

# **Crime as a Cultural Problem. The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study in the EU-Candidate States and the EU-States Germany and Greece**

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## **Abstract**

The research project presented here 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 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 countries and EU member countries as a result handle the issue of corruption. In a final step, the research project intends to make specific recommendations for readjusting this "fit" and to investigate which role the media play within this process in each individual country.

## **1. Detailed Objectives of the Research Project**

The goal of this sociological research project is to deepen the knowledge of the phenomenon of corruption in the countries designated above. In doing so, it will follow a twofold line of inquiry:

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- 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 (in the spheres of politics, the judiciary, and the police forces), among multipliers (the media, etc.), as well as within the groups targeted by the prevention measures in the countries being studied.
- Expert systems will be evaluated during the project's first empirical phase by means of a sociological analysis of documents. In the second empirical phase, interviews will be conducted with persons active in institutions and the civil society, including representatives of the media, who are engaged in efforts to prevent corruption. Through the analysis of the data generated in this fashion, the common-sense definitions of corruption that hold in the respective countries will be reconstructed.
- In the third empirical phase, "bottom-up" strategies for the prevention of corruption are to be developed on the basis of the empirical findings from phases one and two. These will serve as supplements intended to improve the effectiveness of the existing expert systems, which are presently limited to a "top-down" approach. The existing prevention policies and procedures within the given society ("expert systems") will be submitted to a systematic strength-weakness analysis.
- On the basis of the findings from the phases one to three, points of departure will be delineated for the revision of the existing expert systems. In the project's concluding phase, these will be discussed together with policy-makers within the framework of an interactive scholar-expert workshop and then applied to the design of new preventative policies.
- Via contacts between the project consortium, anti-corruption initiatives within the public sphere and the media, the "*common-sense perceptions of corruption*" reconstructed in the first three phases are to be communicated to the interested public. On the basis of the discussion of this concrete issue, the project will foster the development of civil-societal culture in the participating countries.
- Moreover, the project strives to emphasise the *role* of the media in preventing corruption. The project proceeds from the assumption that the media play a central role in the development of civil-societal structures. In democratic societies, the media serve in principle the function of conveying societally relevant knowledge to the public. On this basis, the project teams within the participating countries will investigate the specific nature and extent of media coverage of corruption in order to establish to what extent the public is kept informed on and the circumstances under which it thrives. In this way, the project intends to initiate a public discourse on corruption and its prevention.

## 2. Reasons for this Particular Set of Goals

### 2.1 Definitions of Corruption

First, the social sciences have yet to develop a clear cut definition of the phenomenon designated as corruption. The deficit is reflected in Alemann's and Kleinfeld's (Alemann/Kleinfeld 1992, Benz/Alemann/Seibel 1992) quite unsystematic distinction between corruption as 1. an expression of societal collapse; 2. as deviant behaviour; 3. as a logic of exchange; 4. as a system of measurable perceptions; and 5. as shadow policy. If we compare cultures, we encounter differing common-sense attitudes towards corruption. For the project's approach, the following methodological *distinction* is essential: due to their professional responsibilities, institutional actors, i.e. political and administrative experts, tend to subscribe to what are often termed "top-down" definitions. In addition, there are "bottom-up" definitions of corruption,

which are not necessarily compatible with the former, and are commonly used in the everyday life of the lay public, but also in the official discourses of practitioners (experts).

## 2.2 *The Relationship between Culture and Crime (Corruption)*

The project's *sociological approach* is founded on the assumption that social "facts" represent solutions to social problems, in other words, they are social constructions (Berger/Luckmann 1989). Corruption, too, seen from a sociological perspective, 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 as well in long-standing *socio-cultural contexts*, both of which are to be disclosed through the sociological analysis. Social situations are not necessarily objectively determined, but instead are 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.

A *society's culture* provides its members with a *store of knowledge* within which are preserved standardised definitions for common situations and situationally appropriate ways of resolving them (Soeffner 1989). This orientation knowledge, sedimented as culture and common to all members of the society, underlies and is expressed through the actors' *patterns of perception*. Significantly, the unquestioning manner in which the members of a given society employ their store of cultural knowledge represents the central guarantee for stability within that society (Knoblauch/Raab/Schnettler 2002). In historical situations of social change, such as the one currently being experienced in the *countries of Southeastern Europe* as part of the post-socialistic transformation process and through the impending integration into the EU – which represent the equivalent of the process of modernisation (see below) –, these common-sense cultural givens are thrown into crisis. The society regards new concepts as disturbances imposed from the outside by the coming order, causing those acting according to these new concepts to be perceived as an unfamiliar or alienating power (Tänzler 1999, Čopič 2004, Švob-Đokić 2004). To defend themselves against this experience of alienation brought about by the process of modernisation, members of the society retain the older concepts of order that promise them familiarity and security. This seemingly passive reluctance to give up the former order, termed "*cultural lag*" in processes of social change, in fact does contain an active component. The stubborn intractability and resistant attitude demonstrated by these actors result from the fact that these people's identity is a part of the store of cultural knowledge that defines their social order. This behaviour is not surprising, as giving it up involves risking a loss of identity. What is more, this loss of self does not only threaten an individual's symbolic and moral identity – thus invoking the danger of meaninglessness –, but also his or her social identity, which in the framework of the societal division of labour provides individual existence with a solid foundation.

## 2.3 *The Relationship between Institutions, Civil Society, and Counter-Corruption Policies*

Modernity is the guiding principle of the European Union, i.e. the development and realisation of rational and socially just processes in all areas of life. This guiding principle finds its expression in the European institutions of the constitution and the rule of law, a free market economy, and the welfare state. The effects of these achievements, namely increased welfare for the Union's population, an increase in social opportunities, as well as the reduction of life-

threatening risks, are for the great majority of people in candidate countries' societies readily apparent. In fact, they are what make EU membership so attractive for non-members.

The intellectual and cultural factors that must be in place before a society can achieve modernity are, in contrast, not immediately apparent. The people of Northern and Southern Europe have internalised them through a long historical process. The prospective new citizens of the EU live to a certain extent in life-worlds not compatible with these principles (Münch 1978).

Furthermore, institutions only represent the *objective framework* for social action, while its subjective motives are part of an organic cultural unity. The transfer of institutions merely leads to a *truncated modernity* that is external to a society's population. This new, modern institutional order must be conveyed as a part of the culture of people's everyday lives. Only then can these institutions take root in the minds and lives of the population. In contrast to institutions providing prosperity and security, culture cannot be transferred, nor can it be technocratically produced in a "top-down" process. Instead, it can only produce itself in a long societal learning process.

Thus, the kind of societal transformation achieved through institutional transfer can be brought about in a technological or technocratic sense in a "top-down" procedure, whereas modernisation cannot. Modernisation occurs through an *autonomous learning process* (Berger 1996). Political and administrative measures towards this end must therefore co-ordinate "top-down" procedures with these "bottom-up" processes if the former are to achieve full effectiveness. Institutions and codes of conduct must be brought into a "harmonised relationship" if they are not to impede, or even block, one another, but rather guarantee reflexive mutual support.

A society's transformation by means of a temporally limited transfer of institutions is followed by a long-term process of *modernisation* entailing much greater risks, in which social actors as a group nonetheless come together to create a civil society (Zapf 1990, Sterbling 1991). It is in this second phase, that the true process of modernisation occurs, i. e. the *internalisation* of universal, material concepts of a society under the rule of law such as justice, equality, social responsibility, and solidarity, which ensure that modern societies are able to function. It is this phase that is so crucial for the process of EU enlargement and integration. The emergence of the politically mature citizen simultaneously brings a political public sphere into being that transcends partial social relationship networks, making them subject to political rule, i.e. subject them to the common will. Only if this ex post modernisation is successful can social change have a chance at becoming permanently sustainable.

Therefore, processes of social change such as the EU enlargement or integration are faced with the twofold difficulty of hooking into existing patterns of perception anchored in the public consciousness, while at the same time adjusting them in to meet new criteria of rationality.

A central category of rationality in modern societies is the principle of the public sphere and the visibility of decision-making processes in politics which are guaranteed through the existence of formal institutions.

