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Crime & Culture

Crime as a Cultural Problem
The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom

Effi Lambropoulou, Theodoros Iosifidis, Nikos Papapamanolis, Eleftheria Bakali, Stella Ageli, Erifyli Bakirli, Garyfalia Massouri

Corruption in Greece or Corruption of Greece? The "Modern" Triumphalism

Sixth Framework Programme of the European Commission
Specific Targeted Research Project

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SIXTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION

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1. Introduction

In the first phase of the Greek study within the research project "Crime and Culture" we analysed either texts referring to corruption and 'scandals' or to the case studies (e.g. parliamentary proceedings, prosecutors' findings, newspaper articles). In the second phase the analysis concentrated on the discourse of the target groups interviewed, in order to synthesise their views about the forms and the extent of corruption in modern Greece. In the third phase, we attempted the integration of the two periods' findings into a theoretical context. As we have noticed in the previous report, the comparison of the target group's (TG) discourse between the first and the second phase was not always possible. However the distance of time and the overview of the findings helped us to locate some (common) points for a more thorough examination. We focused on the discourse of each target group about itself and about corruption in general during both phases and compared their discourse with the existing specialist approaches, namely the views about certain issues relating with corruption under a socio-political and whenever necessary a historical context. Thus, we could cross check the issues referred to by the target groups.

2. The research: Sources and methods of analysis

The primary documents, and both evaluation and discussion papers were the initial material for our analysis. The remaining sources were Greek and foreign literature in the research areas and the respective target groups. The progress of the analysis in the third period was affected by the uneven national research for *all* target groups, and the discrepancies among the approaches. As a mitigating action, each member has registered the views and bibliography of a specific target group. Moreover, during the monthly meetings the progress of the report, the arising issues and the general context of the individual papers were discussed.

An issue which was taken into account refers to the official position of interviewees. The high position has advantages and disadvantages; either the interviewee will be open because s/he has a great amount of authority and can express his/her views more freely (this is eventually the case of the General Inspector of Public Administration), or s/he will be very formal (Division of Internal Affairs/Police, DEY's representatives; Judges). Secondly, the institutional role (i.e. of the General Inspector) provides the discussant with an overall view on the issue in comparison with his senior colleagues. Moreover, s/he has to justify his/her role, which is even more driving if s/he does not belong to the rank and file public servants. In the first case (GIPA) there is a danger to overanalyse the material, while in the second (DEY) to underestimate it. The risk in such cases is bigger if the representatives of the TG are very few. Therefore, experience, the intuition of the interviewer and the exchange carried out in a research group help.

3. Analysis and discussion

3.1. POLITICS (TG I)

3.1.1. Causes and consequences of (political) corruption in the discourse of politics

Determining the causal factors of political corruption is extremely difficult for a series of reasons. The first reason is related to the many kinds of political corruption which exist and to the multiplicity of political corruption experiences across space and time. But, according to our opinion the most important reason lies in the difficulties of reaching a generally accepted definition of what political corruption is. Nevertheless, and within the dominant corruption definitional efforts, there are several attempts to determine the causes of the phenomenon. Thus according to Collier (1999: 21):
'…the general causal mechanisms explaining political corruption are contained within the rule-sets — public versus private spheres, methods of state resource allocation, elite accountability, mass political participation — surrounding the corruption phenomenon. Specific rules within these rule-sets (type of elite competition, role of the media, etc.) provide further explanations for the range of corruption that a state may exhibit'.

Amundsen (1999) distinguishes the causes of political corruption as economic and political. The economic causes of political corruption are mainly related to its relationship with economic development and growth. The correlation between political corruption indices and levels of economic development show that the latter is adversely correlated to the former. Nevertheless the direction of causality between income growth and corruption remains unclear. Political causes of political corruption are linked by Amundsen (1999) to the degree of democratisation. Consequently, corruption decreases as democratisation increases, where democratisation means not only the establishment of democratic institutions but the way of functioning of those institutions (consensual power, legitimisation, political development along with liberalisation). Nevertheless, even within this framework of analysis there are many examples where democratisation led to greater degrees of corruption and political corruption such as for example in Russia and in other transitional countries.

