Crime and Culture: Breaking New Ground in Corruption Research

by

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What is 'Crime and Culture'? A Short Description[1]

'Crime and Culture' is a Specific Targeted Research Project supported within the Sixth Framework Programme of the European Commission and co-ordinated at Konstanz University, Germany. It brings together 35 researchers across 10 institutions in 8 European countries. 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. In a final step, the research project intends to make specific recommendations for readjusting this 'fit' in the frame of an interactive scholars-experts conference in Brussels.

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

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[1] For detailed information about the research project, research results and other important material please visit the project web site at: www.uni-konstanz.de/crimeandculture/index.htm, email: crimeandculture@uni-konstanz.de

Which Are the Objectives of the Project? A Short Description of Methodology

The goal of the research 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. The project's first and second empirical phases focus on the reconstruction of the cultural patterns underlying the perceptions of corruption among actors in the following target groups: politics, judiciary, police, media, civil society and economy.
- Expert systems have been evaluated during the project's first empirical phase by means of a sociological analysis of documents. In the current second empirical phase, interviews have been conducted with persons active in all six target groups, 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 a scholars-experts conference in Brussels and then applied to the design of new preventative policies.
- Via contacts between the project consortium, anti-corruption initiatives in 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.

Applied Methods of Empirical Research

Content Analysis

Content analysis analyses not only the manifest content of the material – the concept of content can be differentiated in:

- Themes and main ideas of the text as primary content
- Context information as latent context. This second, non-explicit level of content analysis is all the more important since the project aims at illuminating a) the conceptual preconditions sustaining the perceptions of corruption among institutional actors and b) the cultural patterns underlying both the anti-corruption policies and the understanding of corruption among the groups targeted by the prevention measures.

These two levels of content analysis approach are interconnected by making specific inferences from the manifest content of corruption discourses to their inherent properties, that is to say motivational resources, cultural beliefs, reality assumptions, ethical values. For the purposes of the project content analysis means fitting the research materials into a model of communication: It should be determined on what part of the communication inferences shall

be made to the aspects of the communicator (experiences, beliefs, dispositions), to the situation of discourse production, to the socio-cultural underpinnings. Hereby the project neither puts any hypotheses to test nor validates or justificates a pre-existing theory, but rather looks for a theoretical set (patterns of argumentation or schemes of reasoning) that accounts for the research situation – in our case societal perceptions of corruption – as it is. As the Grounded Theory that stands behind it the content analysis moves inductively: the theoretical insights aimed at will be discovered, developed and provisionally verified.

The circularity obvious in this scheme owes to the fact that in a way the hermeneutical circle holds true in the case of content analysis as well. This means that unlike sampling done in quantitative investigations, theoretical sampling cannot be planned before embarking on a grounded theory study. The specific sampling decisions emerge during the research process itself. This in turn can only be established though the analysis of the data and the development of the ordering codes and categories. Saturated are those codes/categories, when no additional data can be found that can provide them further properties. In other words no further data could be supplied that function as instances of these categories. Of course since not all categories are of equally relevant we take pains to ensure that the core ones be saturated. Theoretical sampling comes down in practical terms to two sampling events: An initial case is selected and, on the basis of the data analysis pertaining to the case and hence the emergent theory, additional cases are selected. This selection could be carried out either by choosing a case a) to extent the emergent theory, b) to test it or c) to supply contradictory outcomes (but for predictable reasons). As far as the collection of data is concerned the grounded theory approach favours the use of multiple sources converging on the same phenomenon. Data bases from different sources widen the scope of property findings for the categories. Since we deal with six target groups/data bases this diversity criterion has easily been matched. Ordering the data in turn depends on the number of cases to be evaluated – for our project a chronological order for example does not seem at first to make much sense.

Codes/Categories Development

- Since content analysis boils down to systematic text interpretation it all depends on a reliable technique for compressing the propositions of the text into few content categories based on an explicit rule of coding. Concerning this rule the most important guideline consists in making inferences based on the identification of core characteristics of the pro-positional content of the text. For their part these characteristics provide the basis for forming the codes and their interrelationships (categories).

- In the framework of the qualitative content analysis the interpreting categories are as near as possible to the materials gathered. This means that we for the most part proceed inductively – and develop the interpretation aspects step by step abstracting them from the textual database. Broadly speaking formulating codes comes down to finding general variables that the propositions or a cluster of propositions in the analysed text are instances of.

- In contrast to an a priori coding that establishes the categories prior to the analysis based upon certain theoretical presuppositions we follow a coding method that relies itself on the emergent meaningfulness of certain propositions. The emerging coding is an open process in that the exploration of the relevant data is not carried by prior assumptions of what we might discover. This is all the more important on the face of the fact that we want to prejudice neither the data choice nor the pro-positional utterances of the actors. Because we do not have to prepare an articulated problem in advance we rely on generating problem cases all along the research process.

- The identification of characteristic features as well as the inferential abstraction are especially suitable to generate recurrent patterns of argumentation and schemes of reasoning. With a certain interpretative skill they can be reconstructed on the basis of the inductive references established by the codes or categories.

Computer Software for Support of Qualitative Content Analysis

The 'Atlas.ti' qualitative data analysis software package supports (but does not replace) the interpretation process for it helps considerably reducing the volume of the pro-positional content of the texts under examination. There are two models of data analysis within 'Atlas.ti': firstly the 'textual level' that focuses on the raw data and comprises procedures like text segmentation, coding and memo writing; and secondly the 'conceptual level' which concentrates on framework building activities such as interrelating codes, concepts and categories to form theoretical networks.

Perceptions of Corruption: Findings of Research within the First Project Research Phase by Each Country Study Group[2]

The projects started in the first research phase with an analysis of documents from the six target groups (see above). The aim was to generate objective, i.e. in documents objectively manifest (not 'objective true') data of the institutional framework and the specific rationality of the field of action ('professional habit') in contrast to the subjective intentions of individual actors. A leading assumption of the project's approach lies in differentiating the general institutional function, an actor has to fulfil, from the specific subjective perspective, in which these functional imperatives must be translated by the actor under concrete action contexts.

Access to the documents was considerably more difficult than the consortiums has planned. Regarding data generation most problems were encountered in the target groups police and judiciary not only in EU-access and candidate countries but also in EU-member states. Although in EU-access and candidate countries regulations on public access to information are legally in force, the implementation there is still lacking, whereas in the EU-member states exist legal restrictions such as fiscal secret. We had to compensate these deficiencies by drawing upon supplementary material that though not being specific to the cases under study nevertheless was very informative and suitable to our research purposes.

With regard to the research process the document analyses carried out in the first project phase has a twofold function. The document analysis provides us with first insights to the field and helps to generate issue sensibility. On this basis concrete questions for the expert interviews in the second phase have been developed.

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[2] The presentation of project findings within this chapter is based on the executive summary on the first research phase of the project submitted by all partners of the consortium to the project management at the University of Konstanz. Within this chapter is abstained from specific information regarding applied methods and empirical research proceedings by each country study group since research methodology and empirical methods described above apply to all country study groups. However, details about method are added only in the case they are necessary to better understand findings of research.

