significant enterprises.

The opposition parties agreed that privatisation is a political process but only at the level of political philosophy and values and not at the level of political practice. They argued that notions like "national security" or "economic coercion" are not clearly defined in the theory, which allows for broad and vague definitions in practice and even for the elimination of juridical control. The result would be an infringement on the division of powers, lack of transparency and accountability, and the promotion of favouritism.

Seen from a diachronic perspective, politicians in Bulgaria recently seem to abolish merely legalistic, narrow conceptions of corruption and accept its existence as a general problem. This leads to the notion of diffused responsibility and to a "depoliticisation", that is, the pervasive use of corruption allegations in political discourse, which has become a permanent feature of Bulgarian politics, is applied in party struggles more seldom. One of the outcomes of the widespread corruption discourse in political life has been the impossibility of a governing party to win a second mandate, another the attempt of certain political parties to 'normalise' corruption.



2. Target Group Judiciary

The most relevant issue in this target group was a discussion on the courts' powers to decide on economic issues of privatization acts. According to the Government, the courts are not to decide on the economic expedience of such deals, but only on their conformity to the law; a restriction which met partly vehement resistances by the juridical system. In this context, one of the main concerns of the judiciary is the corruption in the legislative process: corrupt legislative practices are possible and fuelled by the existence of political corruption and illegal party financing, which distort the political process of decision making in such a way, so as to favour of private interests.

When it comes to the question of actual convictions under the Corruption Act, a stark mismatch can be observed between judicial and political discourse on corruption in Bulgaria: in most cases political accusations did not coincide with juridical definitions. The fact that the judiciary resorts to legalistic understandings of corruption leads to a specific pattern: in the juridical discourse the issue of corruption is often renamed and translated into other problems. In this way, when cases reach the courts, corruption curiously shrinks, and this lack of conclusive judicial findings and decisions creates a fertile atmosphere for the production of myths. Therefore, the most serious criticism levelled by the EU Commission was against the judicial system, which did not deliver "enough" judgements against corrupt politicians and officials – ignoring the alternative explanation for the mismatch between the political and judicial discourse: the inflation of corruption allegations by the politicians.

3. Target Group Police

In this context, we found the perception of very broad corruption, seeing it as an almost immeasurable phenomenon. The notion was that of Mafia business in Bulgaria whose features were: (a) the merging of legal and illegal business; (b) strategic penetration of government; (c) quick return of capital. Further, the Mafia is seen as being organised through: (a) the formation of "circles of friends" or clientelistic groups; (b) discreet influence over the media; (c) political protection from investigation; (d) a style of life which disregards public opinion. The reasons for the appearance of the Mafia structures are found in the privatisation and the administrative reform, allowing corruption to reach a circle of people at the highest level of executive power. Our main conclusion is that this wide-spread parlance of corruption is a sign of the "politicisation" of the police in terms of anti-corruption discourse. The lack of certain values in Bulgaria is considered to be one of the major reasons for the existence of corruption. Another set of causes combines factors determined by the Communist past and the transition period, such as the weak state and weak judicial system in particular. So the belief is that it is unrealistic to expect that the political system can do something to limit or prevent corruption. According to representatives of this target group, the way to tackle corruption would be to



establish appropriate public institutions which, in order to be effective, need to be independent and capable of investigating separate cases of corruption.

4. Target Group Media

Journalists mostly define corruption in a rather inflated way as an improper and illegal advancement as a result of the abuse of the power resources. With reference to political practices, lack of transparency is perceived to be a problem not only in itself, but also because it permits the Government or state officials to conceal unfair arrangements. Closely related is the phrase “under the table”, associated with the doubts expressed in the media about possible friendly arrangements in the process of privatisation acts. This leads to a third perception of corruption which generally refers to different practices of nepotism. All in all, for the media corruption is generally an all-embracing metaphor for criminal and bad government. The main theme of this public interest-based conception of corruption is that greedy and incompetent elites are stealing from the people on a massive scale. In general, the media discourse on corruption is very similar to the discourse of the politicians and the police. Open allegations of grand scale corruption are predominant. Very rarely journalists make a sincere effort to verify their sources, to report the interpretation of the accused politician, etc. – therefore, the standards of investigative journalism were never met.

When it comes to the question of ‘internal’ corruption, the main topic is the violation of journalistic ethics. This perception describes the behaviour of some media or journalists who demonstrate a certain partiality in their coverage of especially political topics. This is demonstrated by the fact that the owner of one of the central dailies in Bulgaria (Standart) was directly involved in privatisation conflicts, a circumstance which led to serious violations of journalistic ethics. There is an additional implicit meaning related to the violation of journalistic ethics: media plays an important role as a PR instrument in the mechanism of corruption.

5. Target Group Civil Society

Here, a prominent perception of corruption refers to the inconsistency of rules. In the case of Bulgartabac privatisation various NGOs criticised the change of rules after the procedure had been started. From their point of view, the change is inadmissible both legally and morally. It means that in the future the way of privatising would become unclear, which in its turn would result in a drop of investors’ interests and would attract only actors purposefully searching for a lack of rules.

Another interesting point was the observation of how political rent seeking could block political decisions, here the privatisation of key state-owned enterprises. In the case of the



privatisation of Bulgartabac, this problem is characterized by a specific structural circumstance: the fact that the Movement for Rights and Freedoms (MRF), the political party that represents Bulgarian ethnic Turks and has been a coalition partner in two successive Governments since 2001, has some economic control over its voters, since the raw tobacco minimum purchase prices are set by the Government. Charging these prices above the market prices allows the MRF to secure its re-election. However, this happens at the expense of the tax payers subsidising the tobacco production.

Among NGO actors there were also some doubts concerning corruption in the judiciary. Particular interventions from the courts in context of the privatisation of Bulgartabac were perceived as sufficient proof for the existence of political intervention and corruption in the judiciary. This perception is consistent with a standpoint that sees corruption not so much as a cultural phenomenon and identifies instead structural causes, that is, the lack of efficient control and enforcement.

6. Target Group Economy

Corruption is perceived by small and medium business (SME) not only as a general problem for the public as whole but also as a specific barrier to economic activity. Also, corruption is perceived to be a more serious problem for SMEs than for the large business. Due to their limited financial, administrative and technical resources it is difficult for SMEs to successfully counteract corruption. Corruption in this respect is found in the existence of a number of administrative and bureaucratic regulations that create favourable environment for corruptive practices. Corruption is also possible because of the often changing legislation and the lack of capacity and competence in the state administration for effective enforcement of the laws.

Besides explicitly negative definitions of corruption, like power abuse for personal benefit or pressure exercised by the state agencies or by local authorities, there are also perceptions which tend to see positive aspects: corruption as ‘a way to get things done’ or corruption as a deal. From this point of view, corruption may fulfil a compensatory function, that is, it comes to compensate for law or administrative shortcomings that create obstacles for the businesses and their activity. Corruption, in this respect, is a familiar and well established mechanism, which creates stability in the interactions between business and the Government – one may speak of a business interest in corruption exchange. This could have to do with the perception among SMEs concerning the ‘devaluation’ of corruption and anticorruption rhetoric, occasioned by an overwhelming number of anticorruption campaigns and initiatives in recent years.

Regardless of these rather scattered findings, the most surprising feature of business discourse on corruption is its virtual absence. This lack of comments and indeed protest indicates a lack



of involvement by the business community in the anti-corruption effort. Despite various claims by organisations such as the World Bank that corruption is detrimental for the economy, business representatives have not been active players in the fight against this problem. One possible explanation for this paradox is that business leaders are afraid to speak openly against governments since they will have to work with them afterwards. Another explanation is that business leaders profit from corruption and are not willing to dismantle relationships which are profitable for them.



PERCEPTIONS OF CORRUPTION IN CROATIA

We suggest the existence of the six type models of understanding corruption in Croatia. We found that none of the six target groups included in the research study neatly fitted a single model, but instead contained elements of two or more models. In brief, the type models were described as:

- (1) The Public Relations model (**PR**) - simplified, often populist and one-dimensional definitions of corruption; corruption is perceived primarily as damaging for public image of the institution/actors in question; measures for fighting corruption are evaluated according to the PR efficiency criteria; the focus is primarily on low-level corruption;
- (2) The Expert model (**E**) - complex and comprehensive definitions of corruption; corruption is viewed as damaging to the social fabric of society and is economically wasteful; measures for fighting corruption are based on best international practice(s); the focus is on high-level corruption that inevitably involves politics;
- (3) The Nuisance model (**N**) – lack of clear definition; corruption is a minor and omnipresent issue that has been exaggerated; measures for fighting corruption are short-term and mostly inadequate; no clear focus;
- (4) The Human Rights model (**HR**) - comprehensive defining of corruption that emphasize human rights abuse; corruption is perceived as a moral, socio-cultural and economic evil; proposed measures for fighting corruption are systematic, rigorous, and transparent; the focus is on both low and high-level corruption, and on the role of civil society in combating corruption;
- (5) The Pragmatic model (**P**) – comprehensive legal definitions; corruption is viewed as a major social problem; proposed measures for fighting corruption are systematic and well coordinated; the focus is primarily on low-level corruption;
- (6) The Ignoring model (**I**) - *ad hoc* definitions, often too narrow or confused; corruption is perceived problematic only when it severely impedes governance and everyday business; measures for fighting corruption are usually not discussed.

Target Groups and the Models of Understanding Corruption

Target group police was characterized by the pragmatic (P) and expert model (E) approach to defining corruption. The E approach was reflected in the statement that relevant state institutions use different definitions of corruption, which has negative consequences for combating corruption. Suggestions regarding the fight against corruption were systematic, comprehensive and informed by the international practice (the E model), but focused



primarily on low-level corruption (the P model). Well-established internal control mechanisms were discussed along the lines of the P model, emphasizing the measures taken against corruption in everyday situations.

The definition of corruption given by the representatives of the *target group politics* generally followed the E model. However, their views on combating corruption mostly followed the P model, stressing the need for more efficient repression. In addition, some elements of the N model were found, primarily in the insistence on the universality of corruption, which was used as the justification for low personal expectations regarding the outcomes of anti-corruption campaigns. The lack of dedicated internal control and specific anti-corruption measures, taken together with the prevailing opinion among the representative from this target group that the half-measures that exist are sufficient (it should be noted here that the interviewees agreed that political corruption is a significant problem in Croatia), suggested the predominance of the I model in understanding internal corruption.

The definition from the *target group non-governmental organizations* followed the E and HR model, with the latter being expressed through suggestions that corruption constitutes a discriminatory (or even exclusionary) system. As expected, when discussing efficient anti-corruption measures the representatives of NGOs closely followed the E model and emphasised the best international practices and the importance of citizens' mobilization through education and awareness-rising. However, the lack of internal control was not critically assessed, in spite of the fact that both interviewees acknowledged the lack of transparency in the civil sector. Again, the I model was found the closest to the expressed views.

Definition of corruption associated with the *target group legal system* fitted the E and PR model. This range corresponds to the fact that this group was one of the more disparate ones, with often contrasting "voices". Thus, the definitions offered ranged from a comprehensive and legally well-founded one to the one that stressed "*a certain kind of evil that men possess*". In contrast, in discussing the steps needed for efficient fight against corruption a relatively high level of homogeneity was achieved. However, the suggestions provided by the interviewees, which closely followed the E and P model, seemed to echo the role and the official line of the institutions they represented. As in the two previous cases, the discussion about internal anti-corruption mechanisms proved limited (the I model). Only the representative of USKOK (the State Attorney's Office for Combating Crime Corruption and Organized Crime) provided a critical and systematic account of the need for internal control in the legal system (the E model).

In another heterogeneous group, the *target group economy*, corruption was defined in line with two models, the E model (the distinction between corruption that involves money and the one that does not) and the PR model. The elements of the latter were found in equating corruption with the mainstream notion of the system of favour exchange (involving political



decision-makers and business people), as well as in an overly general description (“[corruption] *is anything that does not follow the regular rules and procedures*”). The PR model also fitted the suggestions regarding anti-corruption activities, which were mostly vague (“[all cases] *have to be treated equally*”), unspecific (appointing well-educated experts to important position) or ideological (the political will is crucial). No internal control or corruption prevention mechanisms were reported in this target group. This lack of internal attention to the problem of corruption was justified by (a) denying the possibility that corrupt activities could take place in interviewee’s institution/organization, (b) lack of in-house support, and (c) scepticism expressed through the assertion that all anti-corruption measures are costly and inefficient. All the three arguments pointed to the N model.

Finally, *the media target group* was characterized by a set of definitions, which were associated with the E and HR model. As in the case of the NGO target group, the latter model was represented by claims that corruption constitutes a discriminatory system in which those who are connected exchange favours and prosper at the expense of (the unconnected) others. The P model dominated the discussion on combating corruption, which focused on what is feasible (educating citizens and increasing public pressure) in the situation characterized by the lack of genuine political motivation to tackle corruption (“...*no political authority, not a single political structure has the strength or willingness to end corruption*”). Although the representatives of this target group agreed that corruption is a significant problem in their working environment, they seemed highly distrustful of the existing internal safeguards. The mechanisms that have been introduced were judged insufficient and inefficient, at best. Overall, a sense of pessimism permeated the discussion of internal control. No model seemed to fit the discussion on the internal control in the media.



PERCEPTIONS OF CORRUPTION IN TURKEY

1. Target Group Politics

Corruption is defined as a set of non-transparent, inexplicit, and uncompetitive forms of behaviour contrary to the legal regulations and moral principles in a society. It causes unfair competition which hinders development and justice and it is promoted by a triangle of businessmen, bureaucrats and politicians which form an organised and corrupt 'gang'. Although corruption is principally perceived as a global problem, it has its specific Turkish features and causes. Mainly, there is an anti-democratic structure in Turkey in which politics equals the distribution of rent. Within this framework, the governments that act with the motivation of winning the elections manoeuvre within the economical sphere when making policy. The vote repository of the politician appears to be the redistribution of economical resources. Furthermore, there are certain linkages between politics on the one hand and the construction industry and the media on the other. Another specifically Turkish feature is a deeply rooted scepticism towards the state. This has to do with cultural traditions and the same applies to a certain notion of loyalty which sees petty corruption as a kind of 'natural' phenomenon and less as a crime. On this level, not corruptive behaviour as such is perceived as criminal, but the fact that certain groups are systematically excluded from its benefits. In Turkey, one can observe a shift in recent years, from a perception of corruption as a minor problem to a view which sees corruptive behaviour as the underlying factor of practically all political problems. So the need to fight corruption nowadays is widely accepted, aiming at values like honesty or cleanness. The idea is that the superiority of law has to be re-established and that the parliament plays a decisive role in illustrating corrupt practices.