As a fundamental principle of modern civil societies, the public sphere is diametrically opposed to corruption. Corruption occurs behind closed doors. In the grey zone between traditional nepotism (a "system of favours") and criminal forms of taking influence and benefiting oneself (from "old-boy networks" to "criminal associations"), actors' perceptions no longer distinguish between legal and illegal. At the same time, trust in institutions decreases.

The widespread corruption to be found in the formerly socialist countries of Southeastern Europe and in Turkey can be explained as a result of the twofold heritage of traditional pre-modernism and socialist counter-modernism that still shapes these societies. In contrast, comparable developments in the countries of Europe's heartland with "western" traditions are, most probably the result of post-modern processes of decreasing differentiation (Beck 2004).

Strengthening institutions alone cannot promise any sustainable change if structures of a civil society do not develop in a parallel process.

#### 2.4 Expert Knowledge and Counter-Corruption Measures

Experts act within legal and administrative frameworks that create a specific, albeit limited, perspective on the issue (Illich 1979). Nonetheless, on the basis of their personal experience, these experts and practitioners possess knowledge that cannot be reconciled with this official framework. The project aims to collect and structure this personal knowledge in order to supplement official expertise on the prevention of corruption and to apply it towards optimising related measures.

In addition to the *contribution of additional expertise*, the study is designed to collect and communicate *laypersons' common sense knowledge* on the issue of corruption. Within the part of the project designed to generate policy proposals, we plan to make the "bottom-up" perspective (laypersons' societal dispositions) fruitful for the generation of this additional expertise and for the preparation of prevention policies. The final goal of this process is to *adjust* the communication between experts and laypersons through the development of shared semantics.

Experts must be aware that legal, administrative, and police measures influence people's everyday consciousness only to a limited extent and that this influence takes on forms counter-productive to the original intention. This is due to the differing concepts and interests that determine how experts and laypersons generally act.

From the perspective of the experts, corruption is nothing other than deviant, *criminal behaviour* incommensurable with institutional values that for this reason must be combated. In average people's daily lives, corruption can in contrast be a part of the social order that secures their existence, making it to 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 offenders' consciousness may resist both rational reasons and institutional enforcement of corruption punishment. Offenders will only give up an illegal incentive system when it is replaced with a legal bonus system that guarantees greater advantages and, most importantly, security.

#### 2.5 The Media and Counter-Corruption Measures

Along with state institutions and civil society, the media represent an additional important group of actors in the struggle against corruption. The project seeks to support the systematic integration of the media into state and civil societal prevention policies and measures.

In modern societies, cultural concepts and values are generally transmitted via the media. For this reason, how society perceives corruption and the extent to which it can be prevented depends on how the phenomenon is depicted in the media. Furthermore, in modern societies, the media constitute *the public sphere*, thereby contributing to *society's capacity to police itself* (Peters 2003). In view of this state of affairs, the project investigates: 1. the manner in which and the extent to which corruption is presented in the media and 2. the function of the media in the participating countries in forming a political and civil societal public sphere and in contributing to the respective society's capacity to police itself.

Moreover, the media serve as the guarantee for the democratic principle of visibility. Accordingly, the media hold a key role in determining how corruption is perceived. Corruption

occurs behind closed doors (“the shadow economy”), thereby contradicting the fundamental principle that decisions and conduct be “visible“ in order to ensure that state institutions enjoy the consensual public legitimisation required within a democratic order ((Stapenhurst 2000).

The public sphere as it is constructed through the media is, along with the legal sphere and that of criminal prosecution, civil society’s self-policing instrument and the most effective means of preventing potentially corrupt conduct before it can start and thus of combating corruption as a “shadow phenomenon“. Civil society’s capacity to police guiding principles of conduct does not come into ex post effect, but rather imposes sanctions on and prevents potentially corrupt behaviour while it is still developing in those fields of society to which state organs have no access. The larger a society’s public sphere, i.e. civil societal level of awareness concerning the issue, is, the lower the tendency towards corrupt conduct will be.

## 2.6 Countries Subject to Analysis

The project investigates the aspects outlined above by means of an *international comparison* encompassing Southeastern European societies in transition, Turkey, and the modern “western” democratic systems represented by Germany and Greece. The primary focus of research is on the EU candidate countries. The phenomenon of corruption in these countries represents a substantial threat to their efforts to adjust their political, social, and economic systems to European standards. The EU member countries of Germany and Greece are included in the study as a basis for comparison. Germany was selected because it is known for its long historical tradition of rational bureaucracy and legal structures, but has in recent years also been confronted with a number of corruption cases within different areas of society. To a certain extent, Germany represents an institutional contrast to post-socialist countries with authoritarian traditions and resultantly less rational administrative practices and legal traditions that continue to suffer from the cultural inheritance of their recent past. However, in Germany, too, cases of corruption continue to come to light, apparently with increasing frequency (Dolata/Schilling 2004, Leyendecker 2004). The German “corruption sector” continues to expand (Bannenberg/Schaupensteiner 2004). Consulting agreements, private expert reports, provisions, and exchanges of mutual “favours” are among the forms of corruption most often recorded in this country. To a degree, Greece, which has been a member of the EU for more than twenty years, can be seen as sharing in Eastern European’s discontinuous political and socio-cultural traditions, albeit on the basis of differing historical experience (Koutsoukis 1993, Diamandouros 2000). This country’s political system was in the past strongly characterised by the existence of political clientele networks, and still is today. Their existence bears witness to a vertical structure of political organisation and the deliberate attempt of the political elites to keep the citizens in a state of political immaturity. Above all, they manifest the primary problem confronting the development of an active civil society in Greece that could intervene combating corruption: citizens’ inadequate identification with the rules of their own societal integration (Giannakopoulos 2005). Thus, it is no surprise that in this socio-political context corruption is a part of everyday practice. Although the situation has improved in recent years, above all as a result of the process of to the EU, corruption nevertheless continues to represent a serious problem in Greece.

## 3. State of the Art

The present chapter focuses on research on the *implementation* of EU legislation (aquis communautaire) and the administrative structures involved in this process, as well as on research into international anti-corruption agreements in the EU-accession candidate countries and in

the EU member countries Germany and Greece based on the analysis the annual reports issued by international counter-corruption organisations and by the European Commission.<sup>1</sup> In this way, this review of current research corresponds with the project's goals. Detailed studies of *current efforts to combat corruption* in each country represented in the project are of appreciable significance to its overall structure, as it is concerned with generating useful additional knowledge on the perceptions of corruption towards the end of improving the measures, institutions and police employ in combating this phenomenon.

*Furthermore, the project seeks to overcome the current understanding of corruption that is restricted to its institutional definition. It is expected that the project will bring about a better, empirically grounded understanding of the everyday practice of corruption and, therefore, specifically through its close focus on cultural factors, contribute to improving practicable anti-corruption measures.*

### *3.1 Anti-Corruption Measures in Bulgaria: Progress and Deficits*

In Bulgaria, adopting the EU legislation as part of its general process of achieving EU-compatibility has made appreciable progress. The legal system is being adapted to European standards, the administrative system strengthened, and legal reform accelerated. However, although the capacity for performance in the fields of law and domestic administration has been expanded, corruption is a problematic issue that must be given political priority (European Commission, Regular Report on Bulgaria's Progress towards accession, 2003, 47). In particular, efforts to combat corruption within the prosecuting organs system deserve particular attention. There have been a number of government initiatives within the field of anti-corruption legislation that have political and legal implications. For example, the Bulgarian government developed and, in 2002, implemented a National Anti-Corruption Strategy that is intended to make available a complete structural and legislative framework that enables the government to take effective measures. This strategy is to be implemented through an operative programme in which experts, representatives of governmental authorities, and NGOs participate. This program has implemented legislative policies within the judiciary as concrete measures in its struggle against corruption. Bulgaria has established the Upper Judicial Council, the highest instance within the system of judicial accountability, as a part of its reform strategy (SELDI 2002, V, p. 22), as well as amended the criminal code in 2000 (SELDI 2002, III, p. 7; OECD 2003, p. 4). These steps were flanked by an administrative code that came into effect in 1998 and made binding for all levels of administration in 2001, thus implementing new organisational and procedural regulations. Within the economic field, anti-corruption measures have been concentrated on the administrative and legal regulation of the privatisation process. In 2002, a new privatisation and post-privatisation regulatory law for the preven-