1. Corruption in Bulgaria[3]

Introduction

The phenomenon of corruption as a clearly defined social problem appeared in Bulgaria towards the end of the 1990s. Similarly to Western democracies, the problem of corruption in Bulgaria was first studied and brought to the social agenda by non-governmental actors. Since the end of the 1990s Bulgaria has been included in a number of international and national surveys measuring public and expert's perceptions of corruption. In spite of all this interest in the topic, not much has been done to study the phenomenon in its socio-cultural aspects. The present paper is an attempt to study how corruption and anti-corruption are understood on the 'every day' level and why the anti-corruption measures implemented up to now have not managed to achieve the initially planned results. By investigating the correspondence/discrepancy between the perceptions of corruption and anti-corruption grounded in the anti-corruption programs and these of the political and administrative decision-makers we are aiming at developing means to optimise corruption prevention.

Data Generation

The empirical study of the perceptions, notions and ideas of corruption of the target groups included in the project was conducted on the basis of two case studies that were used for framing the process of data generation: the privatisation process of Bulgartabac holding and a suspect donation to the party foundation *Democracy* of the United Democratic Forces (the main right-of-the-centre party during much of the Bulgarian transition). This approach was chosen for several reasons. First of all, corruption has been in the focus of public attention for the last ten years, we wanted to limit the scope of the data we were to generate to a reasonable amount. Secondly, using the framework of case studies allowed us to generate better quality materials and to avoid general documents including banal, abstract or simply copied perceptions of corruption.
However, in practice, it turned out that it is not that easy to find any good quality cases of corruption that involved all target groups with documented statements, reactions or other written materials. In order to compensate for this, we decided to use other documents that were not directly related to the cases but contained useful information about perceptions of corruption.

Interpretation

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

Basic dichotomies in coding and interpretation

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

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[3] The members of the Bulgarian study group are: Dr. Daniel Smilov (co-ordinator), Rashko Dorosiev (M.A.), and the research assistants Ms. Yana Papazova (M. A.) and Ms. Anna Ganeva (M. A.).

- Legalistic conceptions v. public-interest-based conceptions. This dichotomy captures the extent to which an actor sticks to the legal definition of corruption rather than using a more expansive and inclusive concept relating to a specific vision of the common good.
- Pro- and contra-foreign financial participation in domestic politics (no special worries about the foreign element). This dichotomy was especially relevant for the analysis of the impact of foreign actors in privatization and the funding of political parties.
- What to do with money from illegitimate sources – accept to make good use of them or reject and blacklist? This dichotomy is mostly relevant for the analysis of the perceptions of corruption of politicians and senior administrators.
- Legitimate lobbying v. corrupt influence. The link between political actors and economic pressure groups is not completely transparent in the new democracies of eastern Europe. This dichotomy tries to capture different perceptions of the legitimate forms of such links.
- Private use of political money v. public use of political money. This dichotomy captures different perceptions of the role of political parties in corruption. If a corrupt transaction is performed for the sake of party building/funding purposes, sometimes it is justified by politicians as a necessary measure (the "financial blight of parties", etc.)
- Transparency v. egalitarianism. The overarching emphasis in the fight against corruption in Eastern Europe has been on the question of transparency. Issues such as the disproportional influence of corporate interests in politics has been largely neglected. This dichotomy is trying to capture the tension between two different visions of corruption - lack of transparency v. corporate capture of the political process – which could present quite different problems and challenges.

Results: Perceptions of Corruption

Target Group Politics

No single definition of corruption exists amongst politicians despite the manifested consensus that corruption is a negative phenomenon that has to be combated. It appears that in the framework of privatisation, corruption could be understood in different ways depending on the current positions of the politicians and their political parties. Largely, when in power, politicians tend to praise *political privatisation* where the decisions are made on the basis of political arguments, by elected bodies having extensive powers to decide not only on the economic and formal parameters of the privatisation offers but also on a number of other issues, such as possible consequences for the society as whole. On the other hand, politicians while in opposition claim that *political privatisation* is corrupt and favour the practice of *technical/expert privatisation*, based on purely technical and formal considerations, where appointed bodies (of independent experts) take the most important decisions following a strict legal procedure. This dichotomy is the main result of the public interest trap. The public insist on fair but also on effective privatisation. Governments of transition countries have rapidly come to the conclusion that fair and transparent privatisation process does not automatically produce the best outcome in terms of public interest. This is the reason why politicians while in power tend to shift the focus in defining corruption from the fairness of the process to the quality of the results produced in terms of the broadly defined 'public' or 'national' interest. In terms of the dichotomies described above, opposition politicians stick to public-interest bases, inclusive and inflated conceptions of corruption, which go much beyond the strict

legalistic meaning of the concept. Such conceptions often allege various forms of favouritism in privatisation, clandestine state control or tacit state approval of smuggling channels; turning the party into a corrupt hierarchical structure, etc. Governing politicians usually resort to two strategies to counter corruption allegations. First, they stick to legalistic notions of corruption and require proofs beyond reasonable doubt for the substantiation of corruption allegations. Secondly, and much less often, governing politicians may try to "normalise" certain practices, which the opposition calls corrupt. An extremely interesting case of this kind happened in Bulgaria, when one of the mainstream parties attempted to sell to the public the so-called model of "circles of firms", according to which political parties have the right to build circles of friendly firms, which in turn help for the funding of the patron party. Curiously, this model was advocated as a cure against "oligarchy".

Target Group Judiciary

Not surprisingly, the target group of the judiciary resorts mainly to legalistic conceptions of corruption, and sticks to concepts and definitions in the law books. The paradoxical result of this usage is the virtual disappearance of corruption from the discourse of magistrates. In both of our case studies, the issue of corruption was renamed and translated into other problems at the judicial level. Thus, in the party funding case study, the law suits were about libel, and in some of these cases, the people who alleged the existence of corruption were found to violate the existing libel rules. In the privatisation case study, the problem of corruption was translated mainly into a problem of procedural violation of the privatisation law.
In both cases, what was standing out was the inconclusive character of judicial proceedings as regarding the major questions at stake in the two scandals. In the party funding case, for instance, judicial proceedings could not prove or disprove the two competing interpretations of events: the acceptance of illegal donation v. an attempt by a controversial businessman to set up one of the major parties in the country. The unfortunate lack of conclusive judicial findings and decisions creates a fertile atmosphere for the production of myths.

Target Group Police and Prosecutors

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

Target Group Media

For the media corruption is an all-embracing metaphor for criminal and bad government. Here, public-interest based conceptions of corruption are encountered in their most inflated

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

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

Target Group Civil Society

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

Target Group Economy

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

2. Corruption in Romania[4]

Objectives

The general objective of the Romanian study was to analyse the perceptions of corruption of various groups which have important roles in targeting corruption: politics, judiciary, police, civil society mass-media and economy. The aim was to reconstruct the argumentative patterns in regard to corruption based on content analysis of documents elaborated by each target group.

Data generation

Selection of case studies

The case study was employed as a research strategy as case studies can highlight various facets of corruption while providing grounded and detailed information on the phenomenon. The case study was used as an inductive tool, in the attempt to shed light on the specificity of phenomenon and gain in depth understanding aspects of corruption. The selection of case studies was done by using theoretical sampling.

