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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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RESEARCH REPORT TURKEY:

**Perceptions of Corruption in Turkey
A Content Analysis of Interviews from Politics, Judiciary, Police, Media,
Civil Society and Economy**

Authors: Zeynep Sarlak (M.A.), Dr. Bülent Besim Bali

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Project co-ordinator name: Professor Dr. Ahmet Insel

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I. Introduction

Legal and political developments, that took place in the second year of the research project on the issue of corruption in Turkey, could be summarized as follows:

The most significant development in the domain of legislation is enactment of the Witness Protection Law, (no: 5726) on December 27, 2007. According to this law, crimes that require witness protection are as stated follows;

- Crimes that require heavy life imprisonment, life imprisonment and imprisonment of minimum 10 years and over, stated in Turkish Penal Code and in penal statues.
- Crimes that require minimum 2 years imprisonment and over, due to joining an organization established in order to commit crimes stated as acts of guilt by law and of crimes of terror.

Another important development that occurred during this period was the acquittals in Turkbank case. The Supreme State Council ruled that the former Prime Minister Mesut Yılmaz and former Minister Güneş Taner, who were charged with rigging a competitive bidding process, were guilty of professional misconduct in office. However it delayed reaching a final verdict on the crime, since it was considered in the context of Law on Release on Probation passed in 2000. Yılmaz celebrated this decision with his opponents and managed to enter Parliament as an independent deputy from his hometown of Rize after his acquittal in 2007 General Elections

The 60th government of the Republic, (the 2nd Erdogan Government) addressed the issue of corruption in its program that received vote of confidence in Parliament on September 5, 2007. In the government program, corruption is defined as; “a fundamental problem that damages the trust relationship between state and its citizens and that by reason of extortion of public resources, has costed Turkey its huge resources for years”. It is also stated that “in the previous [AKP] government, significant measures were taken to prevent corruption and the responsables were called to account for getting involved in mal-practices”. Moreover, the program declares that the 60th government will go on waging an all-out war against corruption without concession. The government program emphasizes the use of technological developments in the provision of efficient public service and its contribution to downsizing bureaucratic processes which cause a waste of huge amount of time and energy.

The concepts such as e-Government, e-Transformation, and the plans like “Single Card Project” are implicitly highlighted as tools of fighting corruption. At this point, the current government considers the lengthy bureaucratic process as one of the main reasons of corruption. Besides, it evaluates e-transformation as necessary for “efficiency of production processes.”

The first legislative proposal on corruption following the 2007 General Elections was proposed by Algan Hacaloğlu and his friends (CHP) related to the enactment of a “Political Ethics Law” The proposal aims at establishing a “Political Ethics Committee” in the Turkish Parliament which would monitor, evaluate and report the fiscal, financial and economic



relations of Ministers, MPs and their family members. The ultimate aim of introducing such a committee in the proposal is given as the creation of rules and regulations for clean politics.¹

Several institutions went on working on the issue of corruption and prepared numerous reports in 2007. Followings are the summaries of three of these reports prepared by TUSIAD (Turkish Industrialist's and Businessmen's Association), ISMMMO (Istanbul Chamber of Independent Accountants and Certified Public Accountants) and TEPAV (Economic Policy Research Foundation of Turkey) respectively.

The Report of TUSIAD

In the context of "Agenda of Discussion Platform for Elections", TUSIAD published a report called "Towards Full Membership to the EU on January 1, 2014: Deeper Democracy, More Stable Social Structure, Stronger Economy" on June 8, 2007. In the report, it is affirmed that "Ethics in the state is of utmost importance to gain public confidence in the state and to strengthen the belief in the rule of law." It is also stated that it is unthinkable to consider ethics in the state as a separate issue from public administration. The essential point is the bringing to life of an ethical practice at all levels of the government through a holistic approach. The accent put on the "holistic approach" deserves special attention. Hence, in the report the "Regulation on the Principles of Ethical Behavior Applicable to Public Officials," which came into force after being published in the Official Gazette dated April 13, 2005, is severely criticized for the reason that its scope excludes the "President, members of the Parliament, members of the Cabinet, members of the Turkish Armed Forces and the judiciary, and universities". As indicated by TUSIAD, the current regulation will certainly prove inadequate in the establishment of an ethical infrastructure in the state due to the fact that "ethical codes" are not binding for *all* those working in the public sector.

Again, as stated by the document, the excessive number of exceptions in the field of practice of the "Public Officials Ethics Board," which was established on June 8, 2004, constitute an obstruction to its effective operation. Finally, in the report the expression in the Article 129 of the Constitution, ("Prosecution of public servants and other public employees for alleged offences shall be subject, except in cases prescribed by law, to the permission of the

¹ At this point it would be useful to recall former attempts on the Political Ethics Law. The first proposition about the establishment of Political Ethics Committee in the Parliament came from Bulent Akarcalı, Istanbul MP for ANAP in the 20th period in 1997. The proposition was accepted in the Constitutional Commission but it was not enacted. Akarcalı repeated his proposal in the 21st period (1999). However, this time it was refused in the Constitutional Commission. The grounds for the refusal were stated as such: "Enacting such a proposition would harm the moral existence of Grand National Assembly and limit the freedom of MPs. The proposal was made in line with the reactions of the public in the past, but over time the number of these reactions decreased to a great extent. It is not possible to secure ethical behavior by law". The issue was brought to the agenda once again in September 2001 due to the resignation of two ministers of the 57th Government of Republic under the Prime Ministry of Bulent Ecevit, Cumhuriyetçi (Minister of Energy and Natural Resources) and Koray Aydın (Minister of Public Works and Settlement) for allegations of corruption.. The government started to work on a draft of a "Political Ethics Law" but it lapsed in a little while. Algan Hacaloğlu, Istanbul MP of CHP with his 58 friends proposed a "Political Ethics Law" at the end of 2002 to the Parliament's presidency and yet their efforts did not yield any result. Recently, AKP Sakarya MP Ayhan Sefer Üstün and his 14 friends has prepared a draft law that proposes establishment of a "Political Ethics Commission" and "changes in some laws" and submitted it to the Parliament's presidency on January 19, 2007. Due to early General Elections, the subject was postponed to the new legislative period.



administrative authority designated by law,") as well as the Law on the Trial of Civil Servants and Other Public Officials, and articles provided by special laws envisaging a system of permissions for the trial of public officials are criticized for creating privileges. Finally, it is asserted that an ethical infrastructure can be brought to life only if this situation is brought to an end.

The Report of ISMMMO (Istanbul Chamber of Independent Accountants and Certified Public Accountants)

In the report, called "Economics of Corruption: Economic Analysis of Corruption as A Public Bad", prepared by Dr. Mustafa Celen for ISMMMO, it is estimated that, an increase by 1 point in the level of corruption, decreases public revenues by 1 per cent. Thus, according to the report if Turkey could move up to the rank of Denmark in TI Corruption Perceptions Index, its public revenues would increase by 6 per cent. In other words, in such as case, Turkey would be able to increase its public revenues more than 10.2 billion YTL per annum. In addition, the report claims that "Corruption is a significant factor that creates economic, political and social uncertainty for investors. The existence of great amount of bureaucracy, together with the dispersion of authority and lengthy processes of permission, increases the impact of corruption on economic activities. Increasing costs of private investments limit the growth of national income and production capacity of the country." In the report it is also stated that rapid urbanization leads to corrosion in the settled social networks and moral and social control mechanisms. As indicated by the document, the weakening of these networks have accelerated the level corruption and bribe. It is also suggested that there is a positive correlation between the level of corruption and the size of the unrecorded economy and the public and private sectors must collaborate in anti-corruption struggle.