2. Target Group Judiciary

Corruption, as stated in the Turkish Penal Code is any illegal act to obtain certain benefits. Nevertheless, corruption cannot be limited to illicit behaviour patterns. The fact that a principle is not stated by law does not necessarily mean that it could be ignored. Corruption includes any human behaviour in contrast to general ethical principles, honesty and good will, that is, in contrast to a "supreme interest". The latter concept contradicts the 'modern' idea of individualism, which ignores the fact that human existence can only be meaningful when it is related to an entity superior to the individual. A plurality of causes are made responsible for corrupt behaviour in Turkey: erosion of moral values, administrative heritage of Ottoman rule, lack of democratic culture, lack of expertise of the members of jurisdiction related to newly-formed crime types, time bar regulations, and low quality of human resources at the implementation levels of government. In addition, the amount of corruption is seen as having been increased by economic liberalisation in the recent past. The judiciary system, emphasizing its independency in relation to politics and economy, sees itself as being



hindered in its fight against corruption by bad laws and by a political system which is corrupt itself.

3. Target Group Police

Corruption is any act committed contrary to laws, regulations, the principles of social life and individual rights and freedoms, in order to receive or grant advantages by either using or not using one's own power. Corrupt acts can take place both in public and private spheres. Its 'preferred' social locations are economic business, politics and the media, whereas the police see themselves as often confronted with unjust accusations of corruption. Corruption is perceived as being caused by: unemployment, low income level of public officials, lack of meritocracy, lack of punishment, lack of evidence due to reciprocity of benefits, the desire to earn easy money and to avoid responsibilities, solidarity reflexes, and the institutional heritage from the Ottoman Empire. In Turkey, the level of corruption increased to a great extent hand in hand with the post-1980 liberalisation process. Financial as well as trade liberalisation without sufficient legal infrastructure provided immense opportunities for people who wanted to become rich in an easy way. The decentralisation process that the AKP government started in early 2000s is seen as another factor which promotes corruption.

The most important institutions in the anti-corruption effort are the executive branch and the judiciary. Concerning the latter, the danger of a misuse of the courts by corrupt experts is stressed.

4. Target Group Media

Concerning this target group, one has to make a general distinction between the pro-Islam and the pro-secular newspapers. Whereas the former turned a blind eye to at least one of the two cases of corruption which were the basis of our research, the latter are principally highly critical of corrupt behaviour. They mainly focus on politics, where the problem is seen not so much in the structures but in the acting persons, and judiciary, where corruption is perceived as being caused primarily by the actual malfunctioning of the system. There is also awareness that the media themselves depend on certain capital groups which are involved in corruptive practices. Corruption is defined as acts contrary to legislations, regulations, traditions and cultural norms in order to gain personal tangible or intangible advantage. The definition also includes ways of capital accumulation or party financing by taking advantage of legal loopholes and furthermore favouritism and nepotism. Corruption takes place mostly in the trivet of the politics-bureaucracy-business world.

The following phenomena count as general reasons of corruption: inefficiency of jurisprudence, lack of punishment, legal loopholes, frequent amnesties, poor quality of education, and poor performance of inspection mechanisms. Corruption is often seen as an



endemic problem in Turkish society which has spread during the 1990s. It also has been claimed that corruptive behaviour in Turkey has increased as a consequence of the liberalisation process in the 1980s. This latter observation leads to the critique that exactly those persons who profited from this process are the ones who nowadays demand transparency and anti-corruption measures. That is, those who became rich by corrupt behaviour are now to defend their social position by promoting the fight against corruption. In this way, the concepts of the anti-corruption campaign are perceived as being spoiled themselves. One may see a connection to the fact that the media give support to the interests of the man on the street. They emphasize that petty corruption is more often punished than grand-scale corruption and they see a specific discrimination insofar as the man in the street has unequal opportunities to profit from corruptive behaviour.

5. Target Group Civil Society

Corruption is located in the triangle of the politician-bureaucrat-businessman and perceived as being a major problem including the danger of economic and social collapse. It is principally seen as connected to modernity with its individualization of ethic values. NGOs declare the lacking internalization of transparency and accountability among actors of public management – thereby creating a “leader sultanate” – to be one of the causes for corrupt behaviour in Turkey and they detect its fundamental roots in the structure of the public sector, its interactions with the private sector, and the way in which these factors shape incentives and behavioural environment in a broader sense. A more specific cause is a shift in economic paradigm in Turkey in 1983 which is supposed to have facilitated corruption and to have aroused among Turkish people the desire to be rich regardless of the source of the money.

A special feature of the Turkish case is seen in the traditional scepticism towards the state and its institutions which gives rise to a moral distinction: it is not allowed to steal from your neighbour but you may steal from the state since the state consists of a privileged network whose benefits are not so much for the people but for its members. So there is a desire among Turkish people to gain entrance to that network instead of making it transparent. Because of this the perception is that of a non-existing general will in Turkey to fight corruption. Instead people want its distribution of benefits to be more even-handed than the actual one. Accepting corruption in this way becomes a rule of survival. The causes for this are seen in the lack of punishment and unequal income. Nevertheless, the state is made responsible for effective measures against corruption, mainly referring to its legislative power and the judiciary. The role of the media is also emphasized.



6. Target Group Economy

Corruption is considered as an important cause of underdevelopment and poverty. It reduces investment, and as a consequence, it reduces the rate of growth; it reduces social expenditures such as for health or education; increases public investment; distorts the effects of industrial policy on investment; reduces foreign direct investment; reduces tax revenue; reduces the productivity of public investment and of the country's infrastructure. Generally, corruption is perceived as a phenomenon typical for less developed countries (like Turkey) in which the tradition of accountability does not exist. More specific factors which promote corruption are: regulations and authorizations, certain characteristics of the tax system, certain spending decisions, bureaucratic tradition, level of public sector wages, penalty system, institutional controls, and transparency of rules, laws, and processes. From a historic perspective, actors within the target group economy see the post-1980 liberalism in Turkey as the central cause of a process which polluted the whole bureaucratic system step by step. Municipalities are supposed to be the most corrupt political entities because of: deterioration in income distribution, consumerism, lack of institutional culture, lack of evidence due to mutually beneficial nature of the relationship, wrong role models, high tax rates, economic protectionism, tax exemptions, privileges and incentives for certain sectors, red tape. In contradistinction to the public sector, the private sector knows no corruptive behaviour, only irregularities. When it comes to the question of how to fight corruption, representatives of the target group economy stress the need to reform the state system and to mobilize civil society.

7. General Remark on All Target Groups

As for the perception of the target groups related to the "ordinary citizen-corruption (bribery)" relation, majority of the interviewees identified bribery as a tool of survival for the average man in the street who himself is not as innocent as generally claimed. The average man, despite his enthusiastic declarations about the anti-corruption struggle, never hesitates to resort to bribery so as to avoid any potential problem with the state apparatus. As a result the average citizen in Turkey is inured to petty corruption. Moreover, as a result of Ottoman rule, the average person in Turkey does not trust the state or anyone who is not a member of his or her close entourage. Everyone prefers to stay near his relatives or friends as much as possible. In this sense, Turkish society is communitarian. Since the *raison d'être* of the Turkish state has never been (perceived as) the provision of services to its citizens, the members of the society act according to the requirements of the communities that they belong to, rather than those of citizenship. This situation therefore brings along the internalization of nepotism and patronage as a natural part of life.

The expectation that corruption in Turkey can be reduced through the implementation of legal-institutional restructuring measures, especially in the context of the latest IMF agreement and EU requirements are open to discussion for two main reasons: Firstly, the



main thing that would prevent corruption is not the rule of law but the extent of the priority given to the notion of “clean society/clean politics” in the value system of the individual. The second argument related to the first statement is the society’s resistance against embracing the rules whose rationality is not internalised due to the fact that they are externally imposed rather than arising out of an inclusive process of dialogue and negotiation. The source of the norm, regardless whether the Turkish state, the EU or IMF, would not change this situation.



PERCEPTIONS OF CORRUPTION IN GREECE

1. Target Group Politics

The main thrust of perceptions revolves around moralistic stances, corrupt conduct being attributed to deviation from proprieties of ethical value. Furthermore, these deviations have little to do with individualism, competition, eagerness for money and success, or with broader socio-political developments and trajectories (commercialization, expansion of the labour market flexibility, domination of market relations). The lack of political will to tackle corruption is the result of the presumed political cost. On the contrary, for some left-wing politicians corruption must be linked to structural features of the Greek social formation, like clientilism, or the articulation of capitalist interests. Other causes of corruption are located in overregulation, inefficiencies of the taxation system leading to tax avoidance, inadequacies of the present electoral law, loopholes in the regulation of party financing and inadequate law enforcement, but also in the historical development of the political system. Regarding Public Administration (Subgroup Politics) corruption is identified with clientilism (i.e. non-institutionalised communication between the political power and the citizens/' clients' through rent-seeking). Presumably clientelism has developed from a mechanism of balancing social inequalities to an established mentality and thus produces corruption (usually 'petty' corruption).

2. Target Group Judiciary

On the whole, the judiciary assumes an individualistic approach to corruption. Because judges identify themselves with the law, they are unwilling to explain the participation of their colleagues in corruption-cases. Their involvement is perceived as accidental and contingent upon the character of wrong-doers. While 'justice is independent' and 'the keystone of 'democracy', there is little of an attitude that justice counterbalances state power and an authority to limit possible abuses of political power (corruption). Reluctant approaches to tackling corruption are attributed to official and financial dependencies upon the executive, public service mentality, work overload, low incomes, lack of experience and inflexibility owing to the hierarchical mechanism of justice organisation. The causes of corruption are located either in dysfunctions of the political system, the difficult work conditions of public services (underpaid, lacking social recognition and technical support), or personality characteristics and the culture of modern times for (quick) wealth (mimicry, greed, avarice etc.)



3. Target Group Police

The approach of police towards corrupt conduct is also person-oriented. Contrary to the fact that considerable corruption takes place in their ranks, they reject more transparency for themselves – corruption in police is perceived to be limited and in any case not greater than in other public services –, and support inspection and repressive mechanisms for other public services, although prevention and education are not lacking. Corruption is laid out according to the legal concept defined by criminal law, but the explanation given oscillates between a sociological description ('social phenomenon') and a biological-medical one ('social sickness') thus turning corruption to norm-violation and moral failure, which are perceived in parts of the police as usual social behaviour. Main causes of corruption are considered to be: institutional crisis (delegitimation), bureaucracy, overregulation, complex legislation, personality deformations and underpayment of the police forces.

4. Target Group Media

For the Media corruption is a news story which is valuable for its threshold, personalisation and scandal-mongering. Corruption is considered a social illness, which only the commitment of the whole society can cure, but also a social phenomenon formed in a historical process and defined by the culture of the country. Generally, it depends on the political affiliations of the print media and which stance towards causes of corruption they take: whereas for the oppositional media government politics is to blame, the pro-government media shift responsibility to public administration. Thus the corruption discourse of the media becomes a part of party competition. As far as the content of the concept is concerned, references are made to socio-structural and democratic variables (i.e. 'distorted development of the social and financial structures'), but at the end of the day they tend to reproduce mundane theories and trivial comments around law enforcement and control mechanisms. In the eyes of the media what differentiates corruption in Greece and Europe is that in the former there are no 'rules of the game'.

5. Target Group Civil Society

Although the majority of NGOs regards corruption as an old issue, they justify their interest in the increasing public concern by pointing to the effects of contemporary forms of corruption. The term is regarded as given and overused. The argumentation of the authorised and well-known NGOs coincides sometimes with that of the media: on the whole it is rather simplistic, but perceptions according to which corruption is as a negative socio-political and economic phenomenon associated with the state and economic structures are not missing. NGOs consider themselves censors of transparency, thus the fight against corruption turns into an ethical rather than a rational issue. Furthermore, they tend to underplay the gravity of



corruption in Greek society, lest the image of the country is damaged. Besides, like some perceptions in the field of the economy they trace the damage caused by corruption to its negative effects on free competition and business ethics, but when it comes to illegal practices of small enterprises they justify them as being unavoidable in order to bypass bureaucracy.

6. Target Group Economy

Economic representatives associate corruption more with the malfunctions of Greek public sector and its low institutional quality and less with cultural or ethical factors. Corruption is a process of acquiring income beyond the legal context of the official economic network (outside the formal financial and state structures – para-economy or grey economy), as well as a form of behaviour. Adopting the neo-liberal economic doctrines, the representatives of the economy accept by principle that public administration does not operate on a competitive basis, as the private sector does; thus decision making and allocation of resources are not effective but compromised by overregulation, low accountability, state protectionism and rent-seeking. On the contrary, representatives of employees focus not on the public sector alone, but rather on the interface between public and private sector. Thus, while for the representative of the workers' confederation public servants committing corruption are but 'little poor devils' and the real problem is 'grand' corruption which emerges among political and economic elites and their common interests ('games'), for the entrepreneurs it is the opposite. They maintain that petty corruption is widespread mainly in public administration, especially because the state does not promote competition.