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<sup>1</sup> This review of current research is based on following documents: Europäische Kommission: Regelmäßiger Bericht über die Fortschritte Bulgariens auf dem Weg zum Beitritt 2003-2004, Europäische Kommission: Regelmäßiger Bericht über die Fortschritte Rumäniens auf dem Weg zum Beitritt 2004, Europäische Kommission: Regelmäßiger Bericht über die Fortschritte der Türkei auf dem Weg zum Beitritt 2004, European Commission: Activity Reports of the European Anti-Fraud Office of the Year 2004, Council Of Europe: Directorate General I - Legal Affairs. Department of Crime Problems: GRECO Group of States against Corruption: Evaluation Reports 2000-2004, OECD: Public Governance and Territorial Development Directorate. Country Factsheets 2000-2004, SELDI: Corruption Indexes-Regional Corruption Monitoring in Albania, BiH, Bulgaria, Croatia, Macedonia, Romania and Yugoslavia, South East Legal Development Initiative, 2000- 2004, Transparency International: Corruption Perceptions Index 2004.

tion of corruption was passed. It was intended to simplify the procedure for property transfer and to prepare for the second phase of privatisation in the telecommunications sector (SELDI 2002, III, p. 3). In December 2003, the Bulgarian government undertook a further step towards more efficient anti-corruption measures, designing a plan of action for 2003-2005, with which an institutional and legal foundation in line with the EU's ground principles and legal norms was to be created. In particular, these measures focused on corruption in the educational and health sectors. Similarly, the concept drawn up and passed by the Upper Legal Council in March 2004 intended to combat corruption in the judicial system emulates the European Charter for the judicial profession (European Commission, Regular Report on Bulgaria's Progress towards accession, 2004, p. 20).

This anti-corruption legislation is clearly the factor that has led to a drop in the level of corruption from 2.9 (1998) to 3.9 (2003) (Transparency International, Corruption Perception Index 2004, p. 24). These results indicate that Bulgaria has arrived in the mid-field of the corruption scale (57). Although the establishment of two bodies exclusively occupied with the co-ordination of anti-corruption policy, i.e. the White Commission created in 2001 with member from various ministries (GRECO 2002, p. 11) and the Parliamentary Committee for the Prevention of Corruption, have contributed to the National Anti-Corruption Strategy, it is nevertheless a fact that the central problem faced by the national government in its struggle against corruption still exists. It lies in the lack of instances possessing the authority to launch and execute official investigations (Transparency International, Corruption Perception Index 2004, 25; GRECO 2002, p. 20). The absence of effective monitoring and penal measures thus stand in stark contrast to the government's initiatives to make the fields of administrative legislation and economic policy more transparent. Furthermore, additional problems have developed due to the fact that, as a result of the concentration of anti-corruption legislation brought about by co-operation among the ministries, redundancies in fields of authority and competency have arisen between the executive and the judicial branches, with the result that the autonomy of the latter being reduced (SELDI, 2002, V, p. 7). The continuing existence of opaque mechanisms in property transfer even within the process of privatisation has proven to be the primary factor for corrupt conduct in the country's economic life. A certain degree of improvement in available legal mechanisms can be expected from the law on the registration of completed privatisation and post-privatisation procedures passed in the spring of 2002. However, this cannot provide a guarantee for full transparency in all coming transactions.

### *3.2 Anti-Corruption Measures in Romania: Progress and Deficits*

In Romania, as well, steps have been taken to create an anti-corruption strategy, specifically in 2001, at which time the government committed itself to drafting an all-encompassing legislative framework for prevention and judicial prosecution, as well as the establishment of a workable infrastructure for the anti-corruption policy. For example, in the following year, the National Programme for the Prevention of Corruption and the National Action Plan for the Struggle Against Corruption were passed (European Commission, Regular Report on Romania's Progress towards accession 2003, p. 20). The anti-corruption strategy was concentrated above all on areas particularly susceptible to corruption, i.e. judiciary, public administration, and private business. One of its fundamental components was the law on the prosecution of corruption and organised crime 78/2000, passed by the Romanian Parliament, which creates the conditions necessary for the co-ordination of legislation and administrative instances within specific sectors. This legislation was accompanied by the effort to strengthen the judiciary's capacity to monitor a wide range of governmental authorities through the establishment of an Anti-Corruption Office reporting directly to the Supreme Court of Justice (SELDI 2002, III, p. 4; cf. also GRECO 2001, p. 17). The most part of the criminal prosecution is

since 2002 conducted directly by the National Anti-Corruption Prosecution Office, being supported by police and tax offices. An important step in strengthening the autonomy of the judiciary was taken with the reform of the Supreme Council of the Magistrate Bureau, which had previously been responsible for monitoring the judiciary's autonomy (European Commission, Regular Report on Rumania's Progress towards accession, 2003, p. 18). In April 2003 an anti-corruption package was passed that expanded the scope of anti-corruption policies, its greatest advantage being the requirement that elected officials and high civil servants disclose their financial circumstances. Parallel to this, 2003 saw the coming into effect of legislative measures pertaining to the financing practices of political parties and electoral campaigns. In addition, within the field of economic and privatisation policy, the law on the acceleration of the privatisation process was passed in March 2002, representing a further improvement to corruption-prevention measures and the optimisation of legislation on property transfers.

Although many steps have been taken towards reform, the level of corruption in Romania remains considerably high: TI ranks the country at 87<sup>th</sup> place (Transparency International, Corruption Perception Index 2004). The autonomy of the judiciary remains impaired by a number of institutional and legal factors that call for urgent reform. For example, a judge's professional career depends to a high degree on decisions taken by the executive on the course of selection, promotion, and resignation and dismissal procedures. Furthermore, because a culture of legality still has not established itself, the body of practising judges demonstrates a low level of immunity to corruption. For this reason, the public suspects that, in general, representatives of the judiciary are all corrupt (SELDI 2002, V, pp. 9-10; see also European Commission, Regular Report on Rumania's Progress towards accession 2003, p. 22). However, the public's perception of corruption's predominance may prove to be counterproductive in that it assumes from the outset both that the authorities will not be willing to cooperate with anti-corruption measures and that the latter are thus doomed to failure (GRECO, 2001, p. 25). For this reason, it is clear that any measures to combat corruption in executive and judiciary should be accompanied by a strategic analysis of what types of corruption hold sway and to what degree, in addition to a large-scale publicity campaign for the measures directed at the general public. One factor that has throttled the effectiveness of Romania's anti-corruption policy has proven to be the fact that the National Anti-Corruption Prosecution Office is in its decisions alarmingly dependent on the directives of the executive. It is the responsibility of the Minister of Justice to ensure that measures to combat corruption are successful. In addition, alone the Chief Public Prosecutor has the authority to call for investigations into the personal financial situation of politicians or high-ranking civil servants. In its report on Romania's progress towards joining the EU the European Commission criticised the National Anti-Corruption Prosecution Office as being ineffective. The report also said that additional efforts are needed to ensure the independence of this office which should concentrate its resources on investigating high-level corruption. Thus, in order to construct an effective policy to combat corruption, Romania must limit the authority of the Ministry of Justice to exert influence upon the judiciary and the public prosecutors in their work. The new elected Romanian government has already undertaken steps in this direction. In respect to the process of economic privatisation, the main source of corruption is to be located in restructuring procedures through which companies are trimmed for privatisation, as well as in the release of communal property onto the market and in the qualification criteria established for potential purchase candidates (SELDI 2002, VI, p. 9). Similarly requiring improvement are the successive harmonisation measures that are to be taken to adapt the anti-corruption legislation to the structures and legislation valid in the EU. This necessity to make Romania's system conform to that of the EU is particularly urgent because the legal standards pertaining to the conflict of interest must be adapted to EU practice before the country becomes an EU-member state. Great deficits also exist in how corruption has been combated in the prosecution of past corruption cases, as Romania has not yet complied with the EU Commission's recommendation

to withdraw the immunity of former ministers (European Commission, Regular Report on Rumania's Progress towards accession 2004, p. 23).

### *3.3 Anti-Corruption Measures in Turkey: Progress and Deficits*

In Turkey, the General Assembly of the Turkish Parliament ratified the OECD Convention on Corruption in February 2000 and put it into immediate effect. In January 2002, the Parliament passed a further law, a legislative framework for the Convention's implementation. Its goal was, among other things, the improvement of accountability practices and transparency in electoral campaign financing. In particular, the legislation focused on the existing public provisions on the obligatory disclosure of financial resources intended to ensure public access to the property declarations of public servants. As a measure to increase transparency, the Parliament passed a new law on public procurement in the same year. A public bureau was created for its implementation.