The Report of TEPAV (Economic Policy Research Foundation of Turkey)

Economic Policy Research Foundation of Turkey (TEPAV) organized the 3rd Anti-Corruption Conference on December 5-6 under the topic of "Decentralization and Corruption". The impact of decentralization on corruption, i.e. the question whether corruption is decreased or simply decentralized was the essential focus of the conference. Bearing into mind that corruption cannot be eradicated totally, working group sessions focused on the control of corruption through vertical and horizontal accountability mechanisms regarding local administrations.

In the opening speech of the Conference Prof. Dr. Guven Sak emphasized the following points:

- The legislative proposal related to the establishment of a Political Ethics Committee in the Parliament and the one on the subject of financing of politics are not enacted. Besides, the necessary amendments in the Political Parties Law have not yet been made;
- The concept of "secret" is not defined in the legal documents. Consequently, transparency in public administration encouraged by Law on the Right to the Information and Public Financial Management and Control Law is shadowed.



- The notice of motion related to a new Court of Accounts Law proposed by a group of MPs has been waiting in the parliament to be discussed for over three years.
- Legislative proposal that includes elimination of wage differentiation among public employees and establishing a system of meritocracy in appointments has been in the agenda of the parliament for more than three years.
- Many laws related to public financial management and local administrations are problematic in terms of implementation.

As the above mentioned reports and statements demonstrate clearly, the efforts of corruption prevention in Turkey are shaped according to the international anti-corruption paradigm formulated mainly by global institutions like World Bank and TI. The characteristics of this paradigm can be stated as follows:

- Corruption is by and large defined as misuse of public authority by public employees in order to receive financial, political and, intangible benefits.
- Corruption is evil, renders societies unhealthy, and therefore must be eliminated.
- On the other hand, the temptation for corruption (both at individual and social levels), cannot be thoroughly eliminated. Therefore, the level of corruption in a society should be minimized through permanently fighting corruption tendencies.
- Measures for minimizing corruption are frequently listed as transparency in governance, accountability, institutionalization of inspection mechanisms, and increase in the number of NGOs that would conduct monitoring. In other words, the anti-corruption measures articulated share the same goal of curbing the opportunities that facilitate the involvement of public employees in corruption. The target is to define heavy penal sanctions for corrupt acts in advance and develop the institutions which would implement these sanctions whenever corruption is identified.

These measures seem to be quite reasonable at first sight. In any case, the dominant anti-corruption paradigm, i.e. the international anti-corruption paradigm chiefly concentrates on the public authority while developing its strategy on corruption issue. It is possible to allege that it has its own rationale. In this way, without disturbing the whole society, a solution is searched by focusing attention on a limited area.

Nevertheless, most of the corrupt acts such as bribery are committed by at least two parties. Apart from one sided acts such as embezzlement, corruption is a form of relation, in which both parties feel satisfied, for they have realized their aim. On one side of the relationship, there is the public authority (politicians, bureaucrats), and on the other side are those who gain advantage and share it with the public authority (citizens, businessmen). It is certainly inadequate and even dangerous, to asymmetrically focus on only those in public sector in the fight against corruption and ignore the private one.

At the same time, the above mentioned dominant paradigm of anti-corruption imposes itself as universal. The remedies developed within the framework of management sciences are articulated in a way that they are applicable regardless of time and location. This dominant paradigm, offers a series of precautionary measures to eliminate the notion of corruption without feeling any need of knowing it and yet at the same time it declares that the notion should normatively stay out of society. Nevertheless, right at this point, the sociology of corruption must be closely acknowledged.



2. Methodology

General Outline

As mentioned in the first report of the project, in the second phase of the research entitled as “Crime and Culture”, it is expected to gain fundamental insights into the cultural and social context within which deviant and criminal behavior occur as well as into the respective preconditions under which criminality can be combated successfully. To be able to accomplish such a task, a *top-down* perspective *per se* would fall short of unveiling the existent social reality since speaking in sociological terms; corruption can above all be defined as a type of social relation. The project, therefore adopts a ‘*bottom-up*’ empirical approach to the corruption to reveal the normative standards of different cultures, through bringing together the respective “modes of perception and recognition of the phenomenon” by different social actors in each society.”² Hence, the interviews conducted with the interviewees belonging to specified target groups in the second research phase was subjected to a qualitative content analysis, following the guidelines of *Grounded Theory* developed by Glaser and Strauss.

Data Generation

In the second phase of the project briefly entitled as “Crime and Culture”, 12 interviews were conducted with experts from six target groups (politics, judiciary, police, civil society, media and economy). They lasted approximately about an hour. All were digitally recorded. They were mostly conducted in the first two quarters of 2007. However, it was difficult to reach the experts in politics and media target groups due to the 2007 General Elections and succeeding presidential elections. Therefore, it was possible to reach them only in the third quarter of 2007.

Three of the interviewees (media-civil society-jurisdiction) were women. Majority of interviews were conducted in interviewees’ offices. The rest of the interviews were conducted in public places chosen by the interviewees. All the interviewees were informed about the content of the project in advance.

² See “REPORT: Kick-Off-Meeting”, Sofia, 2-3 February 2006.



Interviewees

Each couple of interviewees was selected from different categories of their own target groups based on various criteria (social democrat-liberal, globalist-nationalist, etc.)

Target Groups	Interviewee 1	Interviewee 2
<i>Politics</i>	Former MP from People's Republican Party (center left)	Former Minister of Tourism/ ex-MP of the True Path Party (center-right)
<i>Judiciary</i>	Attorney general/law professor/ expert.	Lawyer
<i>Police</i>	Former Assistant to the Deputy General Director, National Police/Ex-Mayor/ Former Minister of National Defense and Education	Former Assistant Chief of Police/Former Head of the Department of the Traffic Services
<i>Civil society</i>	Former Vice Person of TI Turkey/Board Member/Public Finance Professor	Program Director of an Influential National NGO
<i>Media</i>	Columnist-journalist of a liberal newspaper	Former Chief Editor of a highly circulated newspaper/Columnist-Journalist-Media Critic
<i>Economy</i>	Customs Broker	Former Governor of the Central Bank of Turkey, Consultant

Questions

In the preparation of question set, general guidelines of the project were followed to a great extent. Yet, considering the specific cultural characteristics and socio-economic realities of Turkey certain specific questions were included in the question set. In addition, several indirect questions were asked to the interviewees parallel to the course of the interview.