In order to understand the different aspects of corruption in Romania, three instances of corruption have been analysed: high level corruption, corruption typical for a transition country and party funding. The biggest corruption case that received a guilty verdict from a court of justice in Romania, the only one involving a person in a high official position that was investigated and finalised by a court verdict was analysed *(case 1)*. Another circumstance of the analysed phenomenon was illustrated by corruption in relation to privatisation process in Romania *(case 2)*. The problem of party funding was also treated in order to understand patterns of behaviour that refer to gaining and sustaining political power *(party funding)*.

Collection of material

For all six target groups material has been collected in order to describe the perceptions of these groups towards corruption.

The general logic that guided selection of material was to start with case studies and try to identify position of each group on the respective case. When this was not possible, the analysis was completed with general material on corruption.

The type of documents analysed were: transcripts of parliamentary, prosecutors' investigation reports in corruption cases, press releases, transcripts of interviews, anticorruption strategies, articles in newspapers and weekly magazines, transcripts of seminars on the topic of corruption, content of web sites expressing a position towards corruption, minutes of meetings, codes of conduct. The materials have been elaborated between 2001 and 2006.

Quality of material

First, the heterogeneity of material analysed made the analysis a little difficult.
Second, the rapid change of situation in regard to anticorruption strategies in Romania also added to the difficulties, even though the documents analysed were very recent, starting with

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[4] The members of the Romanian study group are: Prof. Dr. Ioan Marginean (co-ordinator), Dr. Iuliana Precupetu and the research assistants Ms. Cosmina Chitu (M. A.) and Ms. Adriana Baboi (M. A.).

2001, some positions expressed in these documents have been already outdated by the rapid changes in legislation and institutional framework in regard to corruption.

Third, official documents analysed (like those of Ministry of Interior, or by business groups) were issued in the general framework of Romania's aligning its policies to international efforts especially in regard to European integration. These documents have been elaborated with the help of international experts, as a result of their recommendations and following international guidelines and philosophies. As a result, it was difficult to assess what would represent national cultural specificity. Perhaps international comparative perspective can shed light on cultural aspects.

Results: Perceptions of Corruption

The analysis of perceptions towards corruption of the various target groups allowed the generation of an explorative, substantive-level theory of corruption which consists in highlighting the definitions, characteristics, causes as well as effects of corruption.

Corruption was *defined* by all target groups in a legal/conventional manner as an illegal conduct but also as an altered behaviour in society, especially by NGO's, this type of definition expending beyond those legally assigned. In regard to the moral grounds and values that compose the background of the corruption, the phenomenon is perceived as representing a breach in basic social values, being based on double standards, interventions and bargaining. Looking at the *characteristics* of corruption, there is a wide agreement among the target groups that the phenomenon became generalised in all spheres of Romanian society. It is perceived as a complex mechanism, involving a subjective agreement cemented by trust. One mechanism was pointed out a number of times by several target groups: perceptions of widespread corruption contribute to retain phenomenon, creating a snowball effect. These perceptions which are mainly the result of the far above the ground emphasis of corruption in the media, fortify phenomenon as people began to conceive it as a necessary condition for getting by or they are reinforced in their beliefs. At individual level, it reproduces small corruption. But it also strengthens phenomenon in all sort of transactions and affects various levels of society, touching the very image of the country abroad.

Most *causes of corruption* are placed in structural conditions of Romania and mainly in relation to the transition process of this country. Systemic characteristics of economy like its inadequate structure, the deficient economic policy, poor economic environment or short term contextual factors like privatisation of state assets are considered as important causes that trigger corruption. The field of legislation and regulations in general characterised mainly by incomplete reform and instability along with a low capacity of judicial system add to the structural factors backing up the phenomenon. The sphere of governance brings its contribution to corruption by features like a strenuous political reform, a formal social dialogue, the existence of various networks of interests and low quality of human resources in the political realm. The social area also plays a part in the phenomenon through the low level of social development of the country, the flawed institutions functioning and the powerful groups of interest.

Individual causes like human nature, the impaired relationship of citizens to the society they live in, the rent seeking behaviour and ultimately mentality influence the existence of corruption in Romania. The *consequences of corruption* are multidimensional: political, economical as well as social. The *fight against corruption* seems to be accredited by all target groups. First, it is seen as a national priority and an absolute necessity that would serve the national interest. The assessments of current fight, though, reveal some negative aspects. Many opinions point out to a facade fight that is delayed in efforts countering corruption and to the weak political will of acting against it. Institutionally, the slow building of institutions

with responsibilities in fighting corruption was outlined by some groups as well as to the low capacity of judiciary to act against corruption. Recently, some progress in the efforts of countering corruption was pointed out by some of the groups acknowledging incipient positive results of implemented measures of anticorruption during the past years.

This substantive level theory on corruption is an explorative attempt that will further be subject to testing. Essentially, this type of explanation is an interpretation made from given perspectives researched by researchers, its nature allowing for endless elaboration and partial negation. The theory is limited in time and change at any level of the conditional matrix will affect the validity of theory and its relation to contemporary reality. As conceptualising is an intellectual process that extends throughout the entire course of a given research project (Strauss and Corbin, 1990), the explanation will be further structured during the next phases of the research.

3. Corruption in Turkey[5]

Data Generation

As advocated by the grounded theory the research documents were collected randomly and yet they manifest the reflections and the perspectives of the six different target groups on corruption. Moreover, a great deal of secondary resources (documents that didn't belong to any of the target groups but giving background information on the cases) were reviewed.

Certain materials were difficult to collect. In particular, although demanded according to the "right to get information" documents regarding the interrogation protocols of the public prosecutors/police in both cases are missing. Besides, it was also hard to find case-specific materials produced by the business associations and trade unions. Nevertheless, in order to overcome these problems, alternative documents were used. That is, firstly, parallel the guidelines of the project, where directly relevant material was absent, material from the same target group on the most closely relating case was used. Secondly, where the case-specific documents were unavailable the Turkish team made use of other relevant documents belonging to target groups which approach the problem of corruption in general.

However, it can be stated that the quality of the data was satisfactory. Documents related to the rest of the target groups were well documented.

Case Studies

As with each of the participating research groups in the project, the first case study addresses the issue of corruption in party financing. Called the 'Case of Mercümek' by the public, this scandal is of utmost importance on the grounds that it is not only the one and only scandal related to party financing against which a lawsuit was filed, but also it is related to a political party which is alleged to be an "enemy of the regime" by certain circles in Turkey. In other words, the 'Case of Mercümek' is a multi-dimensional case in the sense that it could help to picture how certain groups involved in the processes of making and applying decisions, questioning, and creating public opinions perceived major problems of Turkey during the 1990s, the period in which a considerable number of consecutive large-scale corruption cases which caused both the treasury department and the people of Turkey to suffer giant losses when it ended with a devastating economic and governance crisis in 2001.

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[5] The members of the Turkish study group are: Prof. Dr. Ahmet Insel (co-ordinator), Ms. Zeynep Sarlak (M. A.) and Dr. Besim Bülent Bali.