By means of the legislative initiative towards amendment of the constitution of 2003, the definition of bribery in the civil code now enjoys more extensive interpretative possibilities, including a) the bribery of foreign officials, b) the reopening of consultations on bribery cases in a court of law, even in cases which have been prosecuted in other countries, and c) the legal right to press charges not only against individuals, but also institutions. At the same time, the Parliament ratified the European Council's Civil Law Agreement on Corruption, thus breaking ground for Turkey's participation in the coalition of states against corruption, GRECO, that supervises these countries' adherence to European anti-corruption standards. The Turkish Parliament has set up an investigative committee the task of which is to study both the economic and social dimensions of corruption and to recommend appropriate countermeasures. In its first report, the committee recommended the establishment of subcommittees to conduct investigations of numerous politicians and former ministers in respect to a range of corrupt practices related to public invitations to tender, privatisation, as well as in other areas. A further indirect recommendation was the limitation of ministerial immunity and simplifying the procedure to reopening charges against former ministers and heads of government (European Commission, Regular Report on Turkey's Progress towards Accession 2004, p. 28).

Although the government passed a plan of action for the strengthening of anti-corruption measures in 2003, one element of which was a law on informing the public in order to ensure transparent processes in the public sphere as well as a codex of conduct for public servants, the institutional measures planned within this context have yet to be realised. Neither has the inter-ministry commission encompassing nine ministries and departments met, nor has the advisory committee to be made up of high civil servants been established. Despite the reform impulses in recent years that have also found expression in anti-corruption legislation, corruption remains a serious problem for the Turkish society. The sectors most susceptible to corruption are the media, the government, the construction business, and the health sector. In addition, 80% of entrepreneurs are of the opinion that the prevalence of corruption has a negative impact on the willingness of foreign investors to bring their capital to Turkey. Indeed, even within the field of parliamentary immunity there has been no progress worthy of mention. The efforts of various governmental instances, as well as the parliamentary committee called into being to fight corruption, can only be termed insufficient (European Commission, Regular Report on Turkey's Progress towards Accession 2004, p. 16 and p. 28). The country's level of corruption remains high: TI ranks it at 77<sup>th</sup> place (Transparency International: Corruption Perception Index 2004).

### 3.4 Anti-Corruption Measures in Croatia: Progress and Deficits

With the support of the Croatian government, the foundation for a national anti-corruption strategy was laid by a group of independent experts from the Ministry of Justice, public, and communal administration. Submitted to the Parliament for debate in 2003, the *Plan of Action for Anti-Corruption Measures* envisions a thorough going anti-corruption policy with clearly defined task allocation, fields of authority, and temporal frameworks. Among the tasks laid down are the successful application and the increased effectiveness of the governmental regulations on this topic, the institutionalisation of an investigative and prosecuting organ responsible for combating corruption, the optimisation of court procedures, and a number of administrative measures (decentralisation, accountability, etc.). This plan of action is to be braced by initiatives intended to increase the sense of responsibility both in politics and society (SELDI, 2003: III, p. 2). An important step towards defining criteria that establish areas of responsibility and accountability in relation to corruption has been a bill, also presented for parliamentary debate in 2003, intended to cover all cases in which legal persons are taken to court on the basis of offences against anti-corruption law (*ibid.*, 8). Priorities have also been set respective the accountability of public corporations, the improvement of standards of transparency and the training of tax experts specialised in bribery offences. A key role is played in the governmental anti-corruption policy by the USKOK (Specialised Agency for Anti-corruption and Fight Against Organised Crime), called into being by a parliamentary act in 2001. The bureau, a sub-department of the Office of the Public Prosecutor and co-ordinating office for various state organs involved in anti-corruption efforts (finance and customs bureaux, the Bureau for the Prevention of Money-Laundering, the police), concentrates its efforts on the prevention of corruption, while at the same time possessing the authority to take up investigations and prosecution procedures (SELDI 2003; IV, pp. 25-26).

Although, according to an OECD report (2001), Croatia possesses well-developed legislation for combating organised crime (in particular money-laundering), its implementation to date has apparently been lacking in thoroughness (European Council Decision of 13 September 2004 on the principles, priorities and conditions contained in the European partnership with Croatia, p. 2). According to TI, Croatia is in 67<sup>th</sup> place on the corruption perception index (Transparency International: Corruption Perception Index 2004). The European Union also sees cause for action – in the aforementioned EU Council resolution, among the short-term priority to be given to measures the realisation of which is long overdue are increased attention to the issue of corruption, i.e. the further development of a national strategy for the prevention of and combating corruption, the co-ordination between participating authorities, and the establishment of a codex of conduct for civil servants and elected officials (*ibid.*, p. 6). In reference to the co-operation between governmental bureaux in anti-corruption measures, considerable deficits in co-ordination have been noted (*ibid.*, p. 7). For example, the police take up investigation of a case without having called in the district public prosecutor for support and thus lacks the permission of a court; on the other hand, the public defenders themselves barely have the time within the custody period of two days to study the case and perhaps to place charges (SELDI 2003; V, p. 7). Furthermore, recalling that an effective and functioning judiciary is a requisite element in any anti-corruption effort, we can attest weaknesses in the Croatian's judiciary system's processing of corruption cases. Because nearly all important conflicts in the public and political spheres, i.e. privatisation and economic restructuring, organised crime, corruption, the continuing burden of ethnic conflict and war come before a court of law, the Croatian legal system appears to still be beyond its capacity to resolve all these issues.

### *3.5 Anti-Corruption Measures in Germany: Progress and Deficits*

Although the German code of criminal law does not mention the term corruption, the pertinent bribery offences are defined in a “Law on the Fight against Corruption” (KorrbekG) that entered into effect in 1997 and is intended to ensure more effective prosecution of corruption as well as severer penalties for such offences in economy and government. This anti-corruption law expands the range of offences by public officials that can be taken to court covered in the code of criminal law (personal gain, venality, enabling personal gain, and bribery) to include submission fraud (i. e. agreements in relation to tender offers that disregard procedural guidelines or break the law). Further aspects of the anti-corruption legislation are (Schilling 2004; pp. 19-23):

- a) The Federal Minister Law (BMinG), which stipulates that members and former members of the federal government are obliged to report any gifts they may have received as a function of their office. Disciplinary procedures are not taken up against member of the government;
- b) The Law on the Fight against International Bribery (IntBestG), which defines what constitutes bribery of international representatives. Bribery and attempted bribery are punished with five years prison or a fine, thus putting the offence on an equal level with the bribery of elected officials;
- c) The Law on Income Tax (EstG), which was revised on the basis of the legal framework set by the KorrbekG, the IntBestG and the EU Bribery Law (of 10.9.1998), and which constitutes a widening the offence’s definition. Whereas until 1995 German tax law permitted the deduction of bribery costs from income taxes due, current legislation forbids this practise, i.e. bribes made within Germany as well as in other countries cannot be deducted under the category of business expenses; and
- d) The OECD Convention and the respective legislation towards its implementation which became obligatory for German anti-corruption legislation in 2000.

Many procedures perceived by the general public as corrupt have not been codified under criminal law, for example bribes made to functionaries in political parties. Also as yet to a great extent intact remain the practices of public office patronage, clientelism and nepotism. Furthermore, the criminal code (as pertains to debt offences) is concerned with natural persons, whereas legal persons and associations cannot be charged with these offences – in such cases, only administrative sanctions or fees are foreseen (cf. OECD 2003). Under these conditions, charges cannot be pressed against offences committed from within commercial enterprises (Bannenberg/Schaupensteiner 2004, p. 29). Similarly lacking any binding status – i. e. as yet not absorbed into national legislation –, is the “Civil Law Convention on Corruption“ passed by the European Council as a means of strengthening civil law in the struggle against corruption. These means were intended to provide a concrete co-ordination of legislation in the field of damage claims. They provide the victims with the right to compensation for losses incurred as a result of corrupt conduct. Although legal loopholes have been closed by striking of the tax deduction option for bribery costs, there are still areas in need of improvement. In particular, the index law, which would prevent unreliable firms from being granted public commissions, must be passed (GRECO 2004, p. 7). Furthermore the definition of the offence of bribery of officials must be extended to the consulting professions, the self-employed and free-lancers, as well as that of bribery of elected officials to all relevant fields of political activity including fractional voting and parliamentary committees (Schaupensteiner 2004, pp. 129-130). A further aspect of a co-ordinated anti-corruption policy is the optimisation of law enforcement agencies, i.e. the introduction of a framework permitting co-operation between courts of audit, anti-trust offices and auditing bureaux (Leyendecker 2004, p. 308; cf. on this OECD 2003, p. 44). In order to ensure optimal synergy effects through the co-ordination of available resources, central state bureaux could be established at the Office of the Public Prosecutor (Schaupensteiner 2004, p. 129).