If we consider about what set of practices and acts is characterised as 'corrupt' and by whom in our research, then the difficulties to determine 'objectively' the economic or the political reasons of 'political corruption' become stronger.

- One major cause of political corruption in Greece, as expressed by many politicians is strongly linked to the *personal/individual ethos*, in other words to the ethical standards and the morals of the individual. Those politicians stressed that a few cases of 'unethical' acts are enough to be generalized and colour the whole political system. It is impressive to note that many politicians adopted a strict moralistic and ethicist stance which they connected only with personality characteristics. Thus, some people just deviate from the 'proper' ethical values and this deviation is presented as independent from the dominant social values (individualism, competition, eagerness for money and success) or from broader socio-political developments and trajectories, such as commercialization, expansion of the labour market flexibility, domination of market relations. Nevertheless, in many cases

the educational system is blamed for its failure to transmit the proper ethical values to the public.

- Another cause of political corruption according to some politicians is the *lack of political will* for reforms through which the decrease of corruption is considered to be successful. The reason for this political unwillingness is according to them the presumed political cost.
- *Overregulation*, inefficiencies of the taxation system leading to tax avoidance and inadequate law enforcement are presented as major causes for corruption in the country, together with historical reasons linked to the mode of development, the formation and functions of the political system.
- Some other interviewees, mainly from the leftist parties, connect corruption to *structural features* of the Greek social formation, such as clientelist relations or to the articulation of capitalist interests with modern states. Therefore, corruption is an inherent feature of the capitalist system independently of whether it is labelled officially as corruption or not (for example the lobbying activities, the role and functions of off shore companies etc.) (see Lambropoulou et al. 2008: 10). This group of interviewees criticizes also the practices of the private sector for producing and reproducing political corruption.
- Another cause of political corruption offered by some politicians is linked to the *party financing system* which leaves many loopholes for opacity. Those inadequacies are connected to the present electoral law and to the limited state funds allocated to the parties along with the, in many cases, low limits of party electoral spending.

Generally, politicians who participated in the research process did not talk extensively and in an analytic way about the *consequences* of corruption, because the consequences of the phenomenon are considered to be self evident. Nevertheless we may summarise the interviewees' responses about the consequences of political corruption as follows:

- Political corruption is generally harmful for the state and for citizens in the long term because of the erosion of trust between citizens and the state. Low trust between state institutions and citizens in Greece may be viewed as lacking a positive form of social capital (see Putnam et al. 1993; Koniordos 2005). Thus as Jones et al. (2008: 176) note:

'(…) a general assumption is that basic elements of social capital in Greece are weak and limited (…) due to certain structural characteristics referring to modern Greek society. These mainly refer to the traditionally weak civil society, the opportunistic political culture, the existence of vertical clientelistic networks and the frequent infringement of social norms (…). Indicative of the latter characteristic is the ranking of Greece in the Corruption Perceptions Index of 2006 (CPI) which is the lowest among the old European Union states (…). On the other hand several authors have indicated the strength of other elements of social capital in Greece, such as the density of family ties (…). Similar assumptions, regarding the low stocks of social capital and the density of informal networks, have also been underlined for other South European Countries (Italy, Portugal and Spain) (…). These similarities may derive from the existence of common structural elements such as authoritarianism, the density of clientelistic networks and the high levels of distrust and disappointment in political institutions (…)'.

Furthermore low trust in the relations between citizens and the state in Greece is argued to be reinforced by the persistence of clientelistic relations. As illustrated by Jones et al. (2008: 177-178, and with further references):
'A significant outcome (…) was the gradual formation of a utilitarian political culture leading to problems of cooperation and trust between citizens and the state (…). The state is conceived as an 'obstacle' to the everyday needs, while politicians are an alternative 'path' for the disregard of state regulations for the achievement of individualistic objectives (…). As a result of such political intermediaries, a tendency of infringement of social norms was developed (…) along with a decrease of interest in politics (…)'.