Questions could be categorized as follows:

First set of questions targets to understand the interviewee's perception of corruption. Initially, every interviewee was asked to make his or her own definition of corruption. Then, the interviewee was asked to list the causes of corruption on the basis of importance. Later, the interviewee was asked whether he/she evaluates corruption as an exceptional case or as a widespread phenomenon in society. Afterward, the interviewee was asked to comment on several Turkish proverbs and idioms related to the issue of corruption. The rest of questions in this part were along these lines:

- “At which point does corruption differentiate from social behavior patterns required by network of relationships?”
- Is it possible to evaluate bribery as a “factor of motivation” in bureaucracy?
- Could bribery be qualified as a way of facilitating daily life?
- What is the risk of receiving and giving bribery in Turkey?
- What is the relation of bribery with the level of income in Turkey?



- Does the ongoing economic liberalization process have any kind of impact on corruption increase and transformation of social values?

In the second part of the interview, the interviewees were asked for an evaluation of corruption in their own and other target groups.

The third part of the interview consists of specific questions on the subject of the relationship between corruption and politics in Turkey. Questions 1-5 were asked to all six target groups, and the rest of the questions were asked only to those from media, politics and public bureaucracy:

1. What are sides of the political system that facilitate corruption?
2. How is the issue of financing of politics evaluated? What type of regulation would be helpful to provide transparency? What are the underlying reasons of inefficient policies so far?
3. Is service – personal interest balance pursued in Turkish politics? How does the strengthening of local administrations affect corruption?
4. Could regulations arranged following economic crises in early 2000s have impact to decrease corruption?
5. Why can't the parliamentary immunity be lifted? What should be the limitations of parliamentary immunity? Could immunity be evaluated has an obstacle for the struggle with corruption?
6. Does the designation of the candidates by the parties highlight the dependence of the representatives (in relation to their re-election), which affects their behavior within the Parliament (discipline of vote)? Is the eventual re-election of MPs submitted to the approbation of their candidature by the direction of the party? If yes, what are the mechanisms of negotiation between parties and candidates to the candidature during pre-electoral periods? Which kind of resources do MP candidates provide to political parties?
7. Do political parties constrain MPs' behavior, at least concerning the discipline of vote?
8. How can you define relations of MPs with their electorate? Can clientelism be defined as corruption? What is exchanged?
9. One of the principal roles recognized to MPs consists of transmitting individual requests - in general, but not exclusively, from their electorate - and answering them. This role is both legitimate (a MP has to be at the service of the people and accessible to its requests) and illegitimate (as far as these practices are often disparaged as being particularistic, flouting the public good and the general interest). What is the drawing line between these two? What should be the drawing line between these two?
10. Which resources and legitimacy can MPs get from their activity of mediation or from the satisfaction of the requests? In some particular cases, can this activity also constitute a risk, i.e. lead to the loss of respectability or social capital of a MP? If yes, why?

Final questions of the interviews focus attention on anti-corruption measures and EU integration process:

- What should be measures taken in order to minimize corruption in Turkey?



- Do you think developments in information technology have an impact on the increase of corruption? If yes, why?
- What is the impact of EU integration process on anti-corruption activities in Turkey?

Data Analysis

Parallel to the guidelines of the theory, in the second phase of the research, all the interviews, after transcribed, were grouped together according to the target groups under examination. By way of a computerized qualitative data analysis (software *Atlas-ti*) method the research team reconstructed the interviews as new texts for each target group without purging contradictions and ambivalent expressions. Like in the first phase of the research, a two-level code analysis is implemented in this stage. The first level codes were related to the themes and main ideas of the interviews as primary content. In other words the explicit, predominant patterns of argumentations, definitions or of reasoning were articulated. Again, in this phase, certain inductive categories were formulated few of which left to be revised after completion of second level coding. At the second phase, a “non-explicit” level of content analysis was made. During this process however, the team members avoided themselves from cross-referencing among the interviews of different target groups.

3. Perceptions of Corruption

3.1. Analysis of the Target Group Politics

Corruption is defined as a set of nontransparent, inexplicit, and uncompetitive behavior contrary to the legal regulations and moral principles in a society. It causes unfair competition which hinders development and justice. There are cases; however, that corruption takes place in accordance with the law so it is not so blatantly obvious. The existence of such cases requires the definition of the term to be revised.

Corruption is a global issue. Despite being a highly recorded economy, there is significant corruption in the USA as well. The bribery process is legalized; it is accepted as a component in accounts. Thus, developing or non-western countries are continually blamed for corruption by Western countries. However, the most extensive corruption in the history was committed by these very same countries and their international institutions. During 1970s and 1980s, the World Bank resources were granted to dictatorial regimes in developing countries and the “pickings” of the West were transferred to Western banks and financial institutions. By huge amounts of interest that cannot be paid, the natural resources and the geostrategic values of the country were acquired. In this sense, the invasion of Iraq, by the USA is also an example of corruption.

In Turkey, the thought that it would not become apparent somehow and the fact that both parties are content in corrupt exchange relations are the main reasons why it is so widespread and inured socially. People’s main complaint related to corruption lies in the fact that they somehow do not have the opportunity to access to certain networks in which they can receive advantages.



The majority of Turkish society is not against corruption. On the contrary, corruption is even presented as something natural in Turkey's cultural codes through several idioms and proverbs. Turkish people are loyal to each other rather than the principles. The proverb, "A cup of coffee commits one to forty years of friendship" is a part of people behavioral pattern. This cultural code therefore makes patronage system a natural notion.

Moreover, an additional cause that triggers corruption and the ignorance towards it at the social level is the unfair distribution of income. 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.

The proportion of those involved in grand corruption is one in myriad and yet, a big part of petty corruption is related to the distribution of income. As long as politics does not correct this distribution, it will lose its legitimacy and power. And, this lays the grounds for corruption. Corruption has increased in the Ozal period thanks to a perverse liberal transformation. It is increasing at a faster pace during the AKP government. This is again a problem that deepens hand in hand with the legitimacy paradigm of politics.

Regarding the responsibility of the State for corruption issue, two basic approaches are identified:

- The State institutions that have the responsibility to serve to public operate quite poorly and their cadres are formed improperly, almost to a point to hide unemployment. In addition, government officials and almost all those in charge have no respect to the public they serve. This reality can not be changed by laws. The reasons for bribery should be sought in this mindset. Large-scale and small-scale bribery should be considered different in extent but not in definition. Bribery stems from the disrespect of the State towards its citizens. Citizens always fear the State in this country and especially its tax mechanism. These mutual perceptions must be changed in order to fight against corruption.
- Proprietorship appeared in Turkish society much later than the Western counterparts. Therefore, this ongoing process (of proprietorship) generates an important basis for corruption. In Turkey, land is still a source of great profit. Its allocation is a way of making politics and there is an absolute consensus on this matter. Following example among many others could be given to support this view: In a meeting of Istanbul Municipality Zoning Committee, both the government and the opposition parties, which go up against each other on almost every topic, come to terms on 118 plans in less than twenty minutes. Theoretically, if these plans had been discussed comprehensively, it would have at least taken several hours for one plan only, and therefore, the meeting would have lasted 3-4 days at least. This is nothing more than a corrupt act. However, the majority of people are not in opposition, let alone supportive to this course of action. Right before the General Elections of 2007, the current Prime Minister expressed overtly that he was residing in an illegal building and obtained a reasonable amount of votes through this discourse. This is because the number of people who dwell in illegal buildings is twice as many of those living in legal buildings.