The second case study was selected due to its aspects complementary to the observation described above about the 1990s. In December 2003, Turkish Parliament (TBMM) approved a petition demanding investigations against former Prime Minister Mesut Yılmaz and a number of former ministers on the grounds of certain corruption allegedly committed by them in 1998. Investigation Commission of TBMM concluded in its report that the allegations made against the former ministers of state in said petition were actionable before the Supreme State Council. This report was put to vote in July 2004, so that TBMM passed a resolution to file lawsuits with the Supreme State Council against said former ministers of state. At this stage, the Turkbank case (as an example of corruption during privatisation process) was selected as the primary one of the corruption cases mentioned above.

Results: Perceptions of Corruption

Issuing a detailed report in 2003 entitled "Investigation of Reasons and Social and Economic Scale of Corruption, and Determination of Anti-Corruption Measures in Turkey", the parliamentary investigation commission defined corruption in broadest sense as "any misuse of public administration powers in such a manner to damage public and private interests". According to the commission, corruption is the indicator of a negativity and moral weakness irrespective of the way it is defined, indicates that the society has underwent degradation in general, and can happen in such various fields as the public sector, private sector, civilian-military bureaucracies, politics or media. Terms and expressions used by other target groups in the primary and background documents reviewed here indicate that said groups' perception of corruption is not far from the definition given above.

All target groups believe that corruption is widespread in Turkey and consider it an integral part and a special form of a general degradation. We witness that corruption was described as "dirty", "ugly" and "immoral", while corruptive acts were described as a "disgrace" and "scandal". Such expressions as "honest politics" and "clean society" turn out to be the common wishes of the target groups. All target groups shared the same conclusion that the starting point of the spread of corruption is the public sector.

Perceptions of these two cases throughout two different periods of time indicate that both the corruption problem and efforts to solve said problem were considered more and more important. As to the second case, all target groups including those possessing power to make reforms agreed that what was needed was a large-scale reform movement, and although not defined, a paradigm shift.

On the other hand, we observe that the target groups made self-criticism to conclude that their efforts to fight corruption proved to be insufficient. Most of the target groups admitted that they played a direct or indirect role in the increase of and/or failure to stop corruption. Suggestions made by politicians to cancel immunity of the Members of the Parliament (although no law was passed to that effect to date) and the circulars issued by the Ministry of Justice to the courts to order them to speed up their legal proceedings can be seen from this viewpoint. Non-governmental organisations admitted that they hesitated to use the rights given to them by the Constitution and the laws and underline the tasks and responsibilities falling to the citizens in fighting corruption. We observe that the Media passed through a similar process of self-criticism, and its partial/partisan attitude against corruption was replaced with objective criticism in time. However, the Media organs did not question their own trustworthiness, their own connections with politicians, and their primary role in corruptive acts. The public knows that the Media moguls also run construction, energy, telecommunication, etc. companies, and their names are involved in corruptive acts time to time. (Allegations about relationships between the Media moguls and politicians are reported to the public by rival publications). The situation is similar in the police force and the business

world. The police admits that their efforts to fight corruption proved insufficient time to time; while the business world talks so frank sometimes that it "promises" not to get involved in a corruptive act.

The dosage and direction of criticism brought against corruption looks directly related with the political conjuncture and the actors' positions within the balance of political power. The actors' discourse about corruption changes depending on their proximity to the administration or the opposition, and their position in the accusing or accused side. The approaches of the politicians and the Media to the two cases we review here especially support the deduction described above. The criteria required by EU, World Bank and IMF for the consideration of membership or financial support look to have made a serious positive impact on the change of the perception model of Turkey. Especially the 'ambition' experienced in 2003 and 2004 by both the public authorities and the society with regard to integration with EU caused many actors to adapt a more courageous discourse about the certain principles (democracy, human rights, etc.). It might be commented that this general transformation caused overall perception of corruption to change.

It is observed that IMF and World Bank make a very strong impact on especially the private sector and the civil society. We observe that said segments of our target groups undisputedly admit and repeat that the criteria required by IMF, World Bank and EU to solve the corruption problem are preliminary conditions for integration with the "modern West".

On the other hand, most of the target groups voice their worries of the future of the fight against corruption between the lines. This point indicates that the notion of fight against corruption has not settled in the political culture of Turkey yet.

The Media, non-governmental organisations and economic agents frequently expresses their worry that unless permanent measures are taken, the political agenda might quickly shift to populism in the future. It is observed at this point that they emphasise that the supportive role of EU is as much important as the determination of the Turkish actors. All of the target groups including the politicians admit that it is true that in Turkey, politics are based on a mechanism of distribution of favours (nepotism, favourism).

 We have not found at this stage of our review any emphasis on petit corruption which is so widespread in this country and which has turned into a kind of 'normal' practice. However, a number of colloquial expressions that spread (or were coined) in the Turkish language in the last 10 to 15 years, which are impossible to translate but can be described as variations to the English expression "riding the gravy train", do not have much negative connotation. This approach brings an understanding which will be able easily to create some kind of legality for corruption as defined above. When the value shift that took place on the individual ground thanks to the distorted, uncontrolled, unplanned liberal reform process right after the coup d'etat of 1980 coincided with the existent "communitarian" and "solidarist" social values, the situation becomes even more complex.. Is petit corruption perceived as a means to speed completion of official formalities while grand corruption is perceived as wasting of the economic resources? We believe that it is important for us to focus on this question in the second part of our study.

4. Corruption in Croatia[6]

Data Generation

Research Materials

Most of the research materials were collected during the March - May 2006 period. Text sources for all six target groups were collected. In spite of the extensive search and consultations, only a few documents were collected from the police and economy target groups. Views of the rest of the target groups were well documented. In regard to the type of materials collected, our database contains a wide range of documents, including newspaper articles, the parliamentary and a municipal assembly proceedings, strategic analyses, annual reports of various state offices, public speeches, NGO publications and reports, etc.

Case Studies

Since the project design required selecting two case studies, one representing low-level corruption and the other high-level corruption, the following two cases were selected for the analysis: (a) financial issues related to the last presidential campaign and (b) a case of corruption in homes for the elderly in the city of Zagreb.
Case A – Description. The main focus of the analysis was the financial aspect of the last presidential elections campaign, especially the presentation of the case by the media and by civil society, and the earlier process of adopting the Bill on the Financing of Presidential Elections in the Parliament in 2004.
Case B – Description. Admittance in homes for the elderly (HEs) is free of charge and based on waiting lists. A client of the *Home for elderly and retired people* contacted an NGO and reported a number of irregularities.

Data Collection

The materials relevant for the *case A* covered four target groups: politics, the legal system, the media and civil society. No case related documents for the other two target groups (the police and economy) were found. The same four target groups were documented in the analysis of the *case B*. Some of the documents regarding the legal system were unavailable (related court case is still in procedure) and no case relevant materials could be found for the police and economy. In lack of the case-specific documents, general documents on corruption were analysed for those two target groups.

Results: Perceptions of Corruption

The analysis suggested the existence of six distinct models of understanding of corruption in Croatia.
(1) *The Public Relations model* - simplified, populist and/or one-dimensional definition(s) of corruption, where corruption is perceived primarily as damaging for public image of the

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[6] The members of the Croatian study group are: Prof. Dr. Aleksandar Stulhofer (co-ordinator), Prof. Dr Ognjen Caldarovic, Prof. Dr Kresimir Kufrin and the research assistants Ms. Margareta Gregurovic (B.A.), Ms. Martina Detelic (Candidate B.A.), Mr. Ivan Landripet (B.A.), Ms. Iva Odak (Candidate B.A.) and Mr. Bojan Glavasevic (Candidate B.A.).

institution/actors in question, and measures for fighting corruption are evaluated according to the PR efficiency criteria;

(2) *The Expert model* - complex and comprehensive definition(s) of corruption; corruption is seen as damaging the socio-cultural fabric of society and economically wasteful; measures for fighting corruption are based on best international practice.