### *3.6 Anti-Corruption Measures in Greece: Progress and Deficits*

The law 2343/1995 established the Bureau for Financial and White-Collar Criminality for the purpose of combating corruption. In addition, a governmental initiative created the Central Bureau of the Inspector of Public Administration in 2002, which disposes of extensive authority to prosecute. It is able to conduct investigations on state and governmental property, as well as initiate investigations into civil servants' private finances. Nonetheless, it must be observed that the effectiveness of these anti-corruption measures has not necessarily increased through the introduction of a centralised anti-corruption policy. Furthermore, the range of authorisation of the Bureau of the Inspector overlaps with that of the previously existing institutions for the prosecution of organised crime (Transparency International: Corruption Perception Index 2004, p. 52). In light of the fact that a larger part of the offences falling under the charge of corruption are related to bribery and personal gain, it seems logical to suggest that both the adoption of the third EU financial package and its productive effect on investment volume, as well as the millions of Euros in construction commissions related to the Olympic Games of 2004, have brought with them certain structures supporting and opportunities for illegal conduct. In anticipation of this behaviour, a law was passed in 2002 that forbade media concerns from participating in the tendering procedure in the awarding of construction contracts. In contrast, the suggestion to call in an independent commission of experts to monitor and evaluate the quality of the award procedures did not find parliamentary support. In the same year, a new law on party and election campaign finances was passed, subjecting party finances to stricter scrutiny. Nonetheless, many external observers are of the opinion that, in order to institute an effective anti-corruption policy, not only a fine-tuning or strengthening of the available legal instruments is needed, but, in addition, conduct that conforms to the instituted rules and norms on the part of the political parties and public officials (*ibid.*, p. 53).

Despite the presence of anti-corruption legislative mechanisms, it is a fact that Greece does not have a bureau within its police force that, reporting to the Ministry of Justice, is occupied exclusively with the investigation of corrupt conduct (GRECO, 2001, p. 20). In addition, one observes a noticeable lack of judges specially trained for such cases. A further cause for the ineffectiveness of anti-corruption measures is that the responsible state instances make no apparent effort to compile complete and detailed information on the extent to which corruption exists. It is a remarkable fact that the terms corruption and bribery are not used in the annual report of the Bureau for Financial and Economic Criminality (GRECO 2001, p. 22), for the Bureau apparently is exclusively occupied with combating criminal actions in the economy, i.e. fraud and embezzlement of EU funds, which is seen to be the main problem in this field. Even the employees at the Inspector for Public Administration admit that there is no clarity as to how to define, measure, and prosecute corruption due to the absence of reports compiled by specialists in the field (*ibid.*, 22). Furthermore, the lack of boundaries between party financial activities and public commissions has by no means found systematic recognition among anti-corruption authorities. In total, Greece presents a negative picture in its anti-corruption efforts: on the TI scale, the country is in 49<sup>th</sup> place (Transparency International: Corruption Perception Index 2004).

## 4. Implementation Plan of the Project and Overall Methodology

### 4.1. Project Structure

Present Condition	Goals (Target Condition)	Measures
Data generation and interpretation of culturally determined patterns of perception of "corruption" on the basis of documents and in-depth expert interviews in accordance with a qualitative computer-based content analysis  Establishment of the practical relevance of culturally determined patterns of perception.	Optimise corruption prevention through designing measures effective in the face of culturally determined patterns of the perception of "corruption"  1. Eliminate friction losses in the application of anti-corruption programmes applied "from the top-down" (experts) 2. Integration of a "bottom-up" perspective (laypersons) 3. Realignment of communication between laypersons and experts	1. Evaluation: strength-weakness analysis of existing preventative programmes on the basis of sociological data and analysis of present conditions 2. Implementation: Workshop enabling interaction between social scientists and policy-making experts: 2.1 Presentation of study results 2.2 Co-operative discussion and evaluation of results cooperative development of an innovative approach to corruption prevention

### 4.2 General Description of the Study's Empirical Design

The project combines empirically grounded fundamental research on corruption with applied research on crime-prevention measures. Its cross-cultural comparison of the issue of perception represents an innovation within the fields of corruption studies and criminology. We expect to gain fundamental insights into the cultural context within which deviant and criminal behaviour occur and into the respective preconditions under which criminality can be combated successfully.

In each of the countries studied, regional research groups will generate data relating to central societal *target groups*. We differentiate between six such *target groups* constituted as follows: (see table)

Focus Group	Constitution	Data Generation
Politics	Politicians and representatives of political parties in the accession candidate countries and the EU-member states	Protocols of parliamentary debates from the national parliaments and the EU Parliament
Legal System	Public prosecutors Lawyers (criminal defence lawyers)	Court decisions
Police	Police forces Criminal investigation departments	Guidelines for investigating and prosecuting indictable offences
Media	Editors in the fields of press, radio, and television	News reporting Background reporting
Civil Society	Organisations active in the public sphere and their representatives: national anti-corruption initiatives	Statements and strategy papers issued by national anti-corruption initiatives
Economy	Representatives from business and commercial and professional associations	Public statements, statements of formal obligation

Two types of data are to be generated pertaining to each *target group*. First, documents from the *target groups'* field of activity related to the issues at hand will be collected (legal requirements, statements of intention, agreements, programmes, administrative directives, pro-

cedural guidelines, standardised procedures, technical guidelines, protocols, reports, legal verdicts, etc.) which offer insight both into the official stances on the issue of corruption as well as an impression of the scope of impact and the effectiveness of measures undertaken against it. Secondly, expert interviews will be employed to record and evaluate the personal experiences of *target group* members regarding corruption and the preventative measures used to combat it. The gender dimension of corruption perceptions shall be explored through a comparative analysis of interviews conducted with male and female representatives of the target groups.

The project's empirical approach proceeds from the assumption that the "bottom-up" definitions held within "everyday theories" of corruption are anchored in social patterns of perception that actors apply unconsciously. For this reason, they cannot be polled in the direct method commonly used in opinion research, but rather must be *reconstructed* from administrative and other official documents and protocolled statements of those persons interviewed. Building on this insight, both the documents as well as the expert interviews are to be subjected to a computerised qualitative content analysis (content analysis software *Atlas-ti*) according to the principles of *grounded theory* (Glaser and Strauss 1998) methodology.

Using computer *software (Atlas-ti)* to analyse our data samples, we will conduct a qualitative content-analytical reconstruction of its meanings. The object of interest is, firstly, the manifest content through which leading interests were communicated, and, secondly, the latent structures of meaning contained within this communication structure. The fact that we can process large amounts of material constitutes an important reason for our choice of this computer-supported method (Kelle 1995, Mayring 2000, Kuckartz 2005, Kuckartz/Grünenberg/Lauterbach 2004). In contrast to a linear research process based on fixed *ex-ante* hypotheses implying the selection of a set array of categories, we opt for an open, inductive coding process. The categories will be established during the first step of our analysis of the material, based on the semantic content of the documents and interviews. As these categories do not necessarily coincide with the argumentative patterns, as a second step, and by far the most important one, we will extend our coding procedure and analysis to the argumentative *constellations*. In other words, the codes identified in the first analytical step will be subsequently tested in the second phase of interpretation with regards to their status within the context of argumentation.