Politics, media, jurisdiction, police, NGOs and business world are all involved in corruption in the same proportion. It would be unfair to blame one, and disregard others since corruption is not something single-sided. So far, politicians are perceived as the chief responsible of corrupt behavior. They serve as a convenient scapegoat for the dishonesty and corruption of the system. It is undisputable that politicians are primarily responsible to find ways to fight against corruption and their efforts are far from enough. Turkbank case was not opened because the parliament wanted to fight against corruption; it was rather a means of a completely different political fight. Yet still, in terms of getting involved with corrupt acts, they may even be the least guilty ones with respect to other groups. It is also true that politicians are not fulfilling their responsibilities to fight against corruption

It is true that governments, when they need votes of confidence or want to make laws enter into certain contracts with the MPs to gain their support. Yet still the excessive centralization of the system makes it difficult for governments to inspect their own decisions on transfer of resources. It is usually politicians who pay a price for the weak inspection body due to excessive centralized state structure. And, the public opinion, at this point, is manipulated by certain interest groups.

But still certain relation patterns in politics lay the foundations of corrupt administration and favoritism:

- Political parties are formed in a chain of command. Who is going to be an MP is in the leading cadre's initiative. It is natural to expect less democratic behavior from MPs who are under the command of one center. Once you are elected, you start getting directions from the party leaders; you are expected to behave according to their instructions. In such a structure an MP feels more indebted to the cadres that make him elected rather than to the electors.
- Last but not least, it can be stated that the agenda of Turkey and of the parliament is not generally parallel to each other. In other words, MPs and politicians from different political parties can easily make friends with one another. This automatically generates another form of loyalty. One can easily monitor these bonds in commissions, meetings, etc. In such a communitarian/solidarist structure of politics, the political leaders in Turkey, can easily overlook corruption, though they themselves are not directly involved in it.

To understand the systematic nature of corruption in the realm of politics in Turkey, the construction industry must be examined closely. Currently, the construction industry has the highest power within the last 20 years. The growth rate of the debts of Turkey and the growth rate of this industry go hand in hand. The constructing industry has many supporters in politics. When those supporters become members of the parliament or become ministers, they have impact upon investment decisions. And there emerges the trivet of businessman – bureaucrat and politician. If one side of the trivet is broken, the system does not function properly. Constructors expand their business by using public resources and they become more powerful within the system. Then they get involved in politics. In consequence of all these, Turkish public has to pay a huge price to close budget deficits with tax and high inflation. But no one seems to stand up against this fact. In a country where people are silent against corruption, the struggle with it becomes utopian.



It is not also wise to expect state officials to give a fight against corruption. Yet, many of them at important positions are closely involved with criminal groups one way or another. A politician for example, wants to close down illegal casinos. He would see senior government or state officials such as judges, chief police officers, gendarmerie commanders, district revenue officers and even some members of the parliament gamble there. He would see their names recorded in the account books of the casino owners. There is always an immense potential of criminal acts in such places. It would be naïve to expect a police chief who gambles in such an illegal casino to place its owner under arrest.

Party financing: Although the financing of politics is perceived as a disastrous issue in Turkey by both interviewees, two conflicting approaches are presented:

- The law related to party financing limits the amount of donations significantly. This leads to corruption in the financing of political parties especially through the relationship of media and political parties. A political party wants to advertise in a media organization. They bargain and they get a great discount for the advertisement. The amount of discount is not in vain. It is the discount of corruption. No proposition for the transparency of the financing of politics has ever been taken into account so far. If transparency was attained, many unfair competition issues would thus be eliminated.
- Political parties do have sufficient financial resources for their campaigns and other expenses and even more than they need. The state also provides financial aid. Therefore, it is not possible to state that political parties are in financial difficulties. In the past, the central administration of a political party did not provide financial aid for their local offices. The condition is different now. Thus, they receive money from local offices; from the offices they share the profit. The organization, the political party, does not receive the fund for itself. This could be defined in the context of “loyalty culture” and this type of loyalty consists of the financing of the party. That is to say, there is enough money for the financing and the state provides this fund and it is legal. However, this condition does not mean that there is no corruption and illicit money. The Mercimek case is an example for this.

Conclusion (on prevention)

The parliamentary immunity must be limited to political acts and freedom of speech, and all members of parliament must be liable and equal before law for crimes of corruption and other types of crimes as ordinary people.

However, limiting the immunities of MPs is not enough. All government officials must be completely liable and equal before law, as well.

EU integration process will contribute to Turkey in terms of fighting against corruption in almost every field. It will certainly have a positive legal impact on immunity and transparency since EU norms are more advanced than the ones in Turkey. In case of full integration, the whole picture will change radically.



3.2. *The Analysis of the Target Group Judiciary*

Corruption, as stated in the Turkish Penal Code; is any illegal act to obtain certain benefits. Nevertheless, corruption can not be limited to illicit behavior patterns. It includes any human behavior in contrast to general ethical principles, honesty and good will. While accepting the fact that there can not be a single and an absolute truth in social life, one can always suggest the existence of a “supreme interest”. The fact that a principle is not stated by law does not necessarily mean that it could be ignored. It is likely that the legislator may have “forgotten” or “deliberately” disregarded the principle for one or another reason. Therefore, laws should be in constant revision in accordance with changing social conditions. Yet, principles of honesty and good will stated in religious-ethical and cultural codes must remain superior to laws in all conditions.

Corruption is generally demoted to bribery in society because of its widespread nature. In the Turkish Penal Code bribery is defined as a crime committed by a public official in the framework of an agreement with a person in order to receive an advantage (tangible or intangible) to do or not to do something in the discharge of his or her public or legal duties. As it is an action of free-will performed by both parties mutually content, bribery hardly ever becomes a case before the court and is inured in the society. However, Bribery exists in every domain of daily life where citizens are faced with the state apparatus (the police, customs, hospitals and so forth). Today’s hegemonic conception based on individualism, nurtures bribery. People seem to forget the fact 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.

Nonetheless, the legislation defines corruption in a wider sense. Every field where money is in question is open to bribery, Corruption occurs most extensively in the fields of:

- Public bidding,
- Privatization of State Economic Enterprises,
- Stock market operations,
- Local administrative units,
- Political party financing,
- Election expenses.

And, the causes of corruption are listed as;

- Erosion in the moral values (“the ends justifies the means”, a social climate where success stories are demoted to fortune regardless of the means) ,
- Administrative heritage of the Ottoman rule (“Whatever you pick from the pig, is your earning”, state-subject interaction based on paternalistic forms),
- Lack of democratic culture (lack of access of people to government),
- Lack of expertise of the members of Jurisdiction related to newly-formed crime types,
- Time bar,
- Low quality of human resources at the implementation levels of government,

The main actors of corruption are stated as politicians, economic agents and criminal networks. Turkbank case openly made the existence of such a network obvious without any



hesitation. This case is also significant since it demonstrates the dirty nature of party financing (blood money). Politicians need financial resources to be elected/re-elected and the fund providers do not offer their financial support without remuneration. This environment pushes away honest people from getting involved in politics. It would be unrealistic to expect that a serious initiative would come from such a corrupt political structure in support of corruption prevention.