- Political corruption (re)produces the subversion and dependence of the state and its institutions to various economic interests. The subversion erodes the democratic legitimatisation of the state and reinforces the lack of trust between state agencies and the general public.
- Political corruption (re)produces social injustice as it increases the inequalities between those who possess critical connections with the political system and those who do not.
- Political corruption reinforces immorality, lowering the general ethical standards and enhancing the 'culture of corruption'.

The more important points about the perceived consequences of (political) corruption, derived from the mainstream line of contemporary thought on the phenomenon are[1]:
- Political corruption affects negatively economic development and growth as it reinforces opacity, it increases the indirect tax burden on enterprises and it lowers investments.
- Political corruption counteracts poverty eradication policies the implementation of which requires macroeconomic stability and high levels of economic growth.
- Corruption is a form of violation of basic human rights.
- Corruption distorts the rules of free competition and market relations and thus affects in a negative way the development of the private sector.
- Political corruption produces economic uncertainty, causes market inefficiencies and distorts the composition of public expenditure.
- Political corruption causes political disempowerment, enhances political cynicism and institutional disillusionment, impacts negatively on crucial social values related to trust and social cohesion and discourages political participation.

The above synoptic presentation of some of the most important consequences of (political) corruption shows that the dominant contemporary concept of the phenomenon, as expressed by international organisations, i.e. the World Bank, is strongly affected by a certain model of political, social and economic organisation, notably that of free market and its neoliberal ideology. Therefore, the corruption rhetoric is used to enhance further neoliberal socio-economic restructuring in countries of the developing world or of the semi-periphery and it does not question or bother with the social impact of replacing 'corrupt' practices with 'clean' ones as long the latter serve the process of further marketization and commodification. With this we do not support the idea that certain practices such as 'bribery' or 'political patron-

[1] Causes and Consequences of Corruption. From the research knowledge base: What do we know about the causes and consequences of corruption? (http://www.u4.no/helpdesk/faq/faqs1.cfm#26).

client exchange' are a 'social construct' made by dominant interests and rhetoric. Instead we note that the characterisation and labelling of some acts as 'corrupt' serves a clear political goal: the expansion and domination of market relations independent of social costs and without examining alternative trajectories which empower the lower strata of societies.

As Heywood (1997: 9) comments on western anti-corruption rhetoric:
'Much western political science in the 1960's and early 1970's was characterized by a certain confidence, bordering on condescension, in regard to high-level political corruption: essentially a problem of under-developed and non-democratic nations, its control and eradication depended upon institutional design, with liberal democracy providing the model towards which 'developing' nations would make (inevitable) progress. The contrast with the late 1990's is striking. The western triumphalism which followed the collapse of communism has been replaced by far more apocalyptic scenarios, increasingly pitched in terms of a 'clash of civilizations': confidence in 'westernization' being emblematic of 'modernization' has (at last) been eroded, but in its place has emerged a vision in which western civilization is facing a challenge from the morally integral alternatives of Islamic and Asian-capitalist states. In such a scenario, growing corruption and decadence are symptomatic of western civilization in decline: what we are witnessing may be not so much political corruption in western liberal democracies as the political corruption of western liberal democracies'.
Similarly we could say that corruption rhetoric, such as *'corruption debates and legislation offer a broad area for symbolic politics, which has often used by the Greek governments to serve party-political and commercial interests'* (Lambropoulou 2007: 20).

3.1.2. Conclusions

The main proposals made by the politicians who participated in the research in order to confront corruption and political corruption were:
- Institutional and legislative reform towards mitigating overregulation, legislation complexity and public institutional inefficiencies.
- Changes to party financing system towards transparency and increase in public spending.
- Changes in the educational system in order to increase general moral and ethical standards and values.
- Further democratization of institutions towards more public participation and inspection.