On this basis, the regional research groups of the consortium will put together their national studies, which are to be documented through intermediate reports issued at regular intervals and in a final report. As the final result of this double-focus – namely both at the formal institutional *and* the informal practical level – research project, criteria for the concluding evaluation of existing anti-corruption measures are to be derived in the third phase of the project. This evaluation is not conceived of as an impact analysis in the sense of a quantifiable target-performance comparison, but rather as a reconstruction of the *logic* of anti-corruption measures and the extent to which they are appropriate to the problem in light of the results of the empirical cross-cultural comparison. The evaluation of these results can put to immediate use in the development of new preventative measures in the sense that it will support policy-makers' attempts to integrate their own and others' experiences and perspectives when tackling the problem of corruption within the framework of already existing packages of measures.

The application of the results gleaned from the cross-cultural study is to be accomplished in the fourth and final project phase within the framework of a workshop in which scholars and expert policy-makers are given the opportunity to interact. The results of the research consortium's study will be presented to selected experts from the field of corruption prevention from the international and national institutions listed below. On the basis of discussion between the two groups, points of departure for optimised corruption prevention are to be developed.

International organisations: EU (European Anti-Fraud Office: OLAF), SIGMA Programme (EU und OECD), OECD: DFE-Directorate for Financial and Enterprise Affairs, SPAI: Stability Pact Anti-Corruption Initiative, Council of Europe: GRECO-Group of States against Corruption, SELDI: Southeast European Legal Development Initiative, World Bank: World Bank Institute (WBI), CIPE: Center for International and Private Enterprises-Regional partner.

National organisations from the countries participating in the study: Ministry officials (Ministries of Justice), public prosecutors, police, journalists, representatives from the national bureaux of Transparency International as well as representatives of national anti-corruption initiatives, representatives of employers' and professional associations.

Once the members of the consortium, the national and international anti-corruption experts, and the representatives of anti-corruption initiatives have within the context of the final project workshop drawn conclusions about existing anti-corruption measures in the participating countries, the Konstanz research group will sum up the overall results in a final report oriented to the needs of policy-makers.

### 4.3 The Target Groups

- *Focus Group 1 "Politics"*

First, protocols of national parliamentary debates and the EU Parliament on legislative anti-corruption measures (legislative practice) and on the ratification of international agreements on combating corruption will be collected and analysed. Second, expert interviews will be conducted with representatives of various political parties from the relevant parliamentary committees or internal party commissions and with party officials.

- *Focus Group 2 "Law"*

National and EU legal regulations on corruption as an indictable offence, as well as verdicts from district and administrative courts on corruption cases will be collected and analysed.

Expert interviews will be conducted with state prosecutors and representatives of chambers of lawyers.

- *Focus Group 3 "Police"*

Guidelines for investigating and prosecuting indictable offences, as well as investigation reports will be collected and analysed. Expert interviews will be conducted with police officers in investigative units and criminal investigation departments (if needed from specialized anti-corruption departments and units).

- *Focus Group 4 "Media"*

Background reporting and news reporting from three national newspapers and two television news magazines on important corruption cases will be collected and analysed. Expert interviews will be conducted with journalists with experience in these cases.

- *Focus Group 5 "Civil Society"*

Statements and strategy papers issued by national anti-corruption initiatives and published in their official organs as policy papers that seek active participation in the public debate on and struggle against corruption will be collected and analysed.

Expert interviews will be conducted with volunteer or professional representatives of these non-governmental organisations.

- *Focus Group 6 "Economy"*

Statements made by representatives of large corporations, small and mid-size businesses and their associations, including professional associations and trade unions, will be generated and analysed. Expert interviews will be conducted with corporate representatives from the fields of both capital management and personnel policy, as well as from economic, industrial, and employee associations (trade unions).

#### 4.4 Comparative Cross-national Study and Interactive Workshop

Each participating institution will summarise the results of the document and interview content analysis at the end of each respective phase of the study. Subsequently, each working group will, on the basis of its overall findings, conduct an evaluation of the anti-corruption measures in effect in that respective country. On the basis of the findings from the national studies, the Konstanz research group will conduct a cross-national comparative analysis. As emphasized earlier, we will not attempt to deliver an impact analysis, but rather will reconstruct the *logic* of existing measures to combat corruption. The basis of this evaluation will be made up on one hand of the conclusions drawn in the national reports, on the other of reports issued by state institutions on anti-corruption measures at the national and international level. The findings from all the phases of the research project and from all the working groups will be discussed at a consortium workshop with all project partners and will be compiled by the Konstanz research group in an integrated report. This final summary will be presented to the project partners so that they have the opportunity to prepare statements on its contents.

Within the framework of a three-day workshop, the results presented in this integrated scientific report will be presented and discussed together with central anti-corruption actors from the fields of politics and the public sphere and other international experts. Because the workshop is conceived as a forum for co-operative exchange between social scientists and policy-making experts at which new approaches to the prevention of corruption are to be developed, all participants must be given adequate time to prepare for this workshop. In order to meet this prerequisite, in preparation for the workshop, all participants will receive at a pre-determined date a text presenting the study's findings.

Finally, the Konstanz Research Group will summarise the results of the workshop in a final report oriented to the needs of policy-makers. This report will be distributed to the consortium partners, the international and national experts, and the representatives of the target groups who participated in the workshop. On the basis of this report, the consortium partners will formulate and publish a *policy paper* in their respective countries.

#### 4.5 Research Activities

##### *Months 1-2*

The first step consists in generating the document material from the target groups to be examined: **a.** the protocols of parliamentary sessions (national parliaments and EU-Parliament), **b.** EU-directives concerning corruption, police and administrative court decisions, **c.** Police guidelines and reports on the inquiry proceedings and the prosecution of corruption crimes, **d.** Commentaries and reporting on the subject from three national newspapers and two TV-news magazines (by means of transcription), **e.** Position and policy papers of national anti-corruption initiatives, **f.** Printed statements from business circles representing both large corporations and middle-size companies; business corporations and trade unions.

##### *Months 3-9*

This material from the target groups will be examined and evaluated using qualitative content analysis by means of a computer based content analysis procedure (Software: Atlas-ti).

##### *Months 10-11: Deliverable, Meeting, Milestone*

The results from all six target groups of the previous research phase will be compiled. In the 11<sup>th</sup> month of the project, each work group will deliver a report. Additionally, during this first

research phase, a quarterly report of the research progress will be delivered from all partners via project homepage (“Reporting Template”).

The project meeting serves the purpose of comparing the findings and evaluating their appropriateness to the objectives of the project. It will be discussed to what extent methodological approaches should eventually be made to conform to the project objectives. Accordingly, procedures for the second research phase (interviews with experts) will be set down. Following this meeting, a colloquium is planned with junior researchers and students from the Institute for the Quality of Life (Romanian Academy), Bucharest, in co-operation with the Institute of Sociology at the University of Bucharest.

#### *Month 12*

Contact will be initiated with experts from the six target groups in order to determine the dates of the interviews, which are to be conducted according to the agreements made in the previous meetings.

#### *Month 13*

The structure of the interviews will be set up according to the objectives stated in the first part of the proposal.

#### *Months 14-21*

The interviews will be carried out with representatives of all six target groups: **a.** Members of the parliamentary investigation committees dealing with corruption, experts from the political parties and government authorities, **b.** General Prosecutors and representatives of lawyers professional associations, **c.** Police officers from anti-corruption bureaus, **d.** Journalists and representatives of NGOs, **f.** representatives from industry and commerce, from business corporations and trade unions.

The *gender dimension* of corruption perceptions to be explored through comparative analysis of the interviews conducted with male and female representatives of the *target groups*.

The interviews will be transcribed and then evaluated by means of computer based content analysis procedure (Software Atlas-ti).

#### *Months 22-23: Deliverable, Meeting, Milestone*

The results from all these evaluations will be compiled and each research group will deliver a report in the 23<sup>th</sup> month of the project. During this research phase (12<sup>th</sup>-23<sup>rd</sup> months), a quarterly report on the research progress will be posted on the project homepage (“Reporting Template”). The results of the second phase and a detailed research plan for the third phase, in which the results out the first two research phases will be merged in order to evaluate them from the perspective of the respective national anti-corruption policies, will be the issues discussed at the next consortium meeting at the University of Galatasaray, Instabul. Following this meeting, a colloquium will be held with junior researchers and students from the Faculties of Economy and Sociology at the University of Galatasaray.

#### *Months 24-26*

The evaluative comparison of the results of the two preceding research units will be conducted from the perspective of their usefulness for the improvement of anti-corruption measures and strategies.