Like it is the case in the police department, in every level of judicial system there is bribery. There are very few lawyers in the judicial system that have a strong ethical stance. Most of them believe that giving bribes under the guise of gifts is a necessity in order to get their work done. Still, it would be wrong to state that corruption (but not bribery) is a widespread phenomenon. It is the least corrupt group among the whole.

The legal structure in Turkey is sufficient for fighting against corruption except for the domains of party financing and public procurement. On the other hand, the jurisdiction is faced with certain obstacles that weaken its power and efficiency in fighting against corruption. These obstacles could be categorized under three headings:

- Presumption of innocence that takes place in the Constitution,
- Difficulty in providing evidence,
- Problem of finding witness or informant due to the lack of sufficient protection

Moreover, it is claimed that in general the ones who choose to be judges are the ones who can not be lawyers. They are coming from the families of lower socio-economic status as compared to those of lawyers. As a consequence, their cultural level is relatively lower. This in return, might weaken their enthusiasm to fight against corruption and increase the probability of getting involved in wrongdoings.

As for the Turkish Media, it can be argued that it does not fulfill its functions to unveil the cases of corruption.

Theoretically, the application of EU standards could provide certain progress in the efforts of corruption prevention. However, at this point two important discouraging points are worth mentioning: First of all, it is believed that especially the AKP government is in hypocrisy regarding EU integration process. There are serious doubts that the present government is willing to meet the EU criteria. On the other hand, the same doubts are valid for the EU itself. The internal consistency of the EU is open to serious discussion for the reasons stated below:

- Although the autonomy of jurisdiction is stated in the Copenhagen Criteria, the Union constantly puts the Turkish Jurisdiction under pressure;
- EU admitted the two countries, Romania and Bulgaria as member states, which are more corrupt than Turkey according to Transparency International Corruption Perceptions Index.
- 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.



Until this very day, EU integration process has not provided Turkey with any noteworthy tool to decrease the level of corruption. The only positive impact of the process is the promulgation of the Public Procurement Law.

The implementation of the liberal economic model to move Turkey from “semi-capitalism to full capitalism” initiated by the Prime Minister Turgut Ozal in the post 1980 era, accelerated to a great extent the acts of corruption. Ozal’s words “my civil servant knows his own advantages”/ “My civil servant knows how to survive well!” were the most significant signs of corrosion of moral values. The cultural perception of public shame has started to change considerably. The society has started to envy and covet the life-styles of the “nouveaux riches” living in villas isolated from the rest by high walls, without questioning how they “turned the corner” (succeeded). In order to understand the methods and the pace of this change, it would be sufficient to discover what they were doing before 1980s.

Conclusion (on prevention)

In the short-run the following measures can contribute to corruption prevention:

- The establishment of a special commission similar to “Court of Political Parties”,
- Providing proper functioning of the “Law of Prosecution of Public Servants” ,
- Effective auditing of expenses of municipalities,
- Enlarging the definition of corruption in such a way that it would include the relations within the private sector,
- Forming a witness protection program.

Even though, the measures mentioned above were taken and applied in a serious manner, the corruption in Turkey would not be prevented unless the topic is taken in hand as an issue of values education. “As far as the motivation behind a mal-practice exists, banning it would not solve the problem”. Yet, above all, corruption is 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 can not be prevented unless the fact that corruption is a loose-loose game is internalized by the society as a whole. Anti-corruption measures should be planned in such a way that they include universal humanistic values and principles.

In the final analysis, it would be meaningless to try to find a remedy to corruption on a country-specific basis since it is a global problem. In this context there is an implicit consensus among developed countries (tax heavens located in Commonwealth countries, the scandal of Bank of Credit and Commerce International). The movie *Godfather III*, directed by Francis Ford Coppola, very well demonstrates the complex nature of the relations between crime organizations, religious structures, politicians, business, etc.

3.3. The Analysis of the 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 way of either using or not using one’s own power. Corrupt act can take place both in public and private spheres.



Still, corruption is a vague concept. There is no clear cut, common definition of corruption such that, in some cases even giving or receiving a tiny gift can be considered as a corrupt act. However, gift exchange may not be in the limits of corruption depending on its value and reason. Thus, the prophet Mohammed recommends to “give gifts to your friends and the beloved ones”. The acts such as offering lunch, presenting gifts or giving pocket money in religious and national occasions should not be considered as bribery. These kinds of practices should be thought as the support given to the protector by the protected.

Corruption is because of

- 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,
- solidly reflexes (to favor the members of one’s own social group),
- The institutional heritage that the Republic of Turkey took over from the Ottoman Empire. (Among the top administrative cadre in the Ottoman Empire, the idea to become wealthy by using its authority was internalized 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 behavioral pattern is still valid for the administrators, as if it is genetically coded.)

The level of corruption increased to a great extent hand in hand with the post-1980 liberalization process. Financial as well as trade liberalization without sufficient legal infrastructure provided immense opportunities (fictitious export, credit embezzlement and state biddings) for people who wanted to become rich in an easy way. Especially, as a consequence of decentralization process that the AKP government started in early 2000s, local administrative units had greater fields of maneuver open to corruption via,

- abusing the legal loopholes,
- creative accounting through Municipal Economic Enterprises,
- receiving illegal grants and distributing them to the local electorate in forms of food supply, coal, etc. (This policy is thought to provide AKP a considerable amount of votes in July 2007 General Elections and yet still blaming without evidence should be avoided.)

As for the financing of political parties, it is believed that the aid received from the State Treasury is more than sufficient. Politicians should finance themselves and if they receive external financial support, it should be overtly recorded and declared as is the case in the USA.

The immunities of MPs must be limited to freedom of speech. For petty offences however, they should certainly be abolished. However, in the current situation politicians are not expected to lift the immunities since they seem to be in need of them.



Business world, media and politics are in the first three ranks of corruption scale and the failures in other target groups including police, jurisdiction and NGOs are more often individual and in trivial amounts than systematic.

Politicians: Politicians play a significant role in corruption. In spite of their great executive power, they do not have to render account of their deeds to any inspection body but the Supreme Court.

Judiciary: The state attorneys and the judges are also enjoying the same asymmetry. The Turkish Penal Code bestows significant initiative to judges (the penalty for a crime X is for example up to 2 to 4 years of imprisonment, the judge may choose to opt for 2 or 4 years according to his discretionary power). Hypothetically, this discretionary power can be misused in exchange for personal benefits. It is a routine that judges apply to experts for subjects out of their professional knowledge. The reports prepared by experts frequently constitute the reference points for verdicts. An expert, if he is corrupt, is very well capable of mislead the judge. Law is applied because it is the Law not because it is fair. Sometimes people become victims of such corrupt experts. Nevertheless, ultimately, there is poetic justice.