Some of the *'best practices'* in confronting political corruption are offered by OSCE (2003). These may be summarised here as follows:

Political openness. Increasing and enhancing political openness is considered crucial for decreasing corruption. Political openness is strongly related to ideals, practices and behaviours characterized by transparency, objectivity, accountability, exemplary leadership, honesty, integrity, selflessness and the introduction, implementation and application of a series of codes of conduct in different domains of the political and public sphere. Furthermore, political openness means ease of access to information concerning legislative procedures and other public functions for the citizens.

Political parties financing. Party financing is considered one of the processes which entails risks of political corruption. For this reason, party financing has to be as transparent as possible and subject to regular inspections by independent bodies. Furthermore public spending in this domain has to be adequate and all the sources of financing have to be available for public scrutiny.

Regulating lobbying. Regulating lobbying activities may be an important means of confronting political corruption. Lobbying may be regulated towards more transparency and more access to essential information about who, when, what and how one attempts to influence government bodies.

Political and judicial immunity. The system of political and judicial immunity has to be closely inspected at all times in order to avoid its exploitation by politicians and other employees of the state who are involved in cases of political corruption.

3.2. PUBLIC ADMINISTRATION/POLITICS (TG I)

3.2.1. Causes and consequences of corruption in the discourse of public administration

In both research periods of the project, corruption is identified with clientelism. *Clientelism* is considered to be the illegal, or better, the non institutionalized communication between the political power and the citizens/'clients' through rent-seeking. It operates as *a mechanism which absorbs social inequalities producing conflicts and strain;* moreover, it balances the state of confusion and uncertainty. It is noteworthy that even if the representatives of all groups say that they hardly know cases of illegal activities of their professional group, they have taken it initially for granted characterizing corruption as social problem. The same can occur with the population; although the majority is not involved in this exchange, they regard it as given. Clientelism justifies the failure of the public administration reforms as well as the inertia of the state mechanism with the excuse of 'political cost'.

Clientelism is mostly thematized by public administration−, media− and politics representatives. There are two approaches regarding clientelism in Greece. The first one – the traditional approach – regards the issue as an '*instrumental relationship between patron(s) and client(s)'*, operating in favour of both sides '*as contractually founded'* (Mavrogordatos 1988: 5). The second one considers it a '*way of political participation of the masses'* (Lyrintzis 1984), which are otherwise excluded. In the first approach clientelism has a negative meaning. But in the second approach, it is seen as a '*vertical' political participation of the citizens* (Mouzelis 1987)[2]. Therefore, it is an institutionalized form of social organization and behaviour which is *indirectly legitimized.* It operates, besides, as a redistribution mechanism ('*concrete way of creating and distributing revenue'*) for the general population (Petmesidou 1996) [3]. In

[2] The author distinguishes between the 'horizontal' and 'vertical' type of relationship between the citizens and the state. 'Horizontal' is the political participation which is based on collective forms of social accession (e.g. professional unions, political parties). 'Vertical' is the form of political participation which is based on certain personal or family bonds with members of local and/or national elite; thus the citizen is connected to the political system and the power system in general.
[3] Cited by Sotiropoulos 2007a: 100.

other words, clientelism is not an inherent characteristic in the sense of value or culture but the product of *historical events and political organization and functions of the state mechanism during its development*, in which a rational and general redistribution mechanism of social wealth, welfare benefits and social protection was missing (Sotiropoulos 1996: 60-62; Lyrintzis 2005: 248). Arguing that clientelism has developed from a mechanism of balancing social inequalities to an *established mentality* and thus produces corruption (usually 'petty' corruption), is a subjective assessment and cannot be supported without further systematic research.

The viewpoints often contrast the countries of the South with those of the North; though clientelist relationships exist to some degree and in various forms in all modern societies (Legg 1975). Large-scale patronage systems declined steadily during the twentieth century in the western countries. The interviewees stressed the *low efficiency* of public administration in both research phases; in the first phase it was called maladministration, while in the second they related it to corruption.