#### *Months 27-31*

Evaluation of international and national reports on anti-corruption policies in the period 2000-2005. Evaluation of the current anti-corruption policies in view of the results from the evaluative comparison of the two preceding research units.

### *Months 32-33: Deliverable*

Each work group will deliver a report on the evaluation's results. During this research phase (24<sup>th</sup>-33<sup>rd</sup> months), a quarterly report on the research progress will be posted on the project homepage ("Reporting Template").

### *Month 34: Comparative analysis, Meeting, Milestone*

After a qualitative examination of the results of all research groups, the group at the University of Konstanz will carry out a wholesale analysis, the results of which will first be reported to the co-operation partners and then be discussed at the last meeting of the consortium at the University of Zagreb, Croatia. During the meeting, detailed plan for a workshop at the "National School for Public Administration" in Athens, Greece, will be drawn up, in which international and national anti-corruption experts shall take part. Following the meeting in Zagreb, a colloquium will be held with junior researchers and students from the Faculty of Sociology at the University of Zagreb.

### *Month 35*

The results of the wholesale analysis will be presented to experts and policy makers in order to draw up more effective corruption prevention measures. Participants at this workshop to be held at the "National School for Public Administration" in Athens, Greece will be:

- a. International: EU (European Anti-Fraud Office: OLAF), SIGMA Programme (EU und OECD), OECD: DFE-Directorate for Financial and Enterprise Affairs, SPAI: Stability Pact Anti-Corruption Initiative, Council of Europe: GRECO-Group of States against Corruption, SELDI: Southeast European Legal Development Initiative, World Bank: World Bank Institute (WBI), CIPE: Center for International and Private Enterprises-Regionalpartner
- b. From the participant countries: Administration officials from the ministries of interior and justice, state prosecutors, police officers, journalists, representatives from the regional bureaus of Transparency International and of national anti-corruption initiatives, business corporations, and trade unions.

### *Month 36*

The results of the workshop will be drawn together in a final policy making oriented report by the Konstanz Research Group. It will be put to knowledge of the partner of the consortium, the international and national experts and the representatives of the target groups who will participate in the workshop. On the basis of the report the consortium partners will set up and publish a *policy paper* in their countries.

## **5. Potential Impact of the Research Project**

Since its primary objective is the analysis of perception patterns that determine popular attitudes towards corruption, the project can provide current information that can be immediately put to use to improve existing national and international counter-corruption policies. Once identified, the patterns of perception regarding corruption can immediately flow into those policy-making aspects of corruption prevention targeting public mentalities and their modification to rule-conforming behaviour through the promotion of learning processes. Against the backdrop of the radical changes occurring in Southeastern Europe in the relationship between state, market and society our awareness of and knowledge about the societal perception of corrupt practices take on considerable significance. If we possess this awareness and this knowledge, we become able to increase the effectiveness of legislative and judicial action to combat corruption.

The concrete impact of the project's findings can be effectively evaluated to the extent that they lay bare certain dysfunctionalities that result not only in intransparency in decision-making, but also lead to development blockages and social and political instability. This in turn bears directly upon European countries' chances at achieving integration, for the economic gap or cultural lag that result from behaviour deviating from legal standards stand in sharp contrast to the efforts of the EU to establish a unified economic, monetary, and trade sphere.

Considered closely, perceptions of corruption occupy a central position in the framework of a given society's value system, for they influence economic, political, social, and ethical attitudes. For this reason, through promoting our knowledge of the interdependencies between corruption perceptions, social values, and economic and political behaviour, the project can at various levels contribute to increasing the effectiveness of counter-corruption measures:

- In respect to the EU integration and harmonisation policies, the project findings can show to what extent a country's citizens regard European efforts to establish the legal framework of the *acquis communautaire* as a reform superimposed from above that merely supplying conformity guaranties, or whether they consider it to be a substantial improvement, i. e. helping to form and strengthen attitudes that in the long run keep the candidate countries on course to European integration. Should it turn out that the legal and administrative framework of the *acquis communautaire* has not yet been effective on creating to societal dispositions that curb the spread of propensities to corruption, the project will supplement its research findings with proposals on what measures can be undertaken to supplement existing integration policies through the convergence of the socio-cultural contexts. On this basis, long-term perspectives can be drawn from the research findings concerning possible European strategies towards an efficient counter-corruption campaign to combat deeply entrenched attitudes and vested interests.
- Conversely, empirically grounded conclusions about the way corruption is socially perceived and valued can immediately flow in the processes of national decision-making. Putting these conclusions to discussion with experts of the EU, the NGOs, and the national agencies dealing with corruption raises the potential impact of expert knowledge on corruption in a twofold way. On the one hand, it helps them gain retrospective insight into the specific shortcomings of current anti-corruption management given the fact that aspects of corruption perception not susceptible or even resistant to administrative measures may to date not have been sufficiently taken into account. On the other hand, it provides foundations for prospective, long-term action, as it implements existing policies with regulatory strategies that incorporate the specific contexts of the perceptions of corruption in each individual country.

Given this twofold scheme of the direct applicability of project findings, the potential impact can be further specified in respect to following criteria: **1)** which authorities and groups can immediately profit and **2)** how can existing expert knowledge be invested in decision-making procedures and communicative and cultural practices. Turning first to **1.**, the immediately relevant targeted groups can be listed as follows:

- The EU decision-making instances into whose fields of competency the supervision of the integration process and particularly the observation of the progress of combating corruption fall (OLAF).
- The international organisations monitoring corruption, these being: a) Transparency International (TI), b) the Southeast European Legal Development Initiative (SELDI), c) the SIGMA programme (EU and OECD), d) OECD: DFE-Directorate for Financial and Enterprise Affairs, e) SPAI: Stability Pact Anti-Corruption Initiative, f) Council of Europe: GRECO-Group of States against Corruption, , g) World Bank: World Bank Institute (WBI), h) CIPE: Centre for International and Private Enterprises-regional partners.

- At the national level, the project will establish co-operations with the following authorities and groups within the EU-candidate and member states regarding the implementation of the project results: a) The departments in Ministry of Interior and Justice direct responsible for anti-corruption legislation, b) the police forces, c) political parties, d) business corporations and trade unions, e) representatives of the mass media and f) organisations of civil society.
- Last but not least, research teams from six European candidate and member states will form a network towards the end of expert analysis and scientific exchange, which, owing to its participants' wide range of academic qualifications and research experience, can foster scholarly co-operation, thus furthering the process of European integration. Moreover, through the interaction of research competencies in the European countries involved, the project has ramifications that exceed the scope of the research field addressed in that it helps enhance both scholars' and policy-makers sensibility for and awareness of socio-cultural exigencies. Because the project specifically targets selected experts and organs as recipients of its research findings and enters into dialogue with them on this basis, its findings are guaranteed to find the attention of policy-makers and other key actors.

Regarding **2.** the project plans a number of procedures in order to exploit and disseminate its research findings. In view of the high societal relevance both of corruption itself and of effective policies against it, the project aims to make its findings accessible as follows:

- Publications in scholarly journals in the fields of political and administrative science, policy papers in the publication programmes of the research institutes involved in the project, reports in the publication organs of business and trade associations, and through publication of a collection of articles presenting project findings as well as policy proposals.
- Contribution to university education. Within the framework of institutional research, the project participants will present embed their latest research findings within their departments in the form of seminars for undergraduates and colloquiums for postgraduate students, junior researchers and policy advisors.
- To ensure that the general public, too, has access to the project's findings on the phenomenon of corruption, these will be disseminated throughout its course through the mass media, for example via newspaper articles and discussion panels in TV programmes.
- Publishing the project's findings also implies entering into dialogue with expert policy-makers from the EU, the NGOs, and the national anti-corruption instances. To this end, the project plans an interactive scholars-experts workshop in which the evaluations of the documents from the first and the results of the interviews from the second phase of the research will be the objects of collective assessment together with the aforementioned experts. Since throughout the research process they will have been kept up-to-date on current research, the workshop represents an optimal forum for processing the findings, thus generating anti-corruption proposals grounded in the analysis of current empirical findings.