Even though suffering from low salaries, overwork, even sometimes death threats, the members of jurisdiction involved in corruption is relatively very few in numbers. However, 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. Members of the judicial system, for this reason should not worry about their financial status whatsoever. U.K could constitute a good example for Turkey in this context.

Police: On the other hand, state institutions should not be held responsible for corrupt behaviors committed by few of their officials. Internal regulations of police department are very strict and when proven, the person involved in corruption is immediately dismissed. The police is unfairly blamed for bribery and other types of corruption by the public opinion. On the contrary, the police department is the most sensitive institution about corruption prevention. Compared to 20 – 30 years ago, there is great difference in the police department today. Certain acts considered natural in the past are defined as wrongdoings now. It should be also be noted that the State must not create the circumstances that lead to bribery. If there was still bribery in the police department despite reasonable improvements in salaries, the situation then must be seriously inspected and perpetrators must be severely punished.

Media: Media has a huge impact, therefore must abide by certain ethical codes while utilizing it. They have the means to bring up the problems into sharp relief of the political authorities.

Economy: The ultimate motivation for some businessmen is to get their work done regardless of ethical concerns. This mode of behavior has corrosive influence upon State institutions. At this point, reducing bureaucracy becomes an essential issue.

Civil Society: NGOs are praised for raising consciousness among state institutions.



Conclusion (on prevention)

As for the EU integration process in preventing corruption, it is emphasized that the implementation of laws is much more important than solely making them. The process itself is more significant than the full membership. EU means contemporary civilization, high quality of life, transparency and accountability.

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.

In the mean time, bureaucratic processes should be reduced and living conditions of government employees should be improved. Institutional culture should be promoted in government agencies via institutional training, and efficient internal inspection.

3.4. The Analysis of the Target Group Media

Corruption is defined as acts contrary to legislations, regulations, traditions and cultural norms; in order to gain personal tangible or intangible advantage. However, it is hard to include cheating of a child and illegal financing of a political party or insider trading within the same definition. At this point, the definition has to be expanded. It should include ways of capital accumulation or party financing by taking advantage of legal loopholes, where jurisdiction has difficulty to define them as acts of corruption. It is open to discussion to qualify a modern enterprise that makes people work like slaves, as pure and clean just because it is adapting supposedly some ethical codes; such as paying taxes and agreeing international laws. Favoritism and nepotism should also be included in the definition of corruption.

It is disturbing to provide a general definition where every type of corrupt act, no matter grand or petty is placed in the same basket and develop a prevention strategy based on the petty ones since they are more visible.

Likewise, it is questionable to qualify multinational corporations which do not evade taxes and fight for environmental issues in their own states and yet, exploit child labor in developing or less developed countries, as clean. The acts of international companies which virtually trap people in a never ending cycle of debt and exploitation and which force them to work on long-term contract basis with low wages should also considered as a form corruption.

Process of globalization commanded by the large multinational corporations and by the governments at the expense of poor countries is not considered as corruption in any part of the world. Moreover international institutions like IMF, World Bank even the EU at the service of those corporations interests are claiming that “poor countries are starving because they are corrupt”.

In early 1990s the term ‘clean society’ was operationalised by some media organs for the first time. They were making daily news of corruption related to every institution, from army to opposition and the government in charge. Their target was not to create a clean society but to be able to give such news by introducing the term itself. However, recently one can not read such news in the press.



Now, the term lost its meaning. TUSIAD (Association of Turkish Industrialists and Businessmen) for example, has quite strict ethical codes. The same codes exist in the publishing commission of Dogan Group. They allege easily that they are clean because they have such codes. The existence of these codes of ethics look as if there is significant improvement in this sphere compared to practices of the past. However, the situation is worse at present. Because, they declare something that does not exist in reality. One should ask the question whether the relation between the news about “Turkey will become Malaysia” and “the wish of Dogan Group to purchase the land of Hilton” have nothing in common. These two things are absolutely connected. But, the Dogan Group has certain ethical principles of publishing. The daughter of the owner of Dogan Group is the president of TUSIAD. When all these evaluated, what is going on is as follows: In the past, it was the events, people and institutions that were dirty. It was necessary to put forward concepts such as ‘clean society’. But now these concepts also became dirty. Therefore, they need to be redefined.

Corruption takes place mostly in the trivet of politics-bureaucracy-business world as demonstrated in the case of Turkbank. Despite the fact that the logic of market economy imprisons corruption within the boundaries of public sector, one can not deny that the role of economic agents is of primary importance. Corruption is extremely destructive if it is committed in Jurisdiction, because it erodes the legitimacy of the State. As for corruption in the police department, it becomes dangerous if it collaborates with mafia and other criminal organizations contrary to its mission. NGOs are usually in the bottom of the list.

As for the media, it is obvious that it is not struggling with corruption the way it should. Corruption could be unveiled by journalism rather than jurisdiction and legislation. Contrary to their claims, media members however are far from developing an ethical position on unveiling corruption. They can act only as much as the capital group behind them allows. If one does not have ethical codes, it can only unveil some corrupt acts or none. This is because the capital groups in the media sector are also involved in corruption: all the economy reporters know that there is ‘insider trading’ in every media group, both at the individual and institutional level. In this case, how can a media member declare himself as man of principles? How can he confirm that he is making this news in the name of principle, clean media, clean society or clean stock market? What is done is done to ‘hit’ some people by a piece of news.

However, the story is hypocritical in Turkey: The private sector, the capitalists and the journalists as their spokesmen always show the public field as the only corrupt area. It could be in a way correct. There are many perversions going on in the public sphere, but corruption has always two sides. A policeman does not bribe a judge. A judge does not protect an army officer to gain a bidding. Public field does not consist of government or state officials solely.

Within this framework, granting advantages, protection, favoritism, provision of interests should be evaluated differently from each other depending on their scale. Despite characteristically the same, the corrupt acts of a policeman whose living conditions are poor and of someone who just wishes to satisfy his greed should not be considered equally corrupt. The system in Turkey, however punishes only “the smaller/weaker” but not “the powerful”.



The other reasons of corruption can be stated as such:

- Inefficiency of jurisprudence (Overburdened prosecution personnel, long processing times, lack of expertise, time bar)
- Lack of punishment
- Legal loopholes
- Frequent amnesties
- Poor quality of education
- Poor performance of inspection mechanisms (although many middle level bureaucrats are seriously fighting against corruption but they can not find the political authority to finalize their efforts)

The fact that there is less corruption in developed countries is not because people in these countries are more honest, but because of high and severe penalties. Corruption, chiefly the bribery is inured because; appropriate penalty is not given at appropriate times. Ordinary people do not believe in judicial system in Turkey since “justice delayed is justice denied”. In this context, it would be wrong to draw a parallel between the uneven income distribution and bribery. It is just a way of legitimization. The inverse is correct however: the higher corruption is, the wider the gap in distribution of income becomes. The fact that many people do not have opportunities to improve their living conditions in their normal course of life turn them into individuals who run after small gains, favors, etc. They believe that it is the only way to survive This condition worsens due to the inequality of opportunity. On the other hand, ordinary people are not that innocent at all. They watch “Kurtlar Vadisi” (a TV serial showing intriguing relations in the state) and criticize severely those who manifested against Hrant Dink’s murderers.