(3) *The Nuisance model* - no clear definition of corruption. It is a minor and omnipresent issue that has been overblown and measures for fighting corruption should be *ad hoc* and situation-specific.

(4) *The Human Rights model* - a comprehensive definition emphasising human rights and individual responsibility; corruption is moral, socio-cultural and economic evil; measures for fighting corruption should be extremely rigorous, transparent and inclusive (allowing an active role of the civil society).

(5) *The Pragmatic model* - a comprehensive definition linked to legal description; corruption is a major social problem, both on individual and collective level; measures for fighting corruption need to be systematic, well co-ordinated and assisted by international aid.

(6) *The Ignoring model* - usually *ad hoc* and declaratory definition(s); corruption becomes problematic only when it severely impedes governance and where measures for fighting corruption are largely absent.

The models need to be seen primarily as *Weberian* ideal types and not as empirical entities. In reality, most of the proposed models can be found only in fragments or as an array of slightly different versions. Also, it would be mistaken to assume that each target group could be represented by a single model. Most target groups were characterised by several different models or, more precisely, by a number of elements taken from different models of corruption.

In a preliminary fashion, the analysis suggests specific linkages between the models and target groups. The PR (public relations) model seems to be present in target group politics and partially in the legal system target group. In both target groups, the P (pragmatic) model was also found - as well as in target groups the police and, partially, civil society. The N (nuisance) model seemed to be characteristic of the city government and administration (target group politics), while the I (ignoring) model was found mostly associated with target group economy, but partially also with the legal system. The E (expert) model seems to be present in a number of target groups, such as civil society (the case A), the media (the case A), politics (the parliamentary opposition) and partially economy, the legal system (the new national anti-corruption strategy) and the police. Finally, the HR (human rights) model was also associated with civil society (the case B), politics (Ombudsman's report) and the media (the case B) target groups.

It is obvious that the conclusions are tentative at best. In some cases the number of documents collected proved insufficient for producing conclusions that could accurately reflex the complexity of approaches within a target group. In some other instances we found the character of documents analysed unsuitable or too ambivalent for reaching any definite conclusion. For these and other reasons, the linkages between the (ideal-typical) models and the six target groups need to be taken with great caution.

5. Corruption in Greece[7]

Data Generation

Research Materials

During the first two months (February-March 2006), we generated documents from all target groups under examination. The texts referred to "corruption" in general. Afterwards, we worked on data generation for each target group. In specific, we examined among others, Parliamentary proceedings (2001-2005), Ombudsman and Inspectors Controllers Body reports (1999-2004, 2005), reports of the Parliamentary Committee on Institutional Issues and Transparency (2000-2005), electoral programmes of political parties, articles from three daily newspapers of high circulation (2003-2005), Court decisions (1987-2005) etc.

Case Studies

Since the project design required the selection of two case studies, we conducted a preliminary research to define the cases, as well as data access. We examined several cases that had attracted a lot of publicity. Finally, we have chosen the ones that could generate more data for each target group.
Case A – Description. Our party financing case study, common to all national groups, refers to alleged "black" accounts of the right wing party and its President in the beginning of the 1990s.
Case B – Description. The second one refers to claims of illegal naturalisation of foreign nationals - mainly from the former Soviet republics - occurred after the 2000 general elections, under the pretext that they were repatriated Greek Pontians that qualified for such documents.

Data Collection

Our first case study (party financing) covered four target groups, politics, media, legal system and NGOs. The second case study responded to five target groups, one of which was not covered (Police) by the first case, provides for more information about NGOs and caused no serious problems to data generation. *Economy* (TG VI) could not be included in any of our case-studies. However, since it has referred sometimes to corruption, there was not an issue to be integrated.

Results: Perceptions of Corruption

Corruption is referred to as a *social illness* and occasionally as a *social phenomenon* and *by-product* of modern societies. Nevertheless, several texts share a strong critical view of representatives of the state. This is more intense in the media, which promote themselves as defenders of the public and guardians of public ethics. It also implies the increasing power of the Media in Greek society. However, the criticism does not seem to be affecting politicians,

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[7] The members of the Greek study group are: Prof. Dr. Effi Lambropoulou (co-ordinator), Ms. Stella Ageli (M.A.), Ms. Eleftheria Bakali (M.A.), Mr. Nikolaos Papamanolis (M.A.) and Dr. Vassilis Bourliaskos.

since they continue to consider themselves the main group responsible and suitable for corruption control and promotion of transparency in society. They support new legislation, control and inspection mechanisms.

Public administration receives the strongest criticism, as being the basic impediment to transparency and therefore the development of the country; unlike the private economy which is presented as the main "victim" of corruption in the country. The remaining groups try for a clear role in the discourse on corruption. The Judiciary promotes more legislation, the Police more control, while the Media whatever, as the case may be, and the NGO's try to fit somewhere into the field. In general, the various target groups regard the issue according to their requirements, roles and interests. In specific:

POLITICS. Although politicians refer several times to "merging of interests", "corruption" etc., when a specific case emerges their debates turn to be mostly party-political. Thus, the debates are focused on the denial of responsibility, referring rather to "misgovernment" than to corruption. It is interesting that Politics borrow the meaning of corruption from media and the reverse. As far as the public administration concerns, high ranking civil servants remain adherent to dominant and traditional views. Contrary to them, the (Civil Servants) Union members seem to share a more elaborated approach and tend to be more open-minded and of original thinking.

JUSTICE. The courts are strictly focused on supporting their decision, with references and statements of the plaintiffs. The word corruption is non existent in their text.

POLICE. The reports contain rhetoric and descriptive statements on state and ethics. They over present the effectiveness of the Service and they often stress the Police role as "objective, impartial, and corresponding to society's needs". The use of the word *corruption* is rare. The Service focuses almost exclusively on corrupt practices of public administration.

MEDIA. Corruption remains for the Media, a news story valuable for its threshold and personalization. It is considered a *social illness*, the curing of which needs the commitment of the whole society. Sometimes the discourse reverts to condemnation against the whole society.

CIVIL SOCIETY. NGOs analyse corruption employing mostly a well documented argumentation, still with emotional-cum-ethical statements. Thus, the issue is "a fight" and "a battle" against illegal practices and corruption.

ECONOMY. The views of the economy as presented in its texts are one-sided, not resulting from a thorough analysis of the country's particularities. They regard "political-party interests, social class interests and complicated legislation" as the main causes of corruption.