Bringing together ongoing research activities from the EU, the NGOs, the national instances combating corruption, and academic research institutions from six European countries, both member and candidate states, the project will contribute knowledge and concrete policy proposals that underscore the significance of the European dimension in the struggle against corruption. This critical mass of mobilisable resources ensures that our transnational collaborative research efforts on perceptions of corruption can contribute to deepening, extending and strengthening the European research area, thus addressing the challenge of unifying research capacities in different European societies. Seen in this manner, the project carries potential to greatly affect the societies it focuses on, in particular because one of its primary goals is to provide a wide range of the recipients with expert knowledge and to promote public debate solidly grounded in empirical research. Finally, by co-ordinating national case studies within a coherent research programme that exploits the insights to be gained through the complementary research activities conducted in the individual countries, the project promises to deliver findings of heightened quality.

## Bibliography

- Aleman, U./Kleinfeld, R. (1992): Begriff und Bedeutung der politischen Korruption in der Politikwissenschaft, in: Benz A./Seibel W. (eds.): Zwischen Kooperation und Korruption. Baden-Baden
- Bannenberg, Britta/Schaupensteiner, Wolfgang (2004): Korruption in Deutschland. Portrait eine Wachstumsbranche. Munich
- Berger, Peter/Luckmann, Thomas (1989): Die gesellschaftliche Konstruktion der Wirklichkeit. Eine Theorie der Wissenssoziologie. Frankfurt/Main
- Beck, Ulrich (2004): Das kosmopolitische Europa. Gesellschaft und Politik in der zweiten Moderne. Frankfurt/Main
- Benz, Arthur/Alemann Ulrich von/Seibel, Wolfgang (1992 (eds): Zwischen Kooperation und Korruption. Abweichendes Verhalten in der Verwaltung. Baden-Baden
- Berger, Johannes (1996): Was behauptet die Modernisierungstheorie wirklich – und was wird ihr bloß unterstellt?, in: *Leviathan* 24/1, S. 45-62
- CIPE (Center for International Private Enterprises): Corruption in Bulgaria Threatens Social Stability, in: [www.cipe.org/publications/fs/ert/e28/bulge28.htm](http://www.cipe.org/publications/fs/ert/e28/bulge28.htm)
- Čopič, Vesna: Transition in Culture in Terms of Reconceptualizing the Role of the State, the Profession and Civil Society, in: Culturelink, Cultural Transitions in Southeastern Europe, Zagreb 2004, p. 43-59
- Council Of Europe: Directorate General I - Legal Affairs. Department of Crime Problems: GRECO Group of States against Corruption: Evaluation Reports 2000-2004
- Della Porta, Donatella (1997): Democracy and corruption in Europe. London
- Diamandouros, Nikiforos (2000): Cultural dualism and political change in post-authoritarian Greece. Athens
- Dolata, U./Schilling A. (eds.) (2004): Korruption im Wirtschaftssystem Deutschland. Jeder Mensch hat seinen Preis. Murnau am Staffelsee
- European Bank for Reconstruction and Development (1994): EC Phare Programme, Investors' Environmental Guidelines: Bulgaria, Czech Republic and Slovak Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, London: European Bank for Reconstruction and Development, London; Boston
- Europäische Kommission: Regelmäßiger Bericht über die Fortschritte Bulgariens auf dem Weg zum Beitritt 2004: [www.europa.eu.int/comm/enlargement](http://www.europa.eu.int/comm/enlargement)
- Europäische Kommission: Regelmäßiger Bericht über die Fortschritte Rumäniens auf dem Weg zum Beitritt 2004: : [www.europa.eu.int/comm/enlargement](http://www.europa.eu.int/comm/enlargement)
- Europäische Kommission: Regelmäßiger Bericht über die Fortschritte Der Türkei auf dem Weg zum Beitritt 2004: [www.europa.eu.int/comm/enlargement](http://www.europa.eu.int/comm/enlargement)
- European Commission. Activity Reports of the European Anti-Fraud Office of the Years 2000-2004
- European Commission. Communication from the Commission. Protecting the Communities' financial interests. Fight against fraud. Action Plan for 2004-2005
- Giannakopoulos, Angelos (2005): Das politische System Griechenlands vor dem Hintergrund des Klientensystems. Ein kritischer Rückblick, in: *Südostforschungen*, 1/2005.
- Glick, Joseph (1998): Κράτος και διαφθορά (State and corruption). Athens
- Illich, Ivan (1979): Entmündigung durch Experten. Reinbeck bei Hamburg
- Kelle, Udo (ed.) (1995): Computer-aided qualitative data analysis. London
- Knoblauch, Humbert / Raab, Jürgen / Schnettler Bernt (2002): Wissen und Gesellschaft. Grundzüge der sozialkonstruktivistischen Wissenssoziologie Thomas Luckmanns, in: Thomas Luckmann: Wissen und Gesellschaft. Ausgewählte Aufsätze 1981-2002, pp. 9-39. Konstanz

- Koutsoukis, Kleomenis (1993): The good the bad and the ugly in society: the idioteles institution of society as a source of corruption (the case of Greece). Paper presented at the Third International Conference on Ethics in Public Service
- Kuckartz, Udo (2005): Einführung in die computergestützte Analyse qualitativer Daten. Wiesbaden
- Kuckartz, Udo/Grunenberg, Heiko/Lauterbach, Andreas (eds.) (2004): Qualitative Datenanalyse: computergestützt. Wiesbaden
- Leyendecker, H. (2004): Die Korruptionsfalle. Wie unser Land im Filz versinkt. Hamburg
- Mayring, Cf. Philipp (2000): Qualitative Inhaltsanalyse. Grundlagen und Techniken. Weinheim/Basel
- Münch, Richard (1978): Max Webers „Anatomie des okzidentalen Rationalismus“. Eine systemtheoretische Lektüre, in: Soziale Welt, 31, p. 215-246
- OECD: Convention on combating bribery of foreign public officials in international transactions, September 18, 2001. Prepared by the Policy Development and Review Department, International Monetary Fund
- OECD (2003): Steps taken and planned future actions by participating countries to ratify and implement the convention on combating bribery of foreign public officials in international business
- OECD (2003): Guidelines and country experience managing conflict of interest in public service
- OECD: Public Governance and Territorial Development Directorate. Country Factsheets 2000-2004
- OECD (2003): Fighting Corruption. What Role for Civil Society? The experience of the OECD
- Peters, Bettina (2003): The media's role: covering or covering up corruption?, in: Transparency International: Global Corruption Report 2003
- SELDI: Corruption Indexes-Regional Corruption Monitoring in Albania, BiH, Bulgaria, Croatia, Macedonia, Romania and Yugoslavia, South East Legal Development Initiative, 2000- 2004
- Soeffner, Hans-Georg (1989): Auslegung des Alltags - Der Alltag der Auslegung. Zur wissenssoziologischen Konzeption einer sozialwissenschaftlichen Hermeneutik. Frankfurt/Main
- Stapenhurst, Rick (2000): The media's role in curbing corruption. World bank institute
- Sterbling, Anton (1991): Modernisierung und soziologisches Denken. Hamburg
- Švob-Đokić, Nada: Cultural Contexts in Transition Processes, in: Culturelink, Cultural Transitions in Southeastern Europe, Zagreb 2004, p. 7-19
- Tänzler, Dirk (1998): Radikaler Umbruch und lange Dauer: Zur Rückkehr der Geschichte in Osteuropa am Fall der Tschechischen Republik, in: BISS public, 25/8, S. 7-32
- Tänzler, Dirk (1999): Der Tschechische Weg. Transformation einer Industriegesellschaft (1918-1998). Frankfurt/Main
- Transparency International (2001): New index highlights world wide corruption crisis, says Transparency International. Press Release.  
[www.transparency.de/documents/cpi/2201/cpi2001.html](http://www.transparency.de/documents/cpi/2201/cpi2001.html)
- Transparency International (2002): Corruption perceptions index 2002. Berlin
- Transparency International (2003): Corruption perceptions index 2003. Berlin
- Transparency International (2004): Corruption perceptions index 2004. Berlin
- World Bank (2000): Anticorruption in Transition: a contribution to the policy debate
- World Bank (2003): The World Bank and anticorruption in Europe and Central Asia: enhancing transparency, voice and accountability
- Zapf, Wolfgang (1990): Modernisierung und Modernisierungstheorien, Arbeitsgruppe Sozialberichterstattung, WZB papers, P 90-104