PERCEPTIONS OF CORRUPTION IN THE UNITED KINGDOM

1. Target Group Politics

Although in the political sphere it is not denied that political corruption must be seen as a result of close connections between high-level politicians and their personal or party business interests, popular perceptions about money buying access to politicians and thus generating undue influence are nevertheless rejected. *Lobbyism as a source of illegitimate influence leading to political corruption is perceived to be an erroneous preconception* partly resulting from the propaganda spun by lobbyists themselves. Another sensitive issue on which there seems to be an equivocal attitude in the political sphere is that of promoting particular business interests abroad. Confronted with the claim that British governments have tended to choose *realpolitik*, that is, putting economic interests above the pursuit of ethical policies and thus turning a blind eye to practices of British companies who foreign officials, some parts of the political class support the view that safeguarding British jobs can sometimes be more important for politicians than combating corruption. More generally, perceptions in this field are guided by the belief that corrupt conduct is the result of contingent causes like lack of information about existing law regulations.

2. Target Group Judiciary

A similar attitude to corruption being perceived as contingent occurrence can be observed in the field of justice, where the significant cause of corruption is seen in opportunism stimulated by deficiencies in the relevant prohibitive regulations. These deficiencies have arisen over time because legislation against corruption and bribery created *ad hoc* responses to particular problems or scandals, which in turn led to loopholes in the law. Thus corrupt conduct is regarded as being committed in error because the crime has not been perceived as such. The prevailing belief consists in the notion that a political culture exists in which honourable conduct is the rule rather than the exception and therefore responsibility for corruption should be considered to be individual rather than systemic. Against the perception of a culture perceived to be corruption-free it is no surprise to see the judiciary sometimes claiming that because of other cultures abroad that favour corruption systematically the practice of British business paying bribes abroad deserves some sympathetic understanding. Besides this 'culturalist' stance the judiciary follow a legalistic line of argument claiming that a) low prosecutions do not mean low detection rates and b) existing regulations supported by controls including international agreements such as those of the OECD, the UN, and especially pressure from the US' Foreign Corrupt Practices Act, are sufficient to combat corruption.



3. Target Group Police

At a general level perceptions of corruption within the police are similar to those of the first two Target Groups: Public institutions have high standards in which corrupt practices are not countenanced. What distinguishes the stances of the police against those of the judiciary is that the former perceive themselves as the best guardians and standard bearers of anti-corruption efforts since they play the leading role in exporting best practice in fighting corruption to other countries via their links with other police forces internationally. In addition, *in contrast to the legalistic perspective of the judiciary* the police show a more disbelieving attitude towards the protection afforded by good regulatory structures against corrupt activities. This disbelief in the legal approach is based on a wider conception of what constitutes corruption, that is, the abuse of a role or position held, for personal gain or gain for others. Accordingly, the police believe the legalistic approach is ambivalent: Although the reform of the law will enhance the capacity of anti-corruption efforts, the law nevertheless constricts the opportunity to prosecute and investigate cases of corruption. As regards the practice of British corruption abroad the police disregard the ‘culturalist’ understanding and strongly argue for other countries to improve their anti-corruption efforts by using the best detectives to fight (police) corruption, involving prosecutors, and having firm political backing.

4. Target Group Media

In the field of mass media perceptions of the UK as a corrupt-free country are rare. On the contrary, the media present a nexus of the problem of corruption involving the awarding of contracts, the promotion of British industry abroad, the role of businesses in providing funding for political parties, and the so-called ‘revolving door’ of consultancies with business and the holding of political office. For the media the issues of corrupt conduct of MPs and bribing foreign officials are of particular significance. However, perceptions and representations of corruption are the object of a self-critical reflection: On the one hand the ‘realism’ of some media editors tends to downplay the phenomenon on the basis of a cynical attitude that does not want to be naïve about the way in which politics really works and is privy to the dark secrets of its workings. On the other hand the inflationary use of the anti-corruption discourse can have the opposite results than those intended, since stimulating public concern and political pressure can prove to be a negative force in further peeling away the general public’s faith in the standard good faith of politicians (and business donors). In their self-perception the British media probably have helped to make corruption less acceptable, though not all have been particularly interested in the subject.



5. Target Group Civil Society

The fact that the anti-corruption demands of different NGOs are highly moderate and lack radicalism when confronted with potential corruption scandals seems to indicate that perceptions of corruption in civil society organisations are guided by the belief of a corruption-free country. The peculiar trait of civil society stances on corruption is that the distinctions that certainly exist between the various organisations regarding anti-corruption efforts seem to depend on the degree of nearness to the government. Thus, as a consultant to the government TI has delivered a set of practical recommendations for reform and kept critique of existing policies and scandals equally tight. Other NGOs that have had weaker relationship with government and official policy formulation put forth a more severe criticism of existing policies and a more elaborate account as to the causes of corruption. In this way some NGOs demonstrate more mistrust of politicians than others and consequently less faith in the potential of rules (e.g. legislation) and penalties to combat corruption. One of the greatest threats to the effective implementation of anti-corruption policies is deemed to be vested interests and their influence on powerful politicians.

6. Target Group Economy

The business community seems to have a very positive opinion of the ethical standards held by British industry, although this positive view apparently does not include the entirety of standards of public life. Being involved in corrupt practices is often attributed to necessity, ill-preparedness for contingencies, or lack of obvious source for advice. The main line of defence in cases of bribery and corruption abroad is by appealing to an inescapable dilemma: to uphold ethical standards and at the same time execute business in contexts where extra payments are expected, if not lawful. Individuals from the business world whose career may depend on the delivery of a contract or the survival of a business unit may come under great pressure when a government buyer demands a bribe be paid in order to award the contract. The usual argument for bribery is that the so-called 'facilitation payments' are normal means (in some countries) of obtaining low-level actions/approvals and are not meant to influence anyone to do anything improper. Besides, facilitation payments themselves do not offend justice or the public interest. In addition, some business people argue that different standards could be applied to British activities when carried out abroad than when taking place in the UK. After all, however law-deviating these practices may be, they secure British jobs at home and are of benefit for the British industry and the wealth of the nation.



PERCEPTIONS OF CORRUPTION IN GERMANY

General remark: Given these aspects of corruption awareness in contemporary Germany we can now give a short account of corruption perceptions in the individual Target Groups. In general, there is an attitude in Germany that does not tolerate petty corruption at all. Petty corruption is perceived as a violation of social norms in terms of Max Weber's work ethic of administrative-technical professionalisation. Public officers and civil servants are held in high regard by citizens due to the efficiency standards which they must meet. This perception produces, however, a general attitude that in Germany there is no corruption at all. More importantly, it causes a kind of double standard regarding different forms of corruption: while petty corruption is perceived as something abhorrent and characteristic of "banana republics", grand corruption is perceived in contrast as a "peccadillo" and justified through an instrumental rationality when it comes to deviant conduct by using the argument: one is forced to act so for the benefit of the company or the political party [or exigencies of party competition, spending race, etc.]

Politics-Economy: *corruption a deviant behavior of individuals, not a structural problem*

Representatives from politics and business agree that corruption is not a structural problem in Germany. They strongly relate the problem of corruption to functional factors like success and opportunity. Entrepreneurs, managers and politicians are strategic actors with a strong success-orientation. They evaluate all means relative to their economic or political success and by doing so they realize – according to the liberal doctrine – the "common good" as a more or less unintended consequence of their actions. As entrepreneurs, managers and politicians are charismatic individuals looking for opportunities and are against overregulation that restricts their liberty of action. Instead of strong institutional control over economic or political action they vote for strengthening individual morality as a means to fight corruption.

Justice, Police, Civil Society: *not a legalistic, but a moral approach to corruption: 'public good' orientation*

On the other side, police officers, attorneys, lawyers and activists of the civil society view corruption as a serious and widespread problem that exposes society to a great danger. Especially representatives from NGOs regard it as the core problem of our times damaging the trust of citizens in the state and its institutions and therefore democracy. State and civil society actors tend to have a strong normative evaluation of corruption, which has to do with either their legal framework of action or their nature as a moral institution. In both cases they refer to the "common good" as their ultimate value orientation. Police and judiciary also show a strong ethical bias but at the same time are used to acting in institutionalized legal frameworks and believe in the power of the law even as a moral guide. They believe they are



the watchdogs of the law and the morals. On the other side and in practical terms, police and court investigations – as legal anti-corruption procedures – require moral support from a) politics, b) civil society and c) media to counteract the pressures from political and economic interest groups to fulfil this task. Civil society activists or representatives of NGOs are by definition members of a moral institution and they intend to enforce the legal framework for moral engagement and its results.

Media **Conservative:** *a) Individualistic-functional approach, b) Corruption effects self-purification*
 Liberal: *a) Structural-normative approach, b) Corruption harms social norms*

It seems that only the media produce different perception patterns. Civil society agents refer to a liberal doctrine, economic and political actors (regardless of political-ideological differences) use a conservative legitimating strategy. According to the political affiliation the media represent the liberal or the conservative mode of perception. Actors from media with conservative tendencies prefer a functional explanation of corruption as an irritation that enforces a rearrangement and consolidation of the social order in the sense of a self-healing system. In progressive or liberal media, corruption is seen as a violation of social norms (justice) that let to a de-legitimization of the political order and therefore demands a structural reform to strengthen the institutions. Conservative media reproduce a perception scheme that shows similarities to the reasoning of the political and economical elite in Germany.



CHAPTER 3: POLICY RELEVANT PROJECT FINDINGS

PREVENTION OF CORRUPTION IN ROMANIA

In a certain way the facts and perceptions of widespread corruption in Romanian society bring very clearly the question of how to cope with it to the fore. For one thing, what seems to be beyond doubt is the deficiency of a purely ‘top-down’ approach that purports to deal with the phenomenon head on deploying mainly sanction policies and penal regulations. One major cause for the persistence of corruption as a structural problem of Romanian society is seen to be the fact that the legislative changes of the recent past have not been able to ‘triple down’, that is, to affect directly daily life. There is a kind of rupture observed between the legal and administrative culture of anti-corruption policies on the one hand, and the culture of everyday practices being heavily burdened by corrupt conduct on the other.

On this point it is not only the solely administrative approach to blame though. As ‘corrupt country without corrupt people’ immediately suggests, it is not the incapacity, but rather the unwillingness of the judiciary, if not complicity with and involvement in corrupt practices, to bring corruption cases to an end with sentences that causes the most damage. Therefore focussing on the deficits of law enforcement resulting from the low performance of the judiciary is of great importance for any effective anti-corruption policy, for there are two crucial aspects involved: The first one concerns the principle of integrity as fundamental value component of the democratisation process. Motivating the (personnel of) the justice apparatus to observe the value of integrity means making a further step in advancing institutional democratisation, because it contributes to a) strengthening justice against the pressure from politics and business (mainly through former ‘Securitate’) and b) promoting the independence of prosecutors in relation to their superiors. The second aspect refers to raising the performance of justice in terms of increasing the number of sentences as a means of cultural politics. Breaking the power of corruption perceptions such as those leading to judgements like ‘corrupt country without corrupt people’ could help boost anti-corruption efforts and citizens’ confidence in the state institutions as the most important legitimisation source.

Much more difficult, at least in short terms, is to deal with the problem of how to connect anti-corruption efforts to the pervasive mentality of norm-violation as individualist strategy of quick enrichment or, in terms of everyday practices, of getting by with the poor performance of the institutions in the health, education and public administration sector. The situation becomes further aggravated through a) the wide-spread beliefs of and distress from the acute inequality characterising contemporary Romania, and b) the considerably raised level of corruption awareness resulting from the process of integration to the EU. As regards the former it is beyond doubt that a great deal of the diffused perceptions of injustice rests upon everyday certainties about wealth and corruption being indissolubly mingled in contemporary



Romanian society. The patterns of economic achievement and success established during the transition period are currently felt to be in stark contrast to social values regulating just and legitimate relations between work and reward. Therefore, apart from general policy measures and efforts on the part of the state to raise the performance standards of public services what any long-term anti-corruption policy must take account of is the need of thoroughly reassessing the necessity of binding and legitimate social norms and values.

The societal and institutional developments up to the EU-accession of the country have undeniably contributed to raising the awareness of how acute the problem of corruption currently is. Over the last 15 years the European and international anti-corruption discourse has set the standards of connecting the level of democratisation and good governance to that of corruption. Now, the problem Romania and other post-socialist states that have joined the EU are confronted with is how to make institutions, norms and behaviours match up with these standards. To be sure, they have accepted these standards as guidelines of state policies and the population has to a large extent adopted the view of being a European. Nevertheless, this does not mean that modelling oneself according to European norms entails a thorough-going revision of social norms, moral values and behaviour patterns – at least not in the short run. The duty of any anti-corruption strategy is to find ways to make this time shorter.



PREVENTION OF CORRUPTION IN BULGARIA

Prevention of corruption is the point where the opposition and the government differ mostly in Bulgaria. The former see the most important measures in terms of political changes: personnel changes, and eventually government changes. They stress the “lack of political will” argument a lot. Governing parties, not surprisingly, stress more long-term institutional reforms, the setting up of commissions and other anti-corruption bodies. Other anti-corruption measures, as awareness raising, public education, etc, are also popular among governing elites. Finally, co-operation with civil society on the issue of corruption becomes of crucial importance both for the governing and the opposition. This paradoxically brings these two together, because both of them look for cooperation with one and the same actors. Paradoxically, cooperation with the same actors from civil society leads to a certain “depoliticisation” of anti-corruption, despite the attempts of the opposition to “politicise” the issue.

The respondents of the Target Group Judiciary think that too much attention is paid to laws and formal rules and procedures at the expense of informal institutions and education. Legislative and administrative measures could help to counteract corruption but only to a certain extent. They can help optimise and regulate of the public sphere so to limit the opportunities for corruption. They are important instruments indeed but they are not the first ones in importance. The second and more important set of measures involves moral education and prevention of corruption. Practically this means identification of the cultural roots of the problem and addressing them. A good example of the cultural conditioning of corruption can be seen in the educational system: it is believed that there is nothing wrong with giving presents to the teachers, and at the same time teachers have the discretion of giving grades that may be crucial to the future prospects of the students. Another similar example would be the common practice of providing false witness to friends, who need it to facilitate their divorce cases in the court. Given that situation, there are crucial roles to be played by civil society structures like the churches for example. There is a strong correlation between the role of the church and the crime rate in a given society. Unfortunately, the Bulgarian Orthodox Church, which is traditionally the most influential church in the country, nowadays has very little influence on the public. There are not many other genuine civil society organisations and NGOs that might bring a real change in this respect either. The media also have a major role to play in educating society and raising its moral standards of the society but the problem is that the Bulgarian media are largely commercial and the corruption discourse is often used in a tabloid manner, which has led to a growing trivialisation of the topic.