On the relation of financing of politics with corruption, one has to differentiate between the “maintenance of functioning of the political party” and “maintenance of the businesses of the leading figures in the party”. Within this framework, the question ‘Why do some people become leading politicians and others do not?’ is worth revising. The political system takes in the figures that could provide the system financial support. In return, the system nurtures them by means of certain decisions, hints, insider trading, etc. It is not possible to see an ordinary worker as a member of the parliament. Because, he would not be valuable for the party in terms of creating any sort of impact. It is very hard to break this vicious circle.

The dimensions of corruption in local politics are more striking, despite smaller in scale compared to those committed in the center. In local politics, informal clusters and networks of kinship, townsmanship, friendship, enmity and such relations are more common.

On the financing of politics, the practices in the USA are considered applicable for Turkey. If “watch organizations” similar to the ones in USA could be established in Turkey, it might provide positive results in relation to monitoring certain processes.

Another important issue with regards to sphere of politics is the extent of the immunities the MPs are offered. They must certainly be limited to the freedom of speech. Yet, it is not realistic to expect that the immunities will be lifted in the near future while some many people are struggling for being an MP to enjoy the legal protections they provide.



In Turkey corruption increased after 1980, with the transition to the liberal economic model. The state however behaved in contrast with liberal economic paradigm and carried on with its interventionist stance in a reformed manner: it created 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. Mercimek case could be evaluated in this context.

Conclusion (on prevention)

The biggest contribution on corruption prevention is expected to come from the EU integration process. Even if this process would not solve the problems arising from the natural functioning of liberal economic system, it could rasp some of the exaggerated, obvious mal-practices. EU actors would not prevent the conversion of an archeological site into a construction land for a skyscraper. Conversely, they might give support to such a decision for the aim of purchasing the land themselves. The bureaucrat in Brussels would not explicitly approve it, but its businessman would certainly do. Yet, still EU process would be necessary for Turkey to reach a certain standard. Unfortunately, without an external pressure, it would be unrealistic to expect Turkey to set itself in order. In case the EU process interrupts, it is very likely that Turkey will become an isolated country, closed on itself.

3.5. The Analysis of the Target Group Civil Society

Corruption is the result of the modernity. Today's modern world is vulnerable in creating common ethics and therefore, encourages each person to live individually in their own ethical values. In situations where law does not function properly, individual immorality easily becomes legitimate. The "nouveaux riches" that popped up due to the opportunities provided by the new economic system have invaded the public space at the same pace. All these developments destroy ethical norms and justify self-positioning in the framework of personal interests. The so called system forces any decision maker to play by its rules

Modernity is not able to produce mutual behavioral patterns. Therefore, the instinct of corruption automatically becomes natural. Inspection of this would require a willful legislative and a powerful jurisdiction over the system. Unless this is realized, the only remaining item of inspection is the media, which itself is a tool of self-reproduction of the system. Theoretically NGOs would be needed severely if the legislative system was weak. Nevertheless, nothing is exempt from the present mental condition. Therefore being an NGO does not have a meaning itself. It is nothing more than a format.

In fact, the definition provided by the leading regulatory agencies (World Bank, IMF) or the NGOs operating under the ideological umbrella (TI) is far from questioning the logic of the system. Corruption, in this context, is defined in a limited manner, as the misuse of public office for private gain. Even though corruption pertains to explicit, transactional reciprocity, such a definition clearly exculpates the business world and social (kinship, religious, etc.) networks. However, especially in the Turkish case, these two should be held responsible for



corruption's being so widespread. Especially, the latter, in the name of having their share of public resources, support *the corruption economy* with their votes. Especially, the latest election results are open to evaluation within this context. The high rate of votes the AKP received in the 2007 General Elections due to the distribution of public resources very well demonstrates the fact that the society in general is not only inured to corruption but also willing to be a part of it for their own interests.

Lack of severe punishment and the unequal distribution of income are two of the most important factors that trigger the internalization of this implicit consensus. When this basic motivation that lies beneath the support given to certain political factions, i.e. the format of making politics in Turkey is taken into consideration, a one-dimensional definition of corruption limiting itself with the public sector mal-practices seems too inadequate. Corruption therefore 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, to question 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.

In fact, since the Ottoman Empire, ethical codes have been too much restricted in the private sphere in Turkish society. Stealing from the State has always been acceptable while stealing from a neighbor has not; because 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. In the Ottoman Empire, until before the political reforms in 1839 all the bureaucrats except soldiers received money from those they served and the line between that payment and bribery was so vague. There was the State one gets its work done in return for money although it should have been its right. That habit continues despite the reformation, because the state did not want to adapt itself to it. Although the structure is transformed, the mental condition of those who form the state did not. The same old understanding and behavior pattern persist there.

In Turkey, State is still perceived as *something* that is not clearly defined and known. *Whoever holds it, will have some piece of it.* It is mainly perceived as a field of privilege out of society. It is this very perception that leads to corruption. This is why people are continuously competing to get a job in government offices despite relatively low salaries. In this fashion, they can belong to a privileged network.

Since the legitimacy of State is systematically questioned and its structure has been clearly known, it would not be surprising to witness ordinary people abusing its resources whenever they have the opportunity to do so. So, the fact that society is inured to corruption is not a new phenomenon in Turkey. It has been continuing for centuries and the vice versa would be odd. Accepting corruption has always been the rule of survival. The majority of people secluded from the State directed itself to narrower fields of life and learnt to be *happy*. Others, however, learnt to hide themselves and their corrupt acts. The society has vast experience. It exists for centuries. In the Ottoman period, the land used to belong to the state. Now it is a Republic and the Republic also does not want to hand it over. Because, the state attaches more importance to land than it does to people. Ultimately, this is not something harmful. We can evacuate Cyprus but do not hand it over. If people become secondary issues and the hegemony of the State on land is of primary importance, corruption is expected to increase. However, right at this point, there is an ironical contradiction, because, mainly at the local level, the State has absolutely no power or no willingness to end shanty settlements. Right



here, the mafia steps in. People in need of housing need some kind of regulation. This, naturally, destroys the legitimacy of the State in the eyes of the people severely.

This fact has a different reflection on ordinary citizens. The forest lands for example, people do not feel that they belong to them, as citizens. An average citizen reads in a newspaper that the forests in some holiday resort are burning and he turns the page negligently. He can see the corruption behind it, he even expresses it loudly but he does not feel really uncomfortable.

Moreover, due to the rapid development and high migration of people from Anatolia to the West, the social structure of Turkey is constantly changing. Throughout this process, a new type of bourgeois has emerged in vast demand for resources which previously were used by only a small elite group. In this situation there existed two options which were either fighting on resources or expansion of the pool. And, Turkey preferred the latter one.

But still, until some 20 -30 years ago, it was possible to do business even in Istanbul with people whom you do not know without a debenture. There was a social network in the business world. Within the social network there was an enormous reciprocal trust relationship among business networks. The ethical standards were high. However, beyond the net there was a huge amount of tax evasion. The agent of the uncertain field outside this net was the frightening government financial inspector who could suddenly enter their workplaces.