Furthermore, the contemporary comparison between the Greek public services and those in the Northern European countries using indicators, such as state expenses and revenues, degree of politicization of high rank executives and the size of bureaucratic structures illustrates similarities and not differences (Sotiropoulos 2007a: 48-56). Consequently, during the last years many politicians, scientists and journalists are more reserved about the overused argument of the weak public administration.

According to General Inspector three main factors produce corruption in public administration. The first is administration's reliance on governments and party politics, the second is money transactions between citizens and public services, and the third is overregulation, complex legislation, as well as ambiguities in legislation, contradiction in terms and content of legislation ('grey zone') offering high discretionary power to public administration.

Regulatory inflation is not only the product of numerous demands of modern society, but also the product of a prevailing legalistic culture in the country. The issuing of new laws or amendments of the existing ones is a common reaction of the governments of the time to whatever problem (social, economic or political) arises. Overregulation widens the gap between the spirit of the law and law enforcement. In any case, the increased production of new regulations and frequent amendments of the existing ones cannot justify corruption by themselves. According to the General Inspector, the complicated normative environment implies ad hoc favours either to individuals or to certain social groups in order for their political support to be gained. Furthermore the 'lack of moral standards' for serving citizens' interests in local communities is a unique development of the last decades. Firstly, the reliance of local authorities on communities and, secondly, clientism are the main reasons for corrupt practices and exchanges in local administration. This point of view contradicts the adoption of World Bank's definition by the interviewee. The previous confirms what has been stressed in the first discussion paper, that anticorruption rhetoric is loaded with moralistic elements. It is also interesting that the General Inspector views corruption as a problem of unequal access to goods and services and of discretionary treatment. This view is based on a sense of 'true' justice rather than one of law abiding, legal behaviour.

3.2.2. Conclusions

According to analysts, the politicization of public administration, legalism and reliance of economy on the state produce corruption in Greece. However, research has shown that certain characteristics of power relations in Greece and in particular in public administration, are either the same with those in other contemporary administrative systems (that is systems based on the principles of democracy, rule of law and liberal economy), or similar to characteristics of neighbouring countries with similar experience in their social and political development. We have already referred to the similarities observed in the majority of modern administrative systems such as their big size and low efficiency. Similarities of this kind are also noticed in most western countries in the interface of the economy with the political system where 'grand' corruption is generated, for example undeclared party financing (see more in Kaiser 2005).

Corruption is rooted in the authoritative relation between the state and its citizens. It adapts to this relation following its development just as every other social phenomenon adjusts to its environment (see more in Karkatsoulis 2005). These conclusions are drawn not only by comparing corruption in different countries, but also in the same country. Different forms of imposed power are reflected in different practices (i.e. Italy).

Nonetheless, there are forms of 'petty' corruption which are particularly maintained over time and in certain geographical areas, such as the European South, because of the common characteristics which have influenced the formation of these states during their history. By using the category European South the particular conditions and the different characteristics of each state are not ignored. Contemporary social research has found out that the four features of the Greek public administration referred previously (3.2.1. Clientelism, rent-seeking, overregulation, 'inefficient' administration), are not typically 'Greek' (Bruneau et al. 2001; Diamandouros & Gunther 2001). They are components of all states of the European South and qualify respectively the relations of power between the state and the citizens. Therefore, the research about corruption in Greece should not be restricted to the national context but the context of the countries of Southern Europe. Similarly the problem must be examined among the administrative systems of southern Europe, as well as their policies against corruption. In a period where efforts for administrative convergence have been carried out, we have to take this into account. The convergence of various social and state formations on the basis of common value codes demands new analytical tools for their study.