According to media representatives anti-corruption measures cannot succeed in their current form for one main reason: the major actor that is expected to fight corruption, the political class, is deeply corrupt itself. It is hardly a secret that being a politician is indeed a business enterprise. This is the way in which politics functions and the political system recruits politicians. Reforms, to the extent they exist in practice, concern only general normative



measures that are implemented so as to allow to preserve the status quo almost untouched. One possible anti-corruption strategy, according to journalists, would be a dramatic reduction of the state presence in the economy. This, of course, cannot lead to a complete eradication of corruption, but the opportunities for its occurrence would be significantly limited. Another idea for optimising the anti-corruption activities at the level of the state is a reorganization of the system of powers in Bulgaria and in particular transferring the Prosecutor's Office from the judicial to executive branch of power.

The media are the only arena left where a corruption scandal can be revealed and made available to the public. Unfortunately, the quality of journalism in Bulgaria is very low and corruption investigation is not always done in the best possible way. Another problem is that continuous corruption rhetoric has made the people tolerant to corruption. They are convinced that the country is lost in corruption and the media maintains these perceptions stimulating passive instead of proactive citizens' behaviour. The lack of clear institutional response to corruption scandals in combination with the situation in the media described above leads to a social normalisation of the phenomenon of corruption. Political parties use the corruption/anti-corruption discourse only in its capacity to mobilize the public when trying to deal with their political rivals. When in power, politicians make use of information and investigative powers they control to accuse their predecessors of corruption. If however, these parties remain in the government as coalition partners then all information about possible corruption activities is concealed in the name of the political stability of the coalition.

The role of NGOs in preventing and counteracting corruption is ambiguous. It has many positive effects: it creates expert knowledge about the problem and promotes some anti-corruption measures in the legislation. On the other hand, it has some negative effects as well: its excessive focus on raising public awareness about corruption is one of the major reasons for normalisation of the topic and social tolerance toward the problem. In the time when there were such awareness campaigns the public perceptions about corruption (measured by the same NGOs that organised these campaigns) went very high. After the funding for similar sort of activities decreased the public perceptions did, too.

Similarly to the journalists the representatives of the Police and the Prosecutor's Office believe that it is unrealistic to expect that the political system can do something to limit or prevent corruption, since the way in which it functions is determined by the corruption exchanges. The state has established formal anti-corruption bodies and structures, but they have no real powers and function on a very general level. One way to tackle corruption would be to establish Ethical Commissions at all public institutions that have the power to investigate every single complaint of corruption filed by the citizens and companies. Another way would be to establish special investigative institutions to deal exclusively with corruption cases. In order to be effective, these institutions need to be independent and capable to investigate separate cases of corruption. This would seriously threaten the politicians' interests and therefore it is less likely that they would allow for such institutions to exist. The



respondents from this target groups are sceptical about the possible anti-corruption roles of political parties, the media, the NGOs, and the business circles. The political parties are seen as the major engine of corruption in society and therefore it cannot be expected that they would be the ones to initiate anti-corruption reforms. The media are seen largely dependent on various political and business interests and therefore incapable of investigating and revealing cases of corruption to the public in a way that might bring real change. NGOs are perceived as similarly inefficient, as in most cases they are related to certain political parties and do not truly represent the civil society in the country.

One set of anti-corruption ideas by NGOs representatives concerns the possible improvement of existing anti-corruption measures in terms of better coordination and implementation. The reason for the poor effectiveness of anti-corruption strategies is not that much in the balance of powers, but rather in the lack of effective interaction and cooperation between the agencies engaged in counteracting corruption. The fight against corruption crimes requires the joint efforts of many institutions. This is the job not only of prosecutors, but also of the court, anti-corruption commissions, the government, etc. Another problem of a similar nature is the lack of transparency in the work of anti-corruption bodies themselves, which leads to more public distrust in the capacity of the system to counteract corruption. The major conclusion is that in terms of legislation and institutions building, a lot has been done already. The problem is that the institutions do not use the powers they have to full extent and this is where the efforts should focus. If however, a new institution is to be established, this could be only a special anti-corruption agency. In order to be efficient it should be within the prosecutor's office and should have large investigative powers. There is no need for other anti-corruption bodies, such as the Commission for the fight against corruption at the Council of Ministers, because all they can do is in to educate, produce brochures, and monitor the implementation of action plans. Efficient anti-corruption activities, however, require investigative powers in order to punish persons involved in corruption and in this way play a prevention role in society at large. As regards the question about the focus of a successful anti-corruption strategy, the respondents believe that it should be placed on both grand and petty corruption. This requires that both approaches the top-down and the bottom-up are applied in parallel. On the level of grand corruption, the focus should be on transparency and control of party financing, which is the main engine of corruption in politics. On the level of petty corruption, the first step is to narrow the popular perception about corruption. Corruption is cited as an explanation for too many different problems, which are not related to corruption. This lack of understanding of the essence of the phenomenon reflects on the citizens' perceptions and leads to exaggerated levels in the perception of the phenomenon. The NGOs representatives consider the lack of good investigative journalism in Bulgaria to be serious shortcoming of the anti-corruption efforts in the country. According to them, the major role of media is to work on particular cases of corruption. The lack of investigative capacity amongst journalists is considered to be the main reason for the poor media coverage on the topic of corruption.



Since corruption has different manifestations, there should not be a single anti-corruption strategy. However, one general strategy can be used to limit corruption at lower levels. This reorganization of the public sphere involves reduction of the state influence and introduction of clear rules and procedures. In many fields in which public resources are spent (healthcare for example) corruption is not the cause of the problem but it is rather a negative outcome as a result of the system mismanagement. In such cases, a simple reorganization of the system towards better management would limit corruption. Establishment of new state institutions meant to fight corruption would not help much since public trust in the state institutions is very low. The general public's perception is that institutions are often established not to improve the quality of the governance but rather to create new power opportunities for the ruling parties. Introduction of transparency in all process of public decisions making could help to limit corruption significantly. It is important, however, that this transparency is achieved in an impartial way through the use of new technologies and media like the internet, rather than traditional media, which has lost much of its public confidence. Persistence in teaching social values to the young generations is an important factor that might play certain role in reducing corruption in the country. However, respondents admit that changing social values would require a lot of time and effort.

It is unrealistic to expect that political parties would initiate reforms that might bring positive change to the process of counteracting corruption due to the fact that they are the major vehicle of corruption. The lack of interest in politics has led to parties commercialisation and clientelisation. Corruption to a great extent explains and rationalises their existence. It is also unrealistic to expect that business organisations might contribute significantly to the anti-corruption efforts since they are private organizations that are primarily led by their private interests. This does not concern the low level administrative corruption, in which removal all businesses have questionable common interest.

In general, the media are of great significance for every anti-corruption strategy. In particular there are not many media in Bulgaria that enjoy considerable level independence. Most of them follow certain private interests. There is a presumption in theory, which assumes that existence of many media representing different interest and views might lead to relative balance in information. However, in practice, it seems that media have concluded unwritten agreement to exclude certain topics from the public debate. Successfully anti-petty corruption strategies would make ordinary citizens more optimistic about the fairness of the democratic governance as whole. This in turn will have a positive affect on social values that do not tolerate corrupt behaviour within society. Eventually, under such circumstances, the citizens would be perhaps more willing to vote for non-corrupt politicians and political parties. All this however seems too simple to be true. The reduction of corruption in Bulgaria cannot be considered in isolation from the overall political and social situation. Anti-corruption measures cannot be successful unless intertwined with the overall development of democracy in the country and solving the problems such as the lowering interest and confidence in politics, and the increasing comersalisation of the political process.



PREVENTION OF CORRUPTION IN CROATIA

A simple classification of anti-corruption activities should distinguish between: (a) activities that make corruption more difficult or costly, and (b) activities that diminish rewards and returns from corrupt acts. The first category includes activities such as simplification of legal framework (for example, overly complex procedure of public procurement), improving decision-making transparency – especially if economic transactions are involved or implied – increasing legal sanctions for corruption, and citizens' education. All these activities can have a direct and immediate effect on both the low and high-level corruption.

The second category describes activities that improve availability and quality of public services (e-administration, etc.), as well as decentralization and professionalization of decision-making, better professional education, competitive (meritocratic) employment in public administration, and eradication of various state capture opportunities through systematic liberalization and de-politicization. At least, in regard to low-level corruption, reducing the necessity of corruption decreases its utility. Both types of activities would be best applied in combination, starting from the areas where the contact between citizens and state administration is the most intensive. By effectively signaling that corruption is not tolerated any more, such an approach could, in turn, provide an impetus for the aforementioned moral sanctioning of corruption.

Attempts at corruption prevention are often confronted with different obstacles, from inefficient or corrupt judiciary to undermining political networks. In general, the less developed democracy, particularly in regard to civil liberties, the more obstacles to preventing corruption. If a journalist publishes an article exposing a case of corruption and subsequently loses their job, this has no beneficial effect on corruption prevention but it does make the problem of corruption “visible”. But if a journalist is prevented from publishing the story – by being threatened with termination of their contract - the problem may not be “visible” at all. Another type of obstacle are informal networks of power, which provide excellent conditions for “invisible” corruption. Such groups, especially if unchecked, can easily arrange various deals far from the public eye and sheltered from official investigations. A system of mutual obligations usually ensures longevity of such corruption-prone networks.

Overcoming the obstacles is most often a gradual process based on citizens' education, strengthening of civil society, improving democratic institutions and procedures, and increasing information flow. In that sense, corruption prevention could be a slow process that depends both on the more general democratic progress and the results of the more specific anti-corruption activities.

There is a general understanding that increasing anti-corruption awareness (ACA) is an essential element of any effective anti-corruption strategy. However, it is not always clear what is meant by ACA – for example, whether it encompasses a deeper understanding of



social ills of corruption or just a general moral condemnation of corruption - and what measures could be efficiently used to strengthen it. During our interviews and discussions with experts it was often suggested that the evolution of ACA is a long-term process dependent on many factors. Central among them seem to be the functionality of the legal system, the quality and persistency of the media reporting on corruption, existing political culture, the level of development of civil society, and general educational level.

Turning to ACA-beneficial activities, the success in prosecuting individuals involved in corruption scandals seems particularly important. Disclosure of high-level corruption cases and the display of readiness to prosecute and penalize individuals, especially officials, implied play a significant role in rising ACA. Since such legal cases can take years to finalization, immediate steps – such as introduction of better control mechanisms in the state institutions where corruption was found – would be necessary to send the message that corruption will not be tolerated. In addition, resignation of supervising officials should be made mandatory in order to make anti-corruption vigilance a personal responsibility.

Media coverage of the above described activities is crucial. The activities taken after a corruption scandal erupted need to be presented in detail and carefully scrutinized. Only the systematic and critical coverage of corruption (and the state response) could increase ACA. Obviously, this task requires skilled journalists, socially responsible editors, and, generally, the “clean” media. In several interviews with experts, the media in Croatia were implied as being a part of clientelist networks.

Anti-corruption awareness is closely related to corruption prevention. In that respect, most prevention activities will have an effect on ACA, although with different reach. Too often the prevention and ACA are equated with educating the public about what corruption is and why is it bad for the society. Although the importance of understanding the scope and forms of corruption can hardly be overstated, educational campaigns require palpable changes in the corruption-related incentive structure. Without a publicly recognizable process of lowering the rewards and increasing of costs of corruption already set in motion, informing people about the ills of corruption will only contribute to rising cynicism.

In the Croatian context, when it comes to politicians and entrepreneurs ACA context depends on the reforms that tackle the mechanisms of state capture. This could prove difficult, since links to political power became essential business tools for some companies. A good example is the recent physical attack (ominous baseball bats were used by the attackers) on a newly appointed CEO in the huge and largely monopolistic holding company of the city of Zagreb, who reported to the State Attorney’s Office for Combating Corruption and Organized Crime (USKOK) a number of irregularities that took place in the company before his appointment. Interestingly, the city mayor and his deputy, who publicly expressed their support for the attacked official, failed to mention the alleged corruption activities at the city company as a possible reason for the attack.



Another important question regarding ACA is related to the low vs. high-level corruption distinction. Should the strengthening of ACA include both equally? Or do we need to focus ACA primarily on the latter form? Although it could be argued that, historically, the two types of corruption probably evolved in parallel in the region, mutually reinforcing each other, rationality behind the low-level corruption (inefficient public administration, non-transparent and non-competitive employment procedures etc.) clearly differs from the one associated with high-level corruption (greed, political power acquisition). Also, the low and high-level corruption implies rather different social costs.

Although the question remains open – to our knowledge, there is no consensus regarding this issue – we believe that to insist on the absolute ACA, characterized by moral abhorrence of any type of corruption, would be neither feasible, nor useful. The useful approach, in our view, would be to foster ACA primarily focused on the high-level corruption, which would provide a much needed public pressure on the decision-makers. An additional argument takes into consideration an asymmetric relationship between the low and high-level corruption. While changes in the dynamics of low-level corruption may not affect the dynamics of high-level corruption, the spill-over effect is often found in the reverse case.

If ACA is conceptualized as suggested, systematic education on what constitutes corruption should be carried out on a large scale. The notion and scope of the conflict of interest is poorly understood among Croatian citizens, which is partly related to traditional emphasis on kinship and loyalty to local community. A narrow interpretation of the conflict of interest at all levels equates this type of corruption to either illegal transfer of money or valuables (bribes), or political favours (getting a better job, etc.). Improving understanding and recognition of corruption in the cases where no money or immediate privileges are involved would emphasize and broaden individual responsibility of politicians and administrators. This would, in turn, increase public pressure toward individuals in charge who have refused to resign after serious misconduct was discovered in their institutions.