Economic liberalization process however destroyed the above mentioned implicit contract. Mainly the economic paradigm shift after 1983 facilitated corruption and the idea and the desire to be rich became the major issue regardless of the source of the money. Sudden and incredible increase in the life standards of some with no questions asked whatsoever, made the rest envious and daring. Accordingly, by 1990s the situation had changed dramatically and the old ethical codes within the social networks had already been eroded.

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 favors caused over employment and bulky bureaucracy. Eventually, the structure of the state became ponderous.

Corruption is at its peak in all target groups except for the NGOs. However, politicians, as the main actors to fight against corruption, are not expected to change their position with regards to favoritism unless the meaning of politics alters and the sphere of politics expands. In this sense, the argument that the economic crisis in early 2000s ended the possibility of distribution of public resources and forced the politicians to take certain precautions seems to be doubtful. Because, the center means having the potential to create resources as long as the result is accepted. Moreover, due to the global economic system local governments are able to obtain funds from abroad.

The abolishing parliamentary immunity is right and this is a real issue in Turkey. NGOs has very limited influence on this issue. The political willingness is a must at this point. On the other hand, it would be naïve to expect an initiative on this issue from such a dirty political structure where the first five rows to MP candidates are sold in exchange for money.



Conclusion (On Prevention)

The means for struggle of corruption in the modern world is a true differentiation of legislation, execution, jurisdiction and media. Media must form a healthy connection with society, create awareness and become the instrument of inspection. NGOs are relatively new bodies and they do not hold much power. Yet, they can create sensitivity in certain groups. However, the fact that social opposition is conducted by NGOs instead of political parties is as a sign of deviation from liberal democracy. As for Turkey, legislation, execution and jurisdiction are intermingled. However, more important than that are the restrictions imposed on the political sphere by the state ideology and its protectors.

Even politicians do not know how some decisions are made in Turkey; they learn some of the decisions later on. There is a world that politicians are not involved in the decision-making process. Only the field of economy is left to the politicians. At this point, the question “Who wants to be a politician?” could be raised. The answer is; “the ones who are in the interest networks.” People are very well aware of these restrictions of politics in Turkey. The fight against corruption will accelerate if and only if the political sphere expands, i.e. the politics can be made in accordance with its common definition rather than getting stuck in the practices related to distribution of public resources. Therefore, the elimination of certain cadres that encloses the political sphere, the establishment of democratic standards would naturally bring a change to the profile of politicians and the political agenda. In today’s political structure, the notions like transparency, accountability, political ethic, etc. are of secondary importance. This is the only way to let honest people who do not have a hidden agenda enter into political domain. If honest and decent people could be in charge in Turkey, and if these people could set good examples for the public, people would definitely take them as role models. Because, Turkish people are inclined to take examples of their leaders and follow their conducts.

A proper distribution of income will have certain positive result in the struggle with corruption.

Above all, EU process (adaptation to the EU legal acquis), will have a positive impact on Turkey’s struggle against corruption, though, not eliminate it entirely. The ongoing process will support transparency and especially beneficial for the amendment of the public procurement law Turkey could import proper behavior patterns from EU. This is even more important than the legal regulations related to corruption prevention.

3.6. The Analysis of the Target Group Economy

Corruption exists in less developed and developing countries in which the tradition of accountability does not exist. Turkey as a member of this group of countries does not constitute an exception. Corruption is even more widespread in Turkey, compared to its counterparts. Turkish society is inured to corruption. There is a common belief among the society that it is not possible to get a work done in the public sector without bribery. The government officials, on the other hand justify their course of action on the basis of their low income level. In such a situation, the definition offered by the World Bank can be considered as the most reasonable one. Therefore, corruption can be defined as an act of a government



official to receive or provide a series of advantages by executing or avoiding his duty, whether it is tangible or not.

In the private sector, however there can not be corruption but irregularities. Private sector employees involved in irregular act can easily be dismissed once identified.

Unfortunately, in Turkey there is no consensus on its definition whatsoever. Even the Commission for Investigation of Corruptions in the Grand National Assembly of Turkey, is far from providing a definition of corruption.

In the customs, for example one has to bribe for almost every bureaucratic operations. “It is like paying toll to cross the bridge”. Every bureaucratic step has its fare and sometimes the custom’s official even gives the change back. The rumor is that so as to be appointed as a custom’s official, people are ready to pay a considerable amount of money to top level bureaucrats. The ones who refuse to receive bribes are immediately isolated from the system. The situation was much worse during the years 1981-1989. Employees were all relatives. Between 1989-1996, it got even worse in terms of corruption. It is not surprising that this period coincides with successive devaluation of national currency which in turn increased the volume of exports.

In 1996, with the signature of the Customs Union agreement the foreign trade office began to work better. Today, among the public institutions in process of reformation for EU integration, it is the Customs that maintained the best standards. At the beginning, the bureaucracy showed a strong resistance to change, and yet it had to give up due to the pressure coming from the political authority. There have been many changes in the last 3-4 years. There have been many great developments with the implementation of automation. The bribery has decreased almost fifty per cent. Controls are not made manually any more. The new system provides anyone with any kind of information it needs.

In the post 1980 era, corruption increased considerably. In pre-1980 era, corruption used to take place only in low levels of bureaucratic hierarchy. It had never been an issue in the top economic bureaucracy such as Treasury and Ministry of Finance. The institutional culture of such government bodies would never allow any of their members accept a gift of great value. The liberalism process à la Turgut Ozal (“My official knows what to do”) has deteriorated the existent the notion of public service. Especially the year 1987 was a milestone in this context. That was the year when corrupt public procurement policies and disputed deals and contracts in the state enterprises accelerated. From that time on corruption has spread over every top organ of economic bureaucracy. The reasons for this can be stated as;

- the transformation of institutional culture (those who could not adapt themselves to the new set of “rules” had to leave),
- the widening gap between the public and the private sector salaries,
- as a consequence, the low quality of the new appointees.

Initially to be a bureaucrat meant to have a respectable career. Subsequently, people began to use government office as a step stone to private sector which was offering much higher salaries. At the present, obtaining political or financial gains is the strongest motivation to work in the public sector.



In every step of corruption, there is the issue of party financing. Municipalities are the most corrupt political entities. The reasons of corruption are listed as such:

- 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.

The politics is merely in the hands of the political party leaders who are in charge till they die. And, the rest have minor impact. Political cadres are in general very poor in quality. Corruption is at its peak in the political arena. Even the Prime Ministry Inspection Committee acts politically despite its mission stated by law. Regardless of their contents, its reports are interpreted in accordance with political interests, and even in some cases the Committee is internally manipulated.

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 brought 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 are subject to the permission of their administrative authority. This is an unacceptable situation. If a public official and a custom broker got involved in corruption together, the broker would generally be the only one to be imprisoned, while the latter would evade the punishment by making a defensive statement without getting even dismissed.

Conclusion (on prevention)

Political determination is 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.