From the research became obvious that a channel of communication and promotion of views among different social systems operates (here: Media, NGOs, and Politics). Those social groups who do not have access to the media are an easy mark for condemnation and stigmatising; the same applies to large and diffuse groups because it is difficult for them to defend themselves. It is interesting that according to the texts analysed, the *official perceptions* of corruption in Greece are not considerably different from the corresponding reports of international organisations (TI, OECD, World Bank, etc). Therefore, it eventually expresses the influence of those organisations, to which belong the ranks and scores on corruption. And might question, as far as Greece is concerned as to whether a "down-up" approach to corruption would bring some other results as the top down process. Since citizens' views are not included, our findings cannot yet support the results of other research that the followed behaviour (everyday behaviour) does not necessarily coincide with legitimation of corruption or that moral disapproval of corruption necessarily associates with willingness to make a complaint about it. Otherwise, how can be explained the low score of Greece in the CPI's index?

6. Corruption in Germany[8]

Introduction

During the first year of the project implementation, the German research team worked towards several major research goals. At first the German research team raised data about corruption and gathered information on anti-corruption measures and initiatives in Germany. As a second step, various documents on corruption and anti-corruption from six target groups (politics, judiciary, police, media, civil society, economy) were collected. On the basis of two case studies the documents were put to qualitative analysis deploying the visual qualitative data analysis of the 'Atlas.ti' software.

Selection of case studies

Two cases studies on political corruption and bribery have been selected: the so-called 'Black accounts'-affair of the CDU party and the donations-affair of the SPD party in the federal state of Northern Rhenania-Westfalia (NRW).

Data generation

The following documents as subject to analysis have been collected: *Target group politics*: 1. Protocols of parliamentary debates of the 'Bundestag' on the 'Black accounts'–affair of the CDU party. 2. Protocols of parliamentary debates of the 'Landtag' of the federal state of NRW (Northern Rhenania-Westfalia) on the Donations-affair of the SPD party. Background documents: Reports of the parliamentarian investigation committees. *Target group judiciary*: Verdict of the 'Landgericht Köln' (Court of the federal state of NRW, Cologne) on the Donations-affair of the SPD party. *Target group police*: Interrogation protocols of the 'Criminal Investigation Department' of the federal state of Baden-Württemberg, Stuttgart. *Target group media*: Press analyses on the 'Black accounts'-affair of the CDU party and Donations-affair of the SPD party from the newspapers 'Frankfurter Allgemeine Zeitung' and 'Süddeutsche Zeitung' (210 articles). Recordings of the TV talk-shows 'Sabine Christiansen' (ARD channel) and 'Hart aber fair' (WDR channel) on the same corruption cases. *Target group civil society*: Analysis documents published by 'Transparency International', Germany *Target group economy*: Public statements and statements of formal obligation by the DGB German Trade Union Association) and BDI (German Industry Association)

Results: Perceptions of Corruption

Target Group Politics

In the context in which the parliamentary debates on the illegal party financing the ex-chancellor and leading party officials of the Christian Democratic Party were involved in and bearing in mind that at the same time the briberies leading party officials of the Social Democratic party in Cologne received, the essential stance that informs the perceptions and

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[8] The members of the German study group are: Prof. Dr. Dirk Tänzler (co-ordinator), Dr. Dr. Konstadinos Maras, Dr. Angelos Giannakopoulos and the research assistant Ms. Bettina Grimmer (M.A. cand.).

argumentations of the political actors is one of *mutual discredit and delegitimation*. The main political formations outbid each other raising continuously the claim the opponent, being himself morally disqualified or lacking the integrity, has no legitimate right to castigate the wrong-doings of the other side [double-bind]. The parliamentary inquiry committee is perceived as a continuation of *party struggle with other means*. A resolute transparency undermines the very fundaments of a *fair party competition* exposing the financial transactions to the gaze of the political enemy eager to draw advantages. The illegal donations of the Kohl era raise further the question of whether the whole affair should be subsumed under the notion of *political corruption*. Taking into account the definition of TI it is far from clear that the 'system' of secret accounts testifies beyond doubt to the fact of *politically corrupt conduct*. The reason for this lies both in the fact that a) *no private benefits* were intended or factually gained, and b) no sufficient evidence could be delivered that *receiving the donations was causally connected to the political decision process*. *Political corruptio*n meant as *distortion of party democracy* can however be observed – it did not occur between donors and politicians, but rather as a means to keep the party organism under the authoritarian rule of Kohl. By means of this authoritarianism Kohl *reversed the priorities* of the ethical conduct preferring to uphold the private ethic of the 'word of honour' against the law-conforming ethic of public accountability. The case ended up in that indeterminate zone between sanctionable corruption and general political exercise of influence.

The corruption scandal in Cologne involving party officials of the Social Democratic Party (SPD) who received briberies after the deal to build a garbage incinerator was struck revolves essentially on the violation of the rules of open and public procurement procedures. Circumventing existing regulations in the field was perceived by the local authorities in the state of North Rhine-Westphalia as unavoidable since they a) *relied* on the economic efficiency the technical know-how of the construction companies guaranteed and b) *were keen on* securing a considerable number of jobs in the region. Additionally blame is put on the funding and finance management of the party allowing the *transformation* of 'thank-giving' briberies in financial contributions. Certain parallels are also drawn to the 'Kohl system' in that the local officials of the SPD having been monetarily gratified for their decision deployed the briberies to foster the political career planning – in the face of the neo-liberal reforms of the public sector deploying Private-Public-Partnerships this is perceived as inevitable. In this way a certain stance to the whole affair can even assume the character of a *fatalist acquiescence* to the inevitability of corrupt conduct on the part of individuals that are considered to be prone to 'deviant behaviour' for neither can the party financing regulations wipe out 'deviant' conduct nor can they ever deter those determined to pursue their interests with criminal energy. Enforcing sanctions and transparency measures must nevertheless be seen compulsory since it puts the capacity of the political system to *self-purification* to test.

Target Group Judiciary

The analysis of the perceptual patterns of corruption by judges and lawyers is based on a court dossier on the so-called "Financial Scandal of Cologne's SPD", that happened during the project development for a residual waste incineration plant in the 1990's. The arguments and rhetoric deployed by the prosecutors and the judges is dominated by two rationalities: that of legalistic expertise, but also that of the daily experience of people or the everyday layman. Alongside the 'stylistic' expressions of the legal rhetoric one also finds a classification of diverse incidents of bribery, so to say the *semantics of corruption*.

In the Bill of Indictment and the Sentence two lines of argument relating to perceptions and interpretation patterns of corruption stand out. On one hand the judges develop a *description* and a *reconstruction* of acts, and issue judgements on the basis of laws, legal commentaries

and sentences from 'precedent setting cases', on the other hand – in central parts of the prosecution and sentencing argument – they *make use of 'common-sense' arguments*, referring regularly to the 'real life' context. Under consideration of the *motives for corrupt behaviour* the jurists develop a *typology of bribery* according to their findings in their investigations and witness statements. There is differentiation in the files between the 'tempting' of individual politicians and the 'political landscape conservation' of parties and factions. To be distinguished from that are the so called 'impact bribes', extraordinarily high one time payments for a specific purpose, which, legally speaking, to seal an 'accord of injustice', a fraudulent contract. Such 'accords of injustice' are made in secrecy and silence, meaning in collusion or as a silent agreement, without explicit discussion of the matter. "Impact donations" aim to influence a decision in the future, "thank-you donations" are less objectionable gifts for services rendered. Fundamental to a case of corruption is not, if the political decision was truly influenced by the bribe or not, but solely if the "accord of injustice" was agreed upon, be it in good or bad faith. Legally important is that the recipient of the donation is under the belief that decisions will be taken in his favour; otherwise the donation would be for the giver pointless "money thrown out the window". Any other explanation, according to this argument would be a departure from "real life". The case shows that in the eyes of judges and lawyers the logic of corruption is not determined by the fact of the decision being influenced (a connection difficult to objectify), but by a corrupt contract, in the sense that expectations are tied to a payment.