If anti-corruption awareness is understood as a pattern of behaviour - characterized by the readiness to reject and report any kind of corrupt activity - rather than a moral disposition, one of the main obstacles to strengthening ACA is the widespread perception of powerlessness. This dominant socio-cultural characteristic of post-communist societies has been highlighted in a number of research studies. Lack of trust in institutions and weak civic ties helps to explain why many individuals who are confronted with corruption they do not condone are unwilling to report it. As reporting criminal activity involves a certain level of personal risk and considerable time expenditure, perceiving such engagement as useless would minimize its occurrence, no matter how strong the personal anti-corruption convictions.



PREVENTION OF CORRUPTION IN TURKEY

Representatives of the Target Group Politics agree on limiting the parliamentary immunity with political acts and freedom of speech. They also emphasize that not only the members of the parliament but also all state officers should be liable and equal by law for corruption and other crimes like all citizens. Within this framework, it is pointed out that it is necessary to make changes in the “Law on the Prosecution of Civil Servants”. This suggestion is followed by another stating that in any second “party” affiliation with the state, the principle of “transparency” should be considered. However, the predominant belief in the interviewees is the fact that Turkey cannot struggle against corruption with its own internal dynamics. The reasons to this statement are listed as the “rigid structure” of the politics, the “balance of interests” among the political actors, “the organic affiliations with the non-political groups”, public officials’ (including tax controllers, financial controllers and those from the security and the legal system) relations with the criminal organizations and a “non-reactive” society. The interpretation of the Turkbank case not as a step taken by the parliament for the struggle against corruption but as an “attack strategy” as part of a political struggle constitutes to be an important data within this context. The biggest factor that is considered to have an important role in struggle against corruption in Turkey is the EU integration process. The norms of EU in immunities and transparency are accepted to be far ahead of Turkey and in case of full integration, the whole picture is believed to change in a radical way.

Representatives of the Target Group Judiciary that in the short-run the following measures are believed to contribute to corruption prevention: 1. The establishment of a special commission similar to “Court of Political Parties”; 2. Providing proper functioning of the “Law of Prosecution of Public Servants”; 3. Effective auditing of expenses of municipalities; 4. Enlarging the definition of corruption in such a way that it would include the relations within the private sector; 5. Forming a witness protection program. A striking evaluation mentioned in the interviews is that even though, the measures mentioned above were taken and applied in a serious manner, the corruption in Turkey would not be prevented for two main reasons. First, it is stated that unless the topic is taken in hand as an issue of “values education”, in other words, unless a paradigm shift that would re-identify the public shame and appreciation criteria is realized, struggle against corruption would not be more than a technical preoccupation. According to this view, “as far as the motivation behind a mal-practice exists, banning it would not solve the problem”. Yet, above all, corruption “should be perceived as” “a matter of morality” and the moral values are transmitted not only through formal education system but also through family and social interactions. In this context, corruption cannot be prevented unless the fact that corruption is a loose-loose game is internalized by the society as a whole. Anti-corruption measures therefore should be planned in such a way that they include universal humanistic values and principles.



Acceptance of Turkey's EU acquis which appears to be the phenomenon to speed up the efforts to reduce corruption is open to discussion by the police. EU means contemporary civilization, high quality of life, transparency and accountability and yet what is important about a law is its implementation rather than its enactment. At this point, the essential question is whether the ones that would implement the laws and the others that are expected to obey them share the Western values *intrinsic in the law's* very rationality. Given the fact that, in the basis of ethical problems lies ignorance, Turkey should primarily, focus on improving its education system both qualitatively and quantitatively. Adoption of EU criteria would not mean anything without the man power who would meet them. Institutional culture should be promoted in government agencies via institutional training, and efficient internal inspection.

Media representatives assert that in Turkey corruption increased after 1980, with the transition to the liberal economic model. The assessments of the media representatives regarding this process can be summarized as follows: "Contrary to its logic" however, in Turkey the state carried on with its "interventionist stance". It created, "this time" "a new set of entrepreneurs" by means of distributing them public resources (export incentives, tax rebates, heavy domestic borrowing, etc.) and "took no notice of their misuse deliberately". As a result, "Turkey had to face successive economic crises with extremely high social costs". Now, "the big bosses who got rich through corruption during 1980s and early 1990s are demanding transparency and regulations". Beneath this demand, however there lies "the fear of new rivals", "mainly coming from Anatolia", "challenging their position by using the same path that the formers followed". The biggest contribution on corruption prevention is expected to come from the EU integration process. Nevertheless, even if this process is not believed to solve the problems arising from the natural functioning of liberal economic system: It could only "rasp some of the exaggerated, obvious mal-practices".

The common opinion of the public has repeated itself regarding, finally, stances of entrepreneurs: legislative immunities must definitely be limited to freedom of speech. But at the same time an alternative mechanism has to be established where the lawsuits could only be bought before the courts in the presence of serious evidence. Otherwise, the MPs would spend a great deal of their time in the judicial tribunals. However, the immunities that public employees enjoy are equally important in the context of unfairness. The prosecution of public employees for alleged offenses is subject to the permission of their administrative authority. This is an unacceptable situation. Political will is considered as vital for struggle to succeed. Primarily, the political leaders have to believe in the urgency of the anti-corruption fight. In this context, the pressure coming from EU institutions is of fundamental necessity. Turkey could improve in corruption reduction if and only if it sticks to its EU membership plan. In this process, the steps of the action plan are stated as follows;

- Making clear-cut definitions and giving necessary education to bureaucrats (autonomous bureaucracy-free of political pressures),
- Providing transparency,



- Downsizing units of state to simplify the bureaucratic processes,
- Improving financial conditions of government employees,
- Making strict rules and regulations including the domain of immunities,
- Establishing Watch Groups for effective inspection.



PREVENTION OF CORRUPTION IN GREECE

In face of the wide-spread corruption in Greek society it comes as no surprise that perceptions of what could and should be undertaken to curb the phenomenon are often overshadowed by certain doubts whether the measures taken can ever go deep enough. The uncertainty regarding the efficiency of any anti-corruption policies in the short run is but an expression of the ambivalent nature of corruption perceptions in Greece. On the one hand it is commonly acknowledged that corruption has almost become an endemic malaise which can only be dealt with by applying the most resolute prosecution and prevention policies. On the other hand it is equally obvious that taking into account the permeating erosion of cultural values and the ruthless individualism governing social behaviour any coherent anti-corruption strategy would amount to nothing less than a (cultural) “revolution”.

As a consequence, perceptions of what measures to be launched against and how to prevent the all-encompassing corrupt practises oscillate between tougher legislation or more severe sanctions and broader approaches that link effective prevention to educational and cultural policies. Regarding the latter though, it is not clear how a higher educational level could help detain corruption, since it can by no means be claimed that this level is low in Greece. Consider Target Group Justice: Apart from the usual calls for a modernisation and reform of public administration and simplification of legislation it is not deemed necessary for legal instruments of sanction, prosecution and punishment to be refined. Instead of further overregulation, measures should be taken to raise the cultivation of the people chiefly by means of *better and higher education*. However, despite the obvious fact that in terms of education, cultivation and cosmopolitanism Greek society does not seem to lag considerably behind other European countries, the level of corruption is still alarmingly high. For this reason the educational prevention stance is forced to acknowledge that education alone cannot do the job, for the motivations for corrupt conduct, mainly greed and get-rich-quick, are much more difficult to come by.

In the Target Group Police for example perceptions of prevention go a step further claiming substantial effectiveness in curbing corruption to be impossible, not because of its extensive scale, but rather due to the fact that the phenomenon is too deeply entrenched in “established mentalities” to be simply eradicated by applying suppression and control mechanisms. Here once again it is long-term cultural strategies alone and not higher sentences and stronger control that could be of any significance against the “normality” of corrupt conduct: Investing in social structures could help bring about a cultural socialisation of a new citizen type.

The culturalist, ethical-value oriented attitude is common to almost all Target Groups. Repressive methods and severe punishment are generally rejected in favour of prevention centring on improvement of education, information, sensitization, mobilization and awareness of the citizens and control of private mass media, in particular the electronic ones. However, the content of the term “culture” remains rather blurred: Sometimes it refers to a reorientation



of values steering political life (qualified, educated and scrupulous politicians, emancipation of politics from economic interests, reform of electoral law, curtailing party politics of the governments which disables meritocracy and erodes social conscience, leading to legitimacy deficits of institutions, etc.). At other times it is the “culture” of the legal system which should be a target of reforms, and if possible, the thorough elimination of current phenomena like frequent legal changes, inadequate law enforcement, vaporous meaning of laws, contradictions in the content of law, and occasionally the submission of justice to politics. Or it denotes just the usual agenda of implementing anti-corruption policies: administrative reform, modernisation of public services and modernisation of justice. However, regarding these last points it is far from clear, how even minor changes in public administration – considered by the most the main locus of corrupt practices –, can ever be achieved without a certain societal consensus, which is almost impossible to achieve though, because many seem to believe the contrary, that is, that corruption is omnipresent and impossible to come by.

Most often it refers to certain traits of the national identity considered to be either casual origins or else motivating factors raising propensities to corrupt conduct – the most important of which being the individualist make-up of modern Greek mentality and deep seated attitudes of tolerance towards norm-deviating behaviour. Being ineluctable these national identity characteristics render any “zero tolerance” policy, or even just stronger prosecution policies, futile. Corruption should be somehow eliminated, because it is incompatible with democratic values and economic growth, but in the end this proves to be wishful thinking, because neither repression is deemed to be effective, nor will anti-corruption strategies have any results, if they are not part of a wider cultural and normative reform bringing fundamental changes in the social fabric of contemporary Greece. Only such a reform could overturn the current state of affairs based on an equilibrium made up of corrupt exchanges.

Short of this radical cultural transformation few are convinced that raising prevention and prosecution effectiveness is quite the appropriate issue to pose though. This is not because corruption is not a grave problem in current life affairs, but because of a large group of people it all depends on understanding how corruption has become such a threatening phenomenon. Almost all Target Groups share the perception that the view that Greek society is afflicted by wide-spread corruption originates in the way modern Greeks have in the last two decades become accustomed to perceiving themselves in light of current European standards of conduct chiefly transported by the medial representations. Thus, the gravity of corruption results from fact that Greek society has come to see itself in the eyes of the world-wide consensus which regards corruption as one of the modern evils. In this way the problem might not be that serious, since the picture of a deeply corrupt society painted by media rests upon business calculations. For their own money-mongering ends, the media pretend to play the watchdogs of political correctness castigating everything they deem suitable to be corrupt conduct. Hence, corruption might not be that wide-spread after all.



PREVENTION OF CORRUPTION IN THE UNITED KINGDOM

Talking about ways of tackling corruption entails forming an opinion of how awareness of and willingness to cope with the phenomenon can be increased. Such sites of anti-corruption consciousness within the UK are undoubtedly the media, foreign pressure and NGO activity. Some point also to the public ethos, that is, the customary code of conduct amongst politicians as constituting a key factor restricting the likelihood of corruption taking place. In the face of the recent expenses scandal this is a rather uncertain notion though. It is surely more justified to put emphasis on the role of democratic traditions (for example vigilant political opposition, public accountability, strong judiciary, investigative media, etc.).

Now, taking a closer look at media, foreign pressure and NGO activity, perceived key factors in the field of fighting corruption, there are some aspects regarding their effectiveness worth mentioning. To begin with, the media are sometimes pivotal in uncovering corruption scandals, but they are usually confronted with the criticism of whipping up popular prejudices and thus undermining citizens' trust in institutions or politicians' credibility. As regards foreign pressure the OECD anti-corruption convention is perceived as the decisive factor forcing the UK to update its anti-corruption legislation, including for example the bribery of foreign officials as a crime. However, the influence of OECD should not be overestimated, because the pressure exercised does not seem to have enough force to make British officials comply with its anti-corruption requirements. The OECD is not the only source of foreign pressure though. Various other factors, like the widespread anti-corruption momentum, treaty obligations, economic complexity, and reputation, have also played an important part in encouraging domestic recognition of a need to increase anti-corruption measures in the UK.

For their part NGOs are widely accredited with having played a key role in advancing anti-corruption efforts, although they have not always been successful in securing the desired results. Of course, not all are happy with civil society engagement against corruption: some, mainly politicians, were not at all amused to see NGOs succeeding in transforming common attitudes towards some acts, redefining them as corrupt and in this way exposing those politicians who fail to keep up with the shift of opinion, especially when this is a relatively sudden shift. The most important anti-corruption NGO, Transparency International, has recently called for extensive reforms to the system of MP's expenses such as independently-approved and unambiguous expenses rules, tighter and independent auditing of expense claims, inbuilt transparency and suspension from Parliament of any MP who has violated new rules on expenses once they are introduced.



PREVENTION OF CORRUPTION IN GERMANY

Being of a social nature, the semantics of corrupt conduct extend beyond what the classificatory definitions of penal law circumscribe as a criminal deed. At the same time its pragmatic dimension, that is, its embeddedness in socio-cultural forms of action, often proves to be broader than current definitions. However, this does not mean that tracing corrupt conduct beyond the field of legal regulations cannot rely on certain guiding assumptions about how to come to grips with it by providing some specifications. One way to come to terms with such a specification is treating practices of corrupt conduct as consisting in (perceived) 'irregular' regularities. What does 'perceived irregularity' mean though? Besides, the notion pinpoints the distinction to be made in the practices of corrupt conduct between the status and the attitude/perception of this status. The former pertains to is what is laid down and defined as corruption by legal regulations, sanction rules and policy measures; the latter circumscribes what is taken to be corrupt. This distinction is of course a reformulation of the difference between the normative status of a practice (usually codified in law and institutionalised) and the normative attitude to that status. Not everything having the status of corrupt practice is also regarded as such, and conversely, not everything perceived to be corrupt conduct need be conferred that status.

Now, if the issue of perceiving the grounds upon which corruption emerges is of fundamental importance for both investigation/prosecution activities and the wide societal awareness of wrong-doing, the question of preventing corruption must be recast in terms of tracing down the origins of corrupt conduct and in terms of perceptions of and attitudes to 'irregular' regularities. It goes without question that the latter cannot be defined once and for all: how the rules of practices are perceived 'distorted' or 'corrupted', how certain regular practices come to be perceived as implicitly containing some element of wrong-doing, in what ways habitualised practices turn out to be viewed as something that ought not to be – all these questions depend both on the legal framework and, what is even more important in the present context, on socio-cultural patterns of perception, normative attitudes and action. Normative attitudes and assessments of practices sustain perceptions of 'irregularities' or wrong-doing.

This means that apart from everything else preventing or fighting practices of corrupt conduct essentially depends on societal attitudes that are disposed to treat certain practices or performances under normative assessments, that is, to treat or view them as improper or illegitimate. How such dispositions come about and what exactly the factors are that influence their emergence are of course questions that can be answered only by taking into account the particular socio-cultural contexts. However, the fact that there are more or less clear societal perceptions and claims of what can reasonably be considered illegitimate, let alone criminal, provides a basis upon which reflections on prevention policies can be based. Since it is not our task to delineate all possible fields, in which perceptions of and attitudes towards improprieties of practice can be observed, we constrain ourselves to taking account of those fields, in which they are bound to arise.



Such a field is for example the vast arena of (exchange) relations between the political and the economic sphere of practices. Since in this case we are talking about *regular practices that (should be) are subject to normative assessment*, it is relatively easy to draw some typical contours regarding perceptions of impropriety/illegitimacy. Consider the huge array of cases in which there is a shift of positions between politics and private economy: for example the fact that politicians switch to private business immediately after quitting or retiring from politics is often perceived as illegitimate. This perception/attitude is based on the assessment that the rules governing political performances do not accord with those followed in pursuing private economic interests. A possible approach to negatively sanction such practices would be to prolong the waiting period up to two years.

However, in this case as in many others too, the negative attitude towards the ‘revolving door’ phenomenon can easily come into conflict with other normative assessments of what is normatively considered as freedom of individual choice regarding job and career planning. The problem, in other words, consists in the conflict of normative attitudes, which is always bound to arise to the extent that *the normative claim of ‘irregularity’* cannot be the only normative standpoint to be taken. Because there can always be other perspectives of normative significance, societal perceptions of corrupt conduct have in a certain sense an unstable ground, because an equally convincing assessment in favour of the unavoidability of ‘irregular’ law-deviations can be counterpoised to every normative assessment of ‘irregularity’.

Consider for example the wavering attitude of some parts of the business world towards the issue of bribes abroad. To be sure, there is a host of regulations forbidding such methods of doing business and public consciousness has come to take a rather negative attitude against it. Nevertheless, there exists a certain understanding concerning these practices relying upon two arguments: firstly there are a number of countries, in which foreign investors are generally expected to pay bribes for ‘cultural or other reasons’ and secondly the ruthless international competition in the wake of the globalised economy exerts too strong a pressure on private businesses to ignore certain options. The same is true in the case of ministerial bureaucracies making use of external experts in drafting laws. Although according to a *social normative attitude* such use of foreign (external) expertise *should be viewed* as contradictory to the claims of impartiality and objective rationality of the state bureaucracy, it is nevertheless considered unavoidable regarding the complexities involved in law-making procedures that demand non-normative, technocratic approaches.

The problem that the perception of what should be considered ‘irregular’, improper or illegitimate is neutralised by apparently non-normative attitudes is aggravated by the ever growing disposition to follow value oriented rules of action only to the extent that they comply with or do not decisively go against the logic of performance success. Most apparent in this regard is the unconditioned will to optimise success in the sphere of economic action. The Siemens case, for example, is characteristic of this attitude: not only could the products



have found potential buyers without the company resort to bribery - some apparently promising decisions have also had disastrous effects for the employees of the company. The fact that the neutralisation of normative attitudes can be observed *on a wide societal scale* can be an indicator of a cultural permissiveness regarding corrupt conduct, the latter in turn being the result of a deep rooted possessive individualism whose value and orientation co-ordinates obviously run contrary to the ethics of heeding to the public good.

Another field, in which normative perceptions of the 'irregularity' of practices collide with a certain understanding of regularity concerns (can) arise in the context of party spending. Excessive party spending (that more often than not deepens the dependencies of politics on private economic interests, thus generating suspicions of corrupt conduct) is usually buttressed by the argument that raising the volume of spending guarantees fair competition in the framework of party competition. In this case we also are dealing with the aforementioned confounding of normative and non-normative attitudes, since the political parties perceive expansive spending as a means to secure equality of chances and fair competition. Now, it is not easy to dismiss such an attitude as unfounded since what counts as the fair play of (political) forces is *essentially mediated by the actors'* (the politicians') perceptions of how to regard party competition as fair and therefore is not restricted to purely political and institutional arrangements.

However, societal perceptions of possible corrupt conduct can legitimately raise the claim of wrong-doing taking place to the extent that they can make a strong case out of the observation that the politicians' understanding of what regular competition is about confounds the applicable competition rules in the political and economic system. This means that perceptions and criticism of the current party financing and spending practices are legitimated in so far as they can demonstrate that the politicians' understanding of fair play rests upon deeply anchored perceptions of the necessity for liberal economics of equal chances to apply to all realms of public and private life – according to this understanding political competition should function as (non-normative) economic competition. This is (should be) wrong, because competitive democratic politics rely on open competition governed by normative and institutionalised assumptions of equality (of chances, of participation). In contrast to markets and market economic theory, where equality is at best seen as a starting point, there is a broad consensus that in the context of democratically national politics competitive forces will be integrated into broadly-accepted public policies, that is, into a normative context containing public values.

As regards all those practices in and through which political or administrative knowledge and policy making know-how flow into the sphere of private interests, they lie beyond what is perceived from the legal point of view as a possible object of immediate prosecution interest. Although it is doubtful whether there could ever be a regulatory framework establishing the rules according to which such transfer practices should be carried out, the issue does not seem to be of paramount importance regarding judicial anti-corruption policies. Nevertheless,



societal attitudes that confront such practices with a critical disposition sustained by a perception of illegitimacy (i.e. negative assessments of ‘irregularity’) already dispose of means of sanctioning them. In theoretical terms this capacity to sanction perceived illegitimacies can be called negative reinforcement: perceiving and treating such practices as ‘irregular’ means responding to them in such a way as to make them less likely in the future. In practical terms negative reinforcement boils down to the withdrawal of political and electoral confidence.

Against this background is evident that beyond the sphere of rules defining judicial and penal prosecution, tracing down the origins of corrupt conduct opens up a huge field of considerations on how the rules implicit in some practices come to be perceived as ‘irregular’ or improper. Although no definite answer can be given when and under what circumstances perceptions of and negative attitudes towards corrupt practices, i.e. ‘irregular’ regularities or distorted rules of practices in a general sense, arise, it should be clear by the way of the analysis undertaken here that tracing ‘irregularities’ in the course of practices means exposing their implicit improprieties. Now, one cardinal way to account for the latter is to question how practices of social perception (can emerge) that can (or ought to) be subjected to negative assessment. More often than not the latter is an issue of exposing the ‘irregularities’ of (corrupt) practices by making their normative impropriety explicit.



CHAPTER 4: SUMMARIES

PERCEPTIONS OF CORRUPTION IN ROMANIA

Can there be such a thing as a *corrupt country without corrupt people*? For some politicians in Romania this is no paradox at all, for it can pretty well be the case that the institutional framework provides the legal regulations to detect and sanction corrupt conduct, but the prosecution and indictment ‘output’ nevertheless falls very much short of standing up to the needs of effective punishment. Across all the Target Groups one encounters the widespread belief that, rather than being an institution dedicated to prosecuting corruption, the judiciary is on the contrary its main structural cause. In the face of this, the aforementioned paradox can be rendered intelligible by claiming that everybody takes corruption for granted, but (almost) nobody, at least nobody that matters, seems to be held responsible or guilty.

Thus, the judicial way of understanding ‘corrupt country without corrupt people’ would be to point to the insoluble tension between generalised corrupt conduct on the one hand, and the extreme difficulty of breaking down this generality in determinate corruption cases to be sanctioned by justice on the other. The other way of explaining it is to connect perceptions of diffused corruption in Romanian society to the awareness that corruption has developed into a complex mechanism that aggregates multiple interests forging a ‘thick fabric’ of interdependencies, mutual liabilities and law-deviating networks spreading across all social fields.

Which phenomena can perceptions of diffused corruption be shown to rest upon? *a)* The ‘thick fabric’ of corrupt networking as a form of a ‘Mafia ensemble’ involving politicians, policemen and public administration servants; *b)* In the framework of privatisation the ensemble of intermingling interests consisting of a set of positions in the political, economical and judiciary system; *c)* The permanent law-deviating or extra-institutional exchange relations between business and political worlds; *d)* Turning politics into a personal business as a network that transcends party boundaries and bundles the variety of corrupt practices across the political spectrum together; *e)* Disposing of public property for party-political purposes; *f)* Illicit transactions between politics and civil (and economic) society, public funds being diverted to political activities through the mediation of NGO’s and private companies; and *g)* Relationships and personal allegiances from the communist past constituting a form of social capital.

What seems to be the characteristic feature of corruption perceptions in Romania is a kind of mental habitus of turning corrupt conduct into an individual right and in turn a social norm everybody must but observe under the existing state of affairs. ‘Rightful’ corruption is perceived and practised not only on the grounds of ‘legitimate’ privileges accruing to certain social positions though. It is often buttressed by various supplementary beliefs about it having a compensatory function. This consists in *a)* compensating for low income levels, *b)*



compensating for perceived inequalities regarding the relation between effort/work and reward; and **c**) compensatory claims as lingering effects under the former communist regime. What generally seems to bring together the various aspects of the mentality of ‘righteous’ corrupt conduct is the intersection of two sets of regularised law-deviating practices: one has its origins in the economy of state managed scarcity of the communist past, the other is a concomitant of the mechanisms by means of which the transformation of Romanian society from communism to market economy has taken place.

As regards the former, corruption as a mechanism of compensating for perceived injustices still rests on the people’s ‘legitimate’ corruption that under communism functioned as a re-allocation of the system of scarce resources. For the communist ruling classes, on the other hand, ‘legitimate’ corruption had functioned as a steering mechanism of resource allocation. Thus, one of the legacies of communism is a culture of corruption to the extent that all sorts of constraint, coercion and inescapability under the communist regime of scarcity created over the time firm orientations for action and patterns of dispositions sustaining the practices of ‘legitimate’ corrupt appropriation of public resources. As regards ‘rightful’ corruption forged during the transition period, the ways in which property transfer and institutional/social change took place rested upon firm and long-standing beliefs and perceptions of why a ‘rightful’ appropriation of resources by means of corruption was not only unavoidable, but also desirable. A great deal of the rules governing property transfer and privatisation thus consisted in adapting the communist culture of allocating resources by means of corruption to the exigencies of the new redistribution rules dictated by the forced and fraudulent privatisation process.

Taken together these two sets of regularised law-deviating practices have resulted in ‘spaga’ (petit corruption) and ‘mita’ (grand scale corruption) becoming interchangeable patterns of corrupt behaviour in the ordinary perceptions of the population. High level corruption could mingle with ordinary petit corruption, giving rise to such ubiquitous notions as ‘corrupt country’ to the extent that the more successful and stable the fraudulent methods of wealth accumulation became, the more likely it became for the masses to disregard any form of law-conforming behaviour, or to perceive that the only way to cope with and take advantage of the possibilities the new situation offered was benefiting from lawbreaking themselves.

On the level of contemporary corruption discourses, two aspects deserve peculiar attention: **a**) the politicisation of the anticorruption fight (i.e. corruption as a means of party political competition) and **b**) collective representations of a ‘corrupt country’ launched by the mass media. Like in other post-communist regimes riding the anti-corruption ticket has become a steady factor in Romanian politics. As regards the media one also observes an inflationary use of the notion of corruption. Taken together both have made out of ‘corruption’ a catch-all term purporting to cover all sorts of deficiencies, drawbacks, failures and malfunctions besetting contemporary Romanian society – a pars-pro-toto term designating the whole (of society, politics and economics) gone wrong.



PERCEPTIONS OF CORRUPTION IN BULGARIA

Principal differentiation:

1. Structural components (transition period): The research period is characterized by Bulgaria's ambition to become a member of the EU (which it has become in 2007). To fulfill this ambition, certain demands of the EU had to be fulfilled that can be subsumed under the notion of democratization including measures against corruption. This has had different consequences:

- Industries that were under control of the state during the communist era had to be privatized. Concerning this matter the ruling parties that were oriented towards the EU had an interest to sell these industries to international investors, whereas the opposition focused more on national interests and favored national investors. This gave place to mutual accusations of corruption: The government was accused of disregarding the national interests (see below), the opposition was accused of following their particular interests rather than those of the country (e. g. in the case of the tobacco industry where one of the parties – the MRF, the political representation of the ethnic Turks in Bulgaria – had the opportunity to “buy votes” since the tobacco industry is ruled by ethnic Turks.
- The financing of the political parties had been precarious because of the lack of sufficient sources of funding referring to the state and membership fees. Other sources had to be tapped, especially donors of the private industry. Since the existing laws (up to an amendment in 2006) were not adequate to regulate this practice doors were open to corruption or at least to according accusations.
- Due to the lack of experience foreign experts (political and economical) were invited to the country. These ‘borrowed’ forces brought with them their own interests or those of their actual employers that were not identical with the national interests of Bulgaria. The same goes for the financiers who were lending money to the country. In summary, some of the persons responsible for privatization acts had allegiances to former colleagues and friends who work for Western companies.
- The distribution of competences between politics and judiciary were not clear as a result of the missing democratic heritage. Because of this the government was able to take back a juridical decision against their privatization policy, arguing that the court was not to decide on the economic expedience of the deal, but only on its conformity to the law. This restriction of the courts led to a minimization of according judgments and to a public perception that the fight against corruption is ineffective.
- The introduction of democratic elections had the effect of a “marketisation of politics” that causes various discourse strategies.



2. Discourse strategies:

- The depleting of certain resources for political mobilization (ideology and patronage) in Bulgaria forces the political parties to draw more heavily on another one: the anti-corruption discourse which in this way becomes an implication of political interests.
- Measures against corruption in this sense are a way of gaining control over the political discourse. The crucial point in this reference is the establishment of “discourse coalitions”. These are of specific interest for the government which otherwise tends to become isolated in the anti-corruption discourse because of its originally legalistic conception of corruption (see below). For example, the government can try to establish a discourse coalition with the media, accepting their more broad definition of corruption and ‘feeding’ them with information about cases of corruption which complement their interest in “breaking news”, knowing that the media interest is not as great in long term, institutional amendments as in personal exchange respectively scandals.
- The concepts of corruption vary – initially – with the political position: Largely, when in power, politicians tend to support a legalistic view according to which actions in conformity with the law cannot be corrupt. On the other hand, politicians while in opposition claim that corrupt behavior can be more broadly defined as an offense against the national interest. Because of the aforementioned risk of discourse isolation the government overcomes their initial definition as too narrow.

The consequence of all these points is a considerable breach between an inflationary corruption discourse on the one hand and a very small number of actual juridical judgments on the other: when cases reach the courts, corruption curiously shrinks. The EU tends to criticize only the lack of judgements, disregarding the possibility that there could be more cases of accusations of corruption than actual corruption itself. As a result of the inflationary corruption discourse one can observe the public perception of an all-encompassing corruption, creating a situation in which populists can easily gain votes by promising unrealistic measures against corruption. Therefore the last elections in Bulgaria have all been characterized by such promises to the effect that none of the ruling parties could win a second mandate. As a consequence of these regular regime changes, there is a lack of continuity regarding anti-corruption policy and a complementary lack of law enforcement.

Four Theses:

1. In Bulgaria a transition is taking place towards an understanding of corruption, which transcends the accepted everyday meaning of the word. In everyday parlance,



corruption usually signifies a specific, illegal or illegitimate transaction – a quid pro quo situation. Debates on corruption generally start from this quid pro quo understanding, but then usually they replace with a much broader understanding of corruption, which generally means bad government, irresponsive government, government not in the interest of all.

2. What we are experiencing in Bulgaria is the profound politicisation of the understanding of corruption. Corruption discourse has been transformed into a tool for everyday politics.
3. The Bulgarian case study demonstrates that the more one “rationalises” anticorruption discourse, the more one “disenchants” the anti-corruption world (in the Weberian sense), the more anti-corruption magicians and superheroes emerge.
4. The forming of discourse coalitions (e.g. between politics and civil society) tends to “de-politicise” corruption as an issue. “De-politicisation” does not mean the removal of anti-corruption measures from the field of politics as such, but the devaluation of the issue as a means in party struggle: Parties build coalitions – with other parties or other target groups – to the effect that the change of government is no longer seen as the key measure to be taken and that instead long-term, institutional anti-corruption measures are being favored.



PERCEPTIONS OF CORRUPTION IN CROATIA

The empirical data upon which our findings are based stem mainly from two case studies. Case A refers to the financing of Presidential Elections. In 2005, a scandal revolved around the unrealistically small advertising budget reported by the ruling party candidate, and the majority of actors agreed on the failure of the pertaining Bill on the Financing of Presidential Elections adopted in the year before. Case B refers to grievances in Croatian homes for the elderly (HE) which aroused public interest in 2003. Among the irregularities were illegal use of the belongings and money of the deceased clients, bribing the managers of HE, illegal and preferential supply deals, trading a place in a HE for a client's apartment, etc. The ensuing court case was (temporarily) finalized in 2004, when the judge ruled the accused manager not guilty.

The analysis of these cases leads to the insight that in order to explain perceptions of corruption in Croatia, one has to refer to a set of historical circumstances and socio-political developments. With reference to our topic the recent history of Croatia may be divided into three phases: (1) the war for independence from 1991-1995; (2) the after-war-period of political instability until the death of president Tudjman in December 1999; (3) a succession of years of growing stability from the year 2000 onwards. The 1991-1995 war is often seen as one of the central generators of corruption, both structurally and culturally. The former aspect refers to the flourishing of war-profiteering groups and organized criminality, the latter aspect points to the emergence of the belief that crimes go unprosecuted. During the after-war-period, a combination of the cultural legacy of state socialism, disruptions and costs caused by the war, a slow and party controlled process of institutional reforms and the authoritarian and clientelistic regime of the late President Tudjman led to systematic irregularities within economic subsystem and to a number of anomalies in public services. These irregularities and anomalies provided a fertile soil for corruptive behaviour. Finally, the period 2000-2006 was marked by growing political stability and also by an improving standard of living, leading to a decrease in corrupt activities as available crime statistics suggest. In contradistinction to this development, the surveys clearly document the increasing public awareness of corruption, that is, perceptions according to which corruption in Croatia (still) is ubiquitous. The key to understand this paradox is the differentiation between petty and grand corruption: the former (and therewith the number of cases) shrinks, whereas the latter (that is, their size) rises. Since grand corruption is less tolerated and therefore focussed more strongly upon by the Croatian populace, this shift is perceived as an increase of corruptive behaviour in total. In this specific sense one may say that the public notion of corruption in Croatia is 'exaggerated'.

Looking at the sources of corruption in Croatia we may at first refer to traditional communitarianism, that is, the fact that pre-modern patterns of social behaviour originating from intimate social relationships, like kinship or friendship, are transferred to non-personal, systemic domains and disturb the functioning of the latter. One of the consequences of this circumstance is the phenomenon of hyperopic (mis)perception of corruption (HMC), where



actors are critical of corruption in other sectors or groups, but tend to ignore or mislabel corrupt acts within their own institution or social group. Another set of causes consists in the historical setting already mentioned: in the Croatian case the transformation crisis that came over all post-socialist countries after 1989 was enforced by a painful process of state building with regard to the war in Croatia 1991-1995. Furthermore, there was the rule of Franjo Tudjman, an authoritarian and autocratic regime characterised by favouritism. In general, sources of corruption in Croatia are of a political rather than of an economic nature.

With reference to measures against corruption we can again apply the distinction made above between petty and grand corruption. Concerning the former, the emphasis is usually put on the importance of citizens' cooperation. This approach aims at civic education, at the improvement of individuals' morals. Concerning the issue of grand corruption many participants identify a deficit of political will to fight corruption, caused by lacking independency of state institutions. Therefore, anti-corruption efforts are foremost expected from the judicial system. Most actors agree that the EU is principally able to influence positively the fight against corruption in Croatia. However, reservations exist primarily among politicians, who point to EU internal problems as well as to the fact that corruption can only be efficiently combated within Croatia itself.



PERCEPTIONS OF CORRUPTION IN TURKEY

The first issue that catches one's eye in the Turkish case, even before looking at contents, is the discrepancy between social reality and its reflection, that is, between the factual decrease of corruptive behaviour in Turkey and the increase of the discourse on this topic. This incongruity may be explained with regard to the phenomenon which we entitled as "instrumentalisation". Protagonists use this discourse strategy according to their particular interests: politicians exploit allegations in party struggles, representatives of the media use it as a means to get a large print run, and established businessmen employ it in order to repress new competitors. In this way, a public perception is being promoted which diverges from reality.

Approaching the specific contents of perceptions of corruption within Turkish society, we asked: what are the characteristics of corruptive behaviour, where does it take place and why does it happen? Concerning the social 'loci' of corruption we found that politics (respectively state affairs in general) and connected areas are seen as the domains where corruption is most widespread. This diagnosis of (supposedly) factual reality is complemented by the allusion that the judiciary is the system in which corruption may potentially cause the most corporative damage. Such damage is one the aspects used to define corruptive behaviour in the Turkish discourse. Concerning such definitions, there is a relatively broad consensus among the target groups. Corruption is usually described as breaking of rules in order to gain personal advantage, as non-transparent, uncompetitive behaviour the social costs of which are paid by society. Strikingly, classifications of this sort coincide with a somewhat positive view of corruption among the Turkish population. Another peculiarity is that the aspect of breaking rules not only refers to positive law, but very strongly to ethical norms, even from the perception of judges and lawyers. This observation already hints at a first category of causes of corruption which focuses the conduct of the individual, foremost its moral deficiency which is often associated with modernity. A second class of causes refers to structural or systemic shortages, like non-transparency of political processes, capacity overload in the juridical system, or red tape and over-bureaucratisation.

The somewhat positive valuation of corruption in Turkish society is to be understood against the background of a deeply rooted scepticism towards the state which goes back to the days of the Ottoman Empire. As a heritage from these times, the average person in Turkey does not trust the state, whose *raison d'être* has never been perceived as the provision of services to its citizens, and instead prefers to stay among his relatives or friends as much as possible. In this sense, Turkish society is communitarian, it is characterised by nepotism and patronage. However, the scepticism towards the state, which was reinforced by a wave of economic liberalisation in the 1980s, does not lead to an attitude of strict denial. In contrary people try to become part of the corruptive network which the state is perceived to be. As a result, bribery – in its active as well as in its passive form – is legitimised as a tool of survival for the average man in Turkey who is inured to petty corruption and therefore stresses the



(pretended) positive aspects of the latter. Thus the evaluation of corruption is ambivalent: on the one hand, people complain about its negative effects for society and, on the other hand, they themselves engage in it as a functional means in the social distribution conflict.

The fact already mentioned that politics and state affairs in general are perceived as the foremost places where corruptive behaviour takes place collides with the fact that most attendees in the Turkish corruption discourse deny the possibility of self-purification within this domain of society. The possibility of effective anti-corruption measures is rather seen beyond that, mainly referring to the juridical system and the media which are proposed to operate as some kind of sentinel. Although their current state is often criticised as being deficient, judiciary and media represent those areas within Turkish society which are given most confidence with regard to fighting corruption. The estimation of a possible positive impact of the EU, in the contrary, is ambivalent. The explanation of this finding must refer to the causes of corruption as described above. Those who advocate the standpoint which identifies mostly structural causes of corruption tend to detect a positive impact by the EU since they see Turkey in some kind of transitory state that merely has to be completed in order to eliminate corruption – or at least to diminish it to a significant degree. Those who share the position which assumes a correlation between corruptive behaviour and modernity insist on more global measures, aiming at a shift of basic moral standards. As a consequence, they tend to be sceptical about the ramifications of Turkey's (intended) EU-membership, because they think that such changes are beyond its scope.



PERCEPTIONS OF CORRUPTION IN GREECE

There are a number of *ambivalences* characterising perceptions of corruption in Greece. For one thing, one observes a very strong divergence regarding the question *how widespread corruption in the Greek society is*. On the one hand there are strong beliefs about corruption being highly widespread and diffused in the social fabric, because: **a)** Corruption should indeed be considered as a dominant social attitude and acceptable behaviour, or even as one of the main evils in modern Greek society (social disease); **b)** General collapse of values: Greek society suffers an erosion of culture and therefore the ‘usual’ corrupt conduct does not coincide with the explicitly illegal action. It goes against ‘approved social-ethical standards’, but these seem to have lost the binding force required to keep law-deviations at bay; **c)** “Culture of corruption”: citizens view corruption as a normal way of getting things done and that this way of thinking and practice is becoming deeply embedded into the conceptual, moral and practical attitudes of everyday life.

On the other hand one finds attitudes according to which the level of corruption in Greece is no greater than in other western (or east European) democracies, because: **a)** Corruption is inherent in the capitalist system of western type democracies. Therefore taking it to be merely a social disease obfuscates matters, or even worse, it represents a trivial justification of wrong-doing often used by the mass media and politicians; **b)** One should take the cultural determinants accounting for the spread of corruption more seriously. This means perceiving the “culture of corruption” not as something that could have been avoided, but rather as inherent in the cultural civilisation of the Eastern Europe: “the further east you move, the bigger the problem”; **c)** The only difference between Greece and the West: in the former there are no ‘rules of the game’.

What all perceptions of diffused corruption have in common can be summed up by saying that *everybody takes corruption for granted, but nobody (as far as one knows) does it*. To be sure, corruption should be considered as widespread or even omnipresent in the social fabric of modern Greece, but this acknowledgement is immediately blocked off by denying any personal experience of overtly criminal behaviour in one’s own field of action. All Target Groups claim they hardly know cases of illegal activities observed in their professional group. In any case, one should not fall pray to the Greek custom of exaggerating the problem, because it works like a self-fulfilling prophecy. Presenting corruption as all-encompassing helps create that social behavioural climate in which everybody takes it as granted and acts accordingly – making ultimately ubiquitous corruption true. Besides, there are ‘two Greeces’ and all modern societies suffer more or less from corruption.

Other perceptions that try to relativise the assumption of all-encompassing corruption run like this: **a)** The relative negative ranking of Greece should not be overestimated: The various CPIs and other indicators may be questioned regarding their integrity and credibility – they reflect subjective opinions and not ‘hard facts’ and purport to present trends that are not (may



not prove to be) very reliable; **b**) Only some people do it or the black-sheep-theory. Strict individualist causation: corruption should be linked to the personal/individual ethos, to the ethical standards and the morals of the individual.

