

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

Project no.: 028442

Instrument: SPECIFIC TARGETED RESEARCH PROJECT

Thematic Priority: PRIORITY 7, FP6-2004-CITIZENS-5

FINAL EXECUTIVE SUMMARY



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.

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 having 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 economy¹, 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.*

¹ Although currently this seems to be the case.



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 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, bedevilling 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.



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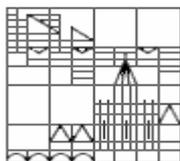
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