Target Group Police

The reconstruction of the perceptual patterns of corruption among the criminal prosecution authorities is based on the investigation files from the Department for Special Cases of Organised Criminality at the State Police Headquarters in Freiburg, Baden-Württemberg, Germany dealing with two cases of corruption: *a*) the first case deals with 'active bribery' in German constructing industry, an economical branch in which corruption is virtually 'common practice', *b*) the second with 'passive bribery' involving an official of the city's Aliens Office, who played a key role in a people-smuggling ring.
The perceptual patterns of corruption among the criminal prosecution authorities are shaped by the formal procedures, they are obliged to follow by law. For the officials involved corruption is of course legally a clearly defined fact. Nonetheless, the measures taken to *reconstruct* the crime, the *milieu* in which it occurred and the *motives* behind it in particular are highly informative for an understanding of the attitudes and the perceptions of corruption which influence the investigative process. There are certain images of the typical course of a crime, offender profiles and the criminal milieu 'in the heads of the investigating officers' by which they are guided in their work.
In the case of the 'gentleman's crime' in a branch of industry which is strongly marked by corruption, the motive presented in the file is not so much personal enrichment as the *pursuit of entrepreneurial success*. The economic advantages achieved by corruption would primarily serve the *consolidation and development of the 'business empire'* and the satisfaction of personal strivings for power and property would thus only be a secondary aim. This perhaps explains the social tolerance towards such practices in industry, as opposed to the reaction towards the activities of people-smugglers, obviously dealing with the illegal activities of a commercial gang motivated by the desire for *personal enrichment*. The suspected official from the aliens office reveals the 'classic' characteristics of passive corruptibility: Employment in public service with contacts to the general public, the complicated issue of legal residence, personal financial problems, precarious familial situation, acceptance of small presents, invitations to dinner, travel, emotional attachment linked with material dependence

and the complicity of others in his breach of duty (which places him 'in the hands of' the persons practising 'active bribery').

These images or perceptual patterns that could be reconstructed in the files are based on *professional expertise*, *experience* in the field, but also on social *prejudices*. Professional expertise is the dominating perspective in the phase of providing evidence for the charge. To find out the motivation for the crime reference to a broader set of knowledge and experience is usual. Social prejudices then play an eminent role.

Target Group Media

With regard to the two print media analysed one can assume that the central pattern of corruption discerned in the 'Frankfurter Allgemeine Zeitung' refers to the belief of the *self-healing* powers of the political and party system. The crisis related to the so-called 'black-accounts' of the CDU party is by no means perceived as a state crisis but at least as a leadership crisis of a single party. The 'Süddeutsche Zeitung' on the other hand rests its hopes on the rule of law, democratic order and the control of individual power to combat and prevent corruption. Its criticism goes beyond the party system in Germany even accusing the judiciary being weak against political influences.

Regarding the two TV talk shows chosen the first one, ‚Sabine Christiansen', handles the corruption issue in the manner of political expertise, whereas the second one, 'Hart aber fair', seeks to confront the case head on deploying often populist argumentations. In this way the objective, expertise manner, in which the first talk show helps *normalise and objectify* the corruption scandals, contrasts strongly with the *moralising attitude of ethical indictment* of the second that for that matter resembles the attitude of the 'Süddeutsche Zeitung' favouring a deep mistrust against politicians, relying at the same time on the institutional control power and the force f civil society.

There are in common two continuous patterns of perception of corruption both in the articles of the examined print media as well as in the talk shows which not exclude each other but rather merge into a pattern of interpretation: a) corruption as a problem of *breach of trust* in terms of human morality and *b)* corruption as a *control problem* in technical terms. These two patterns of perception by the media are related on the one hand to certain values and to technical procedures of exercising power within a democratic community on the other. Corruption is accordingly understood both as a failure of the institutionalised procedures of the political system and an expression of human weaknesses.

Target Group Civil Society

Contrasting markedly to the relative disinterestedness of the economic world regarding the issue of corruption the activities of civil society organisations such as TI have contributed essentially to raise public awareness on the matter.

In awareness of the it playing a crucial role in the reduction of inequalities or the promotion of equal chances in the party competition – the normal mechanisms of competition in the framework of market economies apparently not guaranteeing a fair play of forces –, but also in minimising the intrusion of the economic exchange logic into the political sphere, Transparency International declares party financing to be one of the most central *steering mechanisms* of lawful and transparent party work. However certain cautiousness should be observed on the issue of *balancing* in-put regulations and out-put effectiveness/supervision complying with the requirement of *proportionality* between means and results – regulatory overdrive may run counter to societal perceptions of human rights. As supplementary rule

setting strategy to ensure the law conformity of economic transactions (for example in cases of public procurement) the TI has launched the Integrity Pact planned to function as containment of 'deviant' dispositions. At the core of TI's *'bottom-up'* approach in fighting corruption lies the network of ALACs (Advocacy and Legal Advice Centres) in various countries promoting societal initiatives from groups or individuals to articulate their complaints against what is perceived as corrupt conduct, helping them at the same time to reclaim their rights.

Target Group Economy

The analysed data from the Federation of German Trade Unions (DGB) make in general evident that important social and political dimensions of corrupt practices are not subject to consideration by the Federation. The perception of the DGB seems to be a rather restrictive one. The anti-corruption strategy of the DGB centres almost exclusively on the immediate risks corruption represents for the company and in particular for the workforce. This explains the significance the DGB assigns to institutionalising and implementing concrete measures for the so-called whistle-blowing within companies.

Though this anti-corruption strategy is common between trade unions on the one hand and employers' federations on the other the later underline at first *the extent* to which corruption *distorts* ('corrupts') competition in a market economy. Especially regarding the regulations of public contracting and the establishment of a corruption register (at least at the level of the federal states in Germany) it is observed that *synergy effects* are developing between the activities of politicians, NGOs and the business world. If one compares the claims raised by industry and TI and addressed at politics, then one can easily observe the existence of a broad co-operation between politics, economy and civil society aimed at fighting corruption.

However, there are two main facts that point to the assumption that combating *corruption does not belong to the high priorities* of 'labour and capital' organisations. The first one is the quantitative 'meagreness' of the documents produced by them, the second one the 'qualitative' lack of the documents. In general, the recommendations of both organisations to fight corruption within companies in principle refer to a double strategy: improving *structures of control in the workplace* and *strengthening the sensitive business ethics* on the subject of corruption. Although the interests of capital and work are irreconcilable and their relationship tends to be conflicting, it is nevertheless obvious that corporate structures in the sense of the so-called 'Rhineland capitalism' on the one hand and the rhetoric of industrial ethics on the other are the very core of the frame within which labour and capital perceive corruption and anti-corruption measures in Germany. Both of them concentrate on structural and ethical measures, i.e. strengthening of controls and moral complementary elements of anti-corruption. Moreover, the corporate alliance between capital and labour is additionally flanked by a balance of interests and the process of accommodation between both civil society and the state.