Ambivalences can also be observed regarding the issue whether corruption in Greece is *systemic or contingent*. In support of the former, certain political-economic and socio-cultural determinants can undoubtedly be given. The latter rests on the assumption of purely moral-behavioural norm deviations. The cultural-heritage argument represents a kind of interface between the two. A closely connected issue is whether the structural embeddedness of corruption should be explained in a systemic-functional way, or rather in terms of the social-capital thesis. According to the former corruption fulfils functional requirements of an economic and political nature: **a**) Corruption is inherent in the capitalist mode of production being steadily reproduced through commodity exchange relations; **b**) It is rooted in the Greek socio-economic and political structure; **c**) Petty/grand corruption are due to state-capital relations (interface between modern state and capitalist interests); **d**) the reproduction of the power elites runs also by the way of corruption; and **e**) corruption is one modus operandi of the state. In sum, according to the functionalist reading corruption is perceived as a means of compensating for various distribution inequalities: corruption as a form of redistribution – a compensatory mechanism that is motivated by perceptions of re-establishing social justice. The social-capital assumption puts emphasis on behavioural patterns or dispositions that represent ways of ‘translating’ systemic imperatives in individual experience and action: **a**) The informal and law-deviating social networks of corruption represent a form of social capital; **b**) Corruption has come to be a component of the life-world, namely a peculiar form of solidarity among the various forms of reciprocities and mutual services; **c**) “Corrupt exchanges” are perceived as trying to cover up the gap or breach of trust between citizens and state; The low trust between state institutions and civil society in Greece is viewed as a lack of a positive form of social capital.

There is no less uncertainty as to what petty or grand corruption consists of and where it can be located. For some, what differentiates Greece from other (especially developed countries) is the widespread phenomenon of ‘petty’, ‘everyday’ corruption, widespread corruption in society at large or associated to the lower and middle social strata. For others on the contrary, the ‘peculiarity’ of the Greek power structure lies in powerful economic and political groups systematically reproducing corrupt practices in order to secure the rules of domination and expand their power basis. Furthermore, ‘everyday’ corruption is perceived to be a kind of elusive facticity larking everywhere in social life, but when it comes down to pinpointing sites of everyday corrupt conduct only public administration is picked out. However extensive, diffuse petty corrupt conduct may be corruption at large and only becomes quite serious, when “big money” is involved.

As regards political corruption, perceptions oscillate between individualist and structural approaches. Following a strict moralistic and ethicist stance associated only with personality



characteristics politically corrupt conduct is attributed to individual deviations from the 'proper' ethical values. For the structural approach political corruption, far from being merely an aberration of wrong-doing individuals, is perceived as a modus of *reproduction* of the ruling elites. One of the main springing sources of political corruption should be seen in those informal networks through which a great deal of the state resource allocation takes place, namely clientelism. But there is a kind of ambivalence here: On the one hand there is a wide consensus that the informal system of non-institutional 'contracts' is one of the 'evils' of modern Greek society. On the other they are taken to have legitimacy in the sense of **a)** providing routes of political integration and **b)** filling up the gaps where the state mechanisms of redistribution of social wealth, welfare benefits and social protection fail to work, or worse still, are missing.

Considerable disagreement can also be observed as to the question about the objective validity of the notion of 'corruption': *Is it a graspable social facticity or rather a discourse item deployed to certain ends?* For those who support the latter, Greece suffers not so much from corruption, but rather from the inflationary use the media makes of it. There are two versions of the inflationary-use argument against the media: **a)** The affirmative reproduction of what is perceived in everyday life as diffused corruption reinforces these perceptions thus 'constructing' a mentality habitus tolerant to or approving of corrupt conduct as a basic fact of social relations contributing at the same time to further eroding ethical values; and/or **b)** There is a kind of escalation spiral: medial representations conjure up the image of an all-encompassing corruption, the citizens for their part take this for granted and behave accordingly in everyday life, which in turn fuels the sensation greed of journalism.



PERCEPTIONS OF CORRUPTION IN THE UNITED KINGDOM

There is a perspicuous disparity between perceptions holding the UK to be an almost corruption-free country on the one hand, and a growing awareness of corruption becoming a structural problem in British public life on the other. A great deal of corruption discourses revolves around the question whether an act could reasonably have been identified as corruption at the time it took place. Like similar cases in Germany (i.e. the Siemens scandal) one can identify the disparity between subjective accounts of doing and social or legally codified perceptions of wrong-doing as a cognitive/behavioural lag: The perceptions guiding action somehow fail to match up with what have become new social perceptions determining realities in the field of what counts as corrupt conduct.

In rather general terms there seems to be a consensus among all Target Groups that Britain has a long tradition of being relatively corruption-free, although in recent decades there has been growing awareness of the need to identify and tackle corrupt conduct. However, the persistent recurrence of corruption affairs seems to be no great concern among the Target Groups: They perceive it as not having structural causes, being rather the result of personal ignorance or oversight. Therefore, wrongdoers are not really to blame, because bureaucratic regulatory confusion and complications, rather than greed and deviousness, are the source of trouble.

The corruption-free perceptions rest on the experience of the absence of petty corruption. This in turn is attributed the fact of the wealth of British society and the decent salary levels of the officials in the public administration, both at local and national level. Corruption is perceived of as somehow un-British, being rather something extraneous, bedevilling other, mostly underdeveloped, countries. There is obviously a connection between this 'extraterritorial' attitude and cultural self-perceptions of British life as governed by and complying with firm standards of socio-ethical action and long-standing, binding cultural/customary codes of conduct.

Thus, in most cases corruption awareness focuses on corruption abroad, i.e. British enterprises bribing foreign officials. Nearly all the various perception patterns and arguments underpinning stances towards corruption abroad support the assumption of corruption being contingent: a) the dilemma argument (i.e. corruption is contingent upon the decision of the individual either to uphold ethical standards and rules guiding fair competition, or execute business, where extra payments are expected, if not lawful); b) the competition argument (i.e. 'facilitation payments' are contingent, because they just happen sometimes to depend on the sort of business executed); c) the patriotic argument (i.e. 'facilitation payments' are in some countries a normal means of acquiring access to markets and infrastructures doing no harm to nobody; besides, they can be seen as a demonstration of patriotic competitiveness); d) the unavoidability argument (i.e. international efforts failing to impose binding standards and rules of competition can result in a 'race to the bottom' in which British, European and



American companies lose out – but things being as they are, there is no reasonable ground to ‘opt out’ yet); and e) the argument of indeterminacy (i.e. Who is after all to determine whether facilitation bribes are illicit or not: the state/law, society, business or international organisations? When and why is something to be called corruption?).

There are sound reasons to dispute these contingency perceptions and argue for a structural causation of corruption. Far from contingent, facilitation bribes are part of habitualised attitudes. These in turn must be situated in the compelling relation between motivational dispositions, company objectives and the rationality of maximising efficiency (profit). Corruption for the sake of ... (i.e. the long-term economic interests of the corporation, the positive effects on employment foreign investments will have for the company home, the benefits for the country as a whole in global competition, etc.) must thus be seen as a type of instrumental rationality.

Back home in the UK things relating to political corruption can be shown to have structural causes as well. The disparity between perceiving corruption being contingent or public life as corruption-free on the one hand, and the recent account of TI presenting politics as UK’s most corrupt sector on the other, can be explained by pointing out that **a)** given the development of growing societal awareness of corruption as an issue to be dealt with and **b)** on the basis of perceptions of high public standards in the UK the presumed contingency assumes the character of a regularity (regular-structural patterns of behaviour) now perceived definitely as ‘irregular’ or corrupt.

This holds true of other aspects of political corruption in the framework of the relations between the spheres of politics and economics too. Take for instance lobbyism: The Target Groups converge on the assumption that lobbyist activism must not necessarily have corruptive effects, because access to policy making is not automatically translatable into the exercise of influence on public agendas. However, the fact that governments and public administrations themselves nowadays invite organised private interests to participate in or support shaping public policies renders the illegitimate intrusion of private interests in the sphere of law-making policies a rather recurrent, or even, structural feature. Political corruption par excellence: The rules governing the performance of governments and public offices a) discharge of their normativity of attending to the public good and b) come under the influence of the specific rationality governing private economic objectives.

Admittedly, the issue of lobbyist corruption in the UK is far from clear. Where it surely is clear can be seen in the field of illegitimate party financing as a form of structural corruption in terms of access to politics being translatable into influence upon policy making. Under pains to ensure ever growing levels of financial capacities, the regular methods of donations acquisition of the political parties unavoidably become ‘irregular’, that is, illegitimate or norm-violating. Thus, it comes as no surprise that the dependencies on very wealthy donators have come to be seen by NGOs and politicians as symptomatic of a wider political malaise in



the UK. Some consider patronage as part and parcel of this malaise. What is sometimes considered as illegitimate exercise of power is the fact that the competencies of the Prime Minister are uncontrolled by the usual parliamentary control mechanisms. From this legitimization deficit to the popular concerns about politicians systematically abusing their position to further personal interests is but just one step.



PERCEPTIONS OF CORRUPTION IN GERMANY

The interesting thing about perceptions of corruption in contemporary Germany is a kind of contradiction: Although it generally seems that in terms of public perceptions the issue of corruption is not a serious, or simply significant problem confronting German society, there is nevertheless lately a growing awareness of it having become a social facticity of considerable gravity to be urgently dealt with. How is this paradoxical disparity to be explained? Whereas perceptions of corruption in a wide sense (i.e. public life at large) refer to it being an extensive social phenomenon, that is, a fact of everyday life or petty corruption – that obviously does not exist – the other type of corruption awareness points to there being certain domains in society where corruption has become (or has come to be perceived as) a structural feature.

Such domains are politics (political corruption) and economy (economic corrupt conduct). As regards the former the crucial issue is to trace grounds for corrupt conduct by taking account of *what forms societal perceptions of illegitimacy or 'irregularity' attached to practices can take*. Some indicators of perceived illegitimacy are for example: *a)* Violation of the independence of the political parties or political party competition through one-sided forms of donations; *b)* Lobbyism as a organised form of 'care of the political landscape' – consulting agencies in mediating between politics and economics; *c)* Party financing as a means of party control; *d)* Transfer of knowledge and/or administrative know-how from the public to the private sector; *e)* 'Revolving door'/multiple jobholding of MPs; and *f)* 'Outsourcing' activities of the state administration.

The issue of political corruption revolves around the (indissoluble) tension between the rationality (i.e. optimising/securing access to power, the logic of power politics) on the one hand, and the normativity (i.e. orientation to advancing the public good) of the rules of political action on the other. On the contrary, where the tension between rationality requirements and normative attitudes seems to be successfully resolved are the domains of judiciary and police. Attending to professional rules of legal expertise and investigative intelligence prosecutors/judges and the police force take at the same time a normative approach that includes both everyday experience and political, fiscal, economic, social and other discourses, the 'real life context', as well. In both domains one observes an effective match between the formal legal framework and the substantial professional pragmatics including normative stances.

Turning to the field of economic corruption it is interesting to observe how despite the various economic scandals that have shaken German public life in the past years there is apparently no awareness of corruption having become a persistent trait of economic action. Therefore it is significant that actors in the economical sphere – representatives from 'capital' as well as of the 'labour-force', i.e. entrepreneurs, managers, functionaries from industry-federations and trade unions – contest that corruption is not a structural, but an individual problem, not an economical, but a psychological phenomenon (i.e. 'criminal energies'). However, there are



serious reasons to argue that the relation between economic rationality and corrupt conduct is much more structural than commonly believed.

The reason is mainly that as habitualised practice the commitment to permanently raising performance efficiency is often prone to corrupt conduct, because 'the (economic) end justifies the (norm-deviating) means'. As regards corruption abroad there is also something else deserving attention: The issue of corruption in the economic sphere is often a kind of disparity between subjective accounts of doing and social (or legally codified) perceptions of wrong-doing to be thought of as a cognitive/behavioural lag: The perceptions guiding action somehow fail to match up with what have become new social perceptions determining realities in the field of what counts as corrupt conduct.

Talking about corruption perceptions means necessarily also taking account of the public discourses of corruption that are dominated by the media and NGOs working in the anti-corruption field. As regards the latter, mainly Transparency International, the anti-corruption work is *not* determined by beliefs of representation. The legitimacy of civil society organisations like TI rests not on representing (pre-existing) interests, but on succeeding in establishing the issue they stand for (for example anti-corruption) as a social state of affairs deserving public attention, organised action and institutional policy making. Thus the legitimacy of civil society activism boils down to success (in making corruption an issue of serious public concern) and this in turn is like a market place.

Other differences notwithstanding, there is a pattern of dealing with corruption observed in the media: It revolves around the question whether corruption should primarily be regarded as a breach of trust in terms of human morality or more in technical terms as a control problem. In general terms corruption is understood to be an indicator of the misuse of power (violation of the 'spirit of the constitution', 'nuisance') and as a failure of the institutionalised procedures of the political system. Beyond this common denominator there is a difference because conservative and liberal mass media: The former follow an individualistic-functional approach and perceive corruption as a mechanism of self-purification of the political system, the latter follow a structural-normative approach and consider corruption as damaging social norms.

Finally, reflecting on ways of fighting corruption the question emerges whether preventing corruption should be recast in terms of a) tracing down the origins of corrupt conduct and b) perceptions of and attitudes to 'irregular' (distorted, corrupt) regularities, because perceptions of corruption rest upon normative attitudes and assessments of what counts as 'irregular' practice, corrupt conduct or wrong-doing. Thus, perceiving corrupt conduct boils down to becoming aware of 'irregular' regularities. In the most cases preventing corruption means exposing the implicit improprieties of regular practices, or in other words, making the implicit impropriety of corrupt conduct explicit through a reflection on the rules governing practices perceived illegitimate.



One way of tracing down 'irregular' (illegitimate, corrupt) regularities is to point to the contradiction between rationalities of action and normative stances. Consider for example the contradiction public administrations become involved in, when they adopt as working ethos the rationality of private economic action: If the rationality of administrative action ought to comply with the imperative of raising efficiency, then the traditional norms and rules regulating practices of public offices (i.e. the normativity of promoting the common good) should be substituted by performance rules pertaining to economic rationality. What in this case is perceived as illegitimate or potentially corrupt rests upon long-standing beliefs that performances of public policies (ought to) have a normative status (i.e. value orientation) beyond any specific rationalities, whether procedural, political or economic.



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SPECIFIC TARGETED RESEARCH PROJECT: CRIME AND CULTURE

**Crime as a Cultural Problem. 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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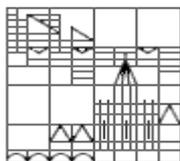
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