Policies against corruption should be carried out in groups of states which have some common characteristics and experiences. Although each state is unique, it cannot be an argument for doing nothing. On the contrary its 'uniqueness' should shape each country's strategic planning. Customization of reform is after all a key component of success. Consequently, strengthening the existing repressive or control mechanisms against corruption or creating new ones will not be effective. Targeted small changes in public administration would be more effective under the condition that social consensus exists. Another prerequisite for the success of public administration reform programmes is a network of flexible alliances between the major actor – the state –

and the other stakeholders. It is also important to build support from social groups outside public administration.

Moreover:
a) Codification and recasting of regulations is necessary in order to eliminate legal ambiguity.
b) Adequate support and staffing of the control bodies, especially of the General Inspector of Public Administration's Office, are requisite. The cooperation of control bodies' with the administration should also be improved.
c) E-government infrastructure will reduce the citizens' physical contact with the administration.
d) International cooperation for confronting corruption through the transfer of know-how and the use of 'good practices' adequate for Greece would be helpful.
A strategic planning against corruption above party-politics is necessary to promote the referred suggestions. As the General Inspector said *'Corruption can not be confronted through a party political logic'*.

3.3. JUSTICE (TG II)

3.3.1. An outline of factors affecting Justice and judicial decision making

Research in justice decision making which started in the sixties in the USA and continued over the coming years, considered the balance between the judges' interest in the outcome of particular cases and their interest in other goals. There were personal popularity and lighter workloads (*Role theory*), the relative importance of good law and good policy as bases for judges' choices, and finally looked at the extent to which judges act strategically (Schubert 1959: 173-267), choosing their own positions after taking into account the positions that their fellow judges (Schubert 1964) and other policy makers might adopt (*Game theory*, von Neumann & Morgenstern 1944; cf. Lautmann 1972)[4]. Moreover, several other studies of the sentencing process in American courts, as well as in West German courts and some in the Netherlands cited vast disparities in the punishments imposed upon different classes of people or meted out by different judges. This was taken to indicate that judges indulge their personalities and do not sentence solely in accordance with the dictates of the law (*Attitudinal theory – SAR models*, Schubert 1965; *ZfRSoz* 1991; also Segal & Spaeth 2002).

Role theory research showed that judges are indeed bound by the role expectation that they will sentence in accordance with legally relevant criteria, that they do not seem to be affected by personal biases, and that they sentence more harshly defendants who do not recognize the rights of the judicial role, i.e. respect and deference due to the court (Jaros & Medelsohn 1967). The relations of the judge with their colleagues, as well as with the citizens of his/her local jurisdiction were proved significant (Seidman 1969). Research also found out that judges who considered the 'feeling of justice' as the most significant quality of a judge, gave more severe sentences from those disputing this quality. And those imposing heavy sentences gave also special

[4] In this concept see the revitalization of the discourse about distributive justice (Vanderschraaf 1999) in relation to the study of Braithwaite (1955).

importance to their independence and impartiality, especially from the mass media; in the meantime, they accepted that they have to take into consideration the expectations of the public for law enforcement and justice's dispensation. The findings were similar for the prosecutors (Streng 1984: 193).

Greek research notes also that judges are influenced in their decisions apart from the exercised internal hierarchy control, by some attitudes, such as values, social and political ideology, as well as their social background (Daskalakis et al. 1983: 350; Maniotis 1989: 62-69, 97-104; Lambropoulou 1999: 161-167). However judges and candidates don't want to accept it (see also Besé 1991: 12).

Role theory has been of special interest for the central European countries (Lautmann 1970) and Greece, as civil law jurisdictions, contrary to the common law jurisdictions which place great weight on court decisions (or quasi-judicial tribunals within agencies), considered 'law' similar to statutes that have the 'force of law'. In civil law systems the judges' personality is given less emphasis for the analysis of justice decisions and contributions by scholars. Role theory allowed the possibility of study of not only judges' values, attitudes etc. but also the special place of the rule of law and the judicial meanings for the court decisions in relation to the role expectations (Rottleuthner 1973: 82-104; see also Maniotis 1989: 37-42).

However, criticism of the relevant research notes that the analyses didn't allow for the possibility of the judges remaining aloof to their role to a certain extent (Rottleuthner 1973: 134-142). In particular, if role acceptance translates into coercion and socialisation into external enforcement during education. Furthermore, they didn't study from where the judges derive their certainty about their objectivity and whether this attitude is the product of their education, experience, or the authority of their role (Grossman 1962; 1966). One of our interviewees noted *'the judges have 'grandeur', the right of ethical proof, which is not used any more; what is the ethical proof? The judge considers you guilty because this is the impression s/he got during the process, hearing the voice of his/her conscience'* (Art. 177 par. 1 GPPC).

About the last point, the identification of the judges with the law can eventually be one of the reasons why our interviewees are unable (or unwilling) to justify the participation of their colleagues in corruption-cases (2005-2007). Their involvement was implied as accidental and attributed to their character, while the interviewees repeatedly underscored that 'justice is independent' and 'the key stone of democracy'. Article 87 paras. 1 and 2 of the Constitution refers to the personal and functional independence of justice. However, there are inherent obstacles for its fulfilment. According to some law scholars, the law itself produces conditions impeding judicial independence (Manoledakis 1992: 19-20). The conditions are either institutionalized or underlying. The selection and promotion to the head of the supreme courts of the country from the Cabinet belong to the *institutionalized* predicaments (Article 90 par. 5, Constitution). Therefore, the possibilities of the judicial leadership confronting the illegal or power abuse of the members of the government which selected them are rather limited. We must underline at this point the decisive role of the prosecutorial service, which is the intermediary linchpin for sending the case to court or to shelve it due to lack of evidence or another reason described in law; this has also been noted in the two case studies of our research during the first phase. The appointment of justice

leadership by the executive and its eventual dependence not only has consequences for itself but also for the whole justice corps. The constraints of judges for public expression of their view, contrary to the constitutional right (Article 10) applying to all Greek citizens, belong to the discipline's logic of a hierarchical organization, like justice, which is additionally controlled by politics. The Code of Justice's Organisation neither explicitly prohibits nor permits judges from expressing their opinion publicly (Art. 91 par. 5b, c)[5], but it considers it a disciplinary violation if it was on 'purpose to affect the prestige of justice' (i.e. the recent disciplinary charge by the Attorney General against the public prosecutor and president of the Judges' and Prosecutors' Union, February-April 2008). When such intention exists, it depends on the respective decision maker (Manoledakis 1992). This is the reason why judges and prosecutors are rarely presented in the media giving interviews or making statements, or are unwilling to participate in research, unless this is granted by the head of their office in the district they serve and for a special reason. It would not be too wrong to claim that in this way they also bypass eventual ethical dilemmas and internal conflicts caused by what they have learned and what they occasionally face.

Since they are public servants, their official and financial dependence upon the executive and their integration in the state mechanism falls into the underlying conditions of their dependence. The public service mentality nourished by the hierarchical mechanism of justice organization doesn't promote flexibility and an independent frame of mind. Consequently most judges follow a middle course in order to have an unobtrusive career (see also Manoledakis 2006: 9-11). The findings of older studies are here of significant importance. They observed that those judges who had not followed a typical judicial career, but who had had professional experience in other fields, i.e. had previously worked either as barristers, in public administration or had been parliamentarians, reserved for themselves the right of dissent with their colleagues, their superiors and the choices of the political party they preferred (Weiss 1971; Rottleuthner 1987: 100-137). Nevertheless, in our case the position of the Greek judges is inevitably related to their devotion to the public interest to which we will refer below.

3.3.2. Justice's views about corruption − Conclusions

Judges consider corruption to be a serious political and social problem, because it undermines society's trust in the political system, public administration and justice (Larmour 2008: 227).

The factors influencing corruption are localized either to dysfunctions of the political system and the difficult work conditions of public services (underpaid, lacking social recognition and technical support) for those involved in illegal activities, or their personality characteristics and the culture of modern times for (quick) wealth (mimicry, greed, avarice etc.). In contrast to the police officers of our research, the judges interviewed made no reference or implied any intervention by politics through the leadership of the corps on their work. However, like police officers they referred to organisational dysfunctions caused by external factors (work overload,

[5] See the Decision of the Plenary of the Court of Cassation, in: *DIKH* 4 (1991): 469.

overregulation, collapse of values, culture erosion etc.), while only one underlined educational shortcomings resulting from organisational changes. All interviewees omitted from the discussion about corruption the role of justice as a counterbalance to state power and their authority to limit the possible abuses of political power. This was because justice personnel avoid accepting that justice and law are not only mechanisms for enforcing the state power, but also for controlling it, protecting in parallel the citizens on whom it is enforced. In particular, justice controls the state power when its will or activities is/are in conflict with the law, protecting citizens and the public interest. Therefore, a judge who is unable to oppose certain politics of state power and control them according to the Constitution and the laws, a judge who feels that s/he is nothing but a conveyor for articulating this power, is unlikely to protect the legal goods in critical situations. In this case, we cannot discuss about independence, even if both judges and the dominating legal ideology claim it (Manoledakis 1992: 16-17). Eventually, this must be what our interviewees imply, when they speak about lacking a 'culture of control' responsible for corruption, indicating the weakness of justice corps to operate constantly as the institutional counterbalance of state power (at legislative, administrative or executive level). And instead of including independence among the targets which justice has to attain and protect, they content themselves with statements such as, justice is independent and untouched by political influences and a 'fortress of democracy'.

Hence, it is not odd that they describe justice as powerless and inadequate to react to the needs of society only due to work overload, low incomes, lack of experience of the new employed judges etc. Improving justice administration, empowering the judicial system and accelerating the judicial procedures are significant steps but not enough. Nonetheless, there are some judges who stress as a serious problem of justice organisation the selection of its leadership by the executive (i.e. Protonotarios 1986: 641; Voiklis 1991: 121-122). Judicial practice has also shown that in some cases whereby a conflict between 'public' or 'social interests' and personal rights is taking place, political expediencies affect justice decisions at the expense of protection and support of citizens rights; this motivates some scholars to refer to 'timid/weak justice' (Alivizatos 1988: 549; Manoledakis 1992: 27). And, among other reasons, its subjection by politics has resulted to some degree to the disdain and discredit of justice in the eyes of the public in the last decades. However, attempts at guidance by politics referring to reforms in courts organization have resulted in intensive reactions from them, especially the higher ones, describing the changes as 'unconstitutional', while the other side described the 'rare cases in which the courts gave up the temptation to judge and appraise the choices of government and Parliament' as an indication of the 'state of judges'[6]. Citizens' trust in independent justice has been also shaken by its compliance with political demands and in particular not so much because of committing to trial political rivals of those in power, but due to its attitudes toward those cases (Article 86, Constitution 1975/1986; Legislative Decree 802/1971 about the criminal responsibility of government members and undersecretaries). The impression which is created is that irrespective of the decision, justice is put automatically to one or the other (party political) side, poisoning its independence and

[6] For example, the recent dissent between the Ministry of Justice and Council of State about the reforms brought up by the Bill of speeding up the administrative judicial procedure in the respective courts (January-April 2008).

impartiality in the social conscience (Manoledakis 1992: 24). Citizen's trust is also wavering when the government uses remuneration[7] to affect justice indirectly.

Their suggestions for limiting corruption through the improvement of the quality of law require changes in legislation procedure, while the upgrade of the Parliament's control role requires the amendment of the respective Constitution clauses and the Parliamentary Law. It is obvious that both call for political will. The same applies for relieving justice of political influence with the abolishment of the articles which foresee the assignment of its leadership by the Cabinet. The mentioned changes would encourage justice's