Conclusions

The public debates in Germany are sustained by the belief that regarding corruption the country is 'clean'. Corruption at the level of every-day life is deemed negligible and institutions and public administration are seen as working properly. From the analysis of the documents undertaken emerges the fact that it is political corruption that primarily raises public interest. In contrast to political corruption the economic is not regarded as a destabilising factor. The reason for this lies in the argument that seeking advantages and

enrichment are after all part and parcel of the driving forces in economic life, but they are by no means compatible with the principles of democratic politics. The intermingling of political and economic rationalities is considered as the origin of corruption in the public administration. Changes in the perceptions of corruption can be observed in Justice, Police and public Administration. In the cases of civil society (except for the NGO's), Politics and Economy the matter is less clear. One must always distinguish between public statements and factual acting.

7. Corruption in the United Kingdom[9]

Introduction

The UK case study of Perceptions of Corruption and Anti-corruption seeks to explore not only the comparison between perceptions held amongst six target groups (politicians, the media, the police, the judiciary, civil society, and business), but also what the UK research findings may suggest for other states, particularly for prospective EU member-states. One of the questions driving the research is to understand what is seen to 'work' in the UK in changing the way in which people think about corruption, and what is believed to be the most effective mechanisms by which corruption is checked there. The synopsis below is concerned with the direct findings of the research thus far, while a summary of the broader implications of the research findings is available in the 'scientific report' (first deliverable).

Data Generation

At the outset of the research, a wide range of literature was consulted that extended beyond the target groups to academic and media sources (literature and interviews) on the subject of corruption and anti-corruption efforts in the UK. A variety of documents were then collected that either typified or were the official statements from each target group, which, in general, indirectly expressed a view of corruption and anti-corruption efforts. A list of potential interviewees to be contacted in the second stage of research was drawn up towards the end of 2006 and the addition of a new researcher on the UK team meant that the aims and strategy of the UK case were reviewed in preparation for the interviews. The outline of a discussion paper on the UK case within the project was also constructed and completion and dissemination of the paper is expected to take place early in 2007.

Case Studies

The two case chosen for the UK Study were firstly the 'Loans for Peerages' Affair of 2006 and secondly the Pergau Dam/Balfour Beatty Affair of 1994.As with each of the participating research groups in the Project, the first case study addresses the issue of corruption in party financing. This particular case was chosen because of its proximity to recent legal developments concerning the definition of corruption in the UK and importance in shaping contemporary public perceptions of corruption in the country.
The second case study was chosen because its characteristics were perceived to highlight a concern about corruption that is particularly specific to the UK. The case is of specific relevance to the UK for several reasons. Firstly, the case figures prominently and relatively

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[9] The members of the British study group are: Dr. Othon Anastasakis (co-ordinator), Dr. Sappho Xenakis and Mr. Kalin Ivanov (M.A.).

popularly in domestic anti-corruption campaigns and in domestic political discourse on corruption. Indeed, it is a particular characteristic of British anti-corruption NGO work that it has tended to focus on corruption issues that have a foreign dimension. Secondly, the case is important because it has been argued by various commentators that the effort to legislate on corruption in the UK has largely been driven by the requirement to implement the rules set against bribery of foreign officials contained in OECD recommendations. The issue of bribery of foreign officials by UK citizens has been the most prominently debated point about the government's efforts to introduce anti-corruption legislation in the UK. Additionally, this case is of particular pertinence to the overall research project UK because it addresses the issue of the degree to which the UK has been committed to anti-corruption policies at home as well as abroad (namely in EU candidate states).

Results: Perceptions of Corruption

Amongst all target groups (but less so from the media), a strong sentiment was evident that high standards of public office generally pertained in the UK. The media tended to add its support to this view when the situation in the UK was being compared regionally or globally. Strong variation in views on corruption was evident especially within the media and politics target groups (unsurprisingly), and limited variation from the NGO group and judiciary. No variation was found in the documents from the police target group. The constraints of their position and remit, and the source of the documents (as official sources in the case of official bodies), clearly limited the types of arguments that were put forward from the politicians, judiciary and police; wide-ranging structural and cynical arguments were most likely to be made by the media, followed by NGOs.

The area of most concern amongst all target groups was the relationship between business and politicians. The details of the concern varied; whether the relationship was rightly or wrongly viewed with suspicion, when corruption took place which party was more likely to be the instigator (i.e. more culpable than the other), to what extent were either party sincere in their anti-corruption pronouncements or what other possible self-interest or pressures motivated them to make them.
As suggested by the Project's initial outline, the media was widely acknowledged as playing an important role in mobilising public opinion and thereby generating pressure in support of anti-corruption efforts. However, the media were also the subject of criticism for being perceived to be more interested in whipping up public fervour over the issue than ensuring substance to their allegations of scandal. The integrity of the media in its role as informer and stimulator of public opinion and reaction was in other words called into question. Furthermore, it was pointed out that sometimes the media is often credited for being a more active and effective anti-corruption tool than it can legitimately claim, since its reports of investigations are often mistakenly read as the work of the media organisation itself.
NGOs were also recognised for their important role in the shaping of opinion within Parliament and amongst the public, although it was evident that amongst NGOs themselves quite different attitudes towards the issue of corruption were evident.
An interesting preliminary finding from the NGO and politicians focus groups in the first case study concerned the perceived acceptability of a certain degree of patronage in politics and conceptions about where the ideal limits to it were to be drawn.
It was nevertheless evident that British perceptions and discourse on corruption have been undergoing a significant period of evolution since the mid 1990s, and many of these changes are still underway in the UK (including, for example, the issue of patronage in political life) and outcomes still as yet unclear.

The activism of the past decade or so has itself been described as a positive step by all but the more cynical of the observers (who proposed that such transformations were superficial but powerful forms of propaganda, clothing the reality of 'business as usual') that were found in the material gathered.

The under-use of the word 'corruption' in the material collected also appeared to be a significant issue to which comments were addressed within the material. The word 'corruption' tends to be is avoided in the material, while and others such as 'standards in public life', 'sleaze' and 'cronyism' preferred. While these certainly are imbued with a negative imagery, 'corruption' appears to be a term associated with more severe conditions of corruption perceived to be bedevilling other countries. The paucity of documents relating to the subject or cases of corruption, amongst the target groups was the subject of analysis by far fewer (somewhat evidently) amongst the target groups. Existing in-depth literature, particularly academic, on the causes of this lack, were not included in the target groups; this omission is likely to be remedied in the proceeding period of research.

The most significant divisions of perspective concerned prognoses for change; the more cynical views expressed considered the problems of corruption to be systemic and therefore implied that an overhaul of the political system would be necessary to alter the realpolitik nature of policy and allow ethical policies to be genuinely prioritised. The majority of views expressed were more moderate; that more regulation and better enforced oversight practices would go a long way to dissuading would-be corruptors from perpetrating their crime. A minority again characterised corruption as a rare act committed by individuals; this perspective encouraged a maintenance of tradition and was evident in the business and politicians' target groups, from those seeking to maintain the contemporary limits of their autonomy and anxious not to incur greater incursions into their freedom of movement or invasion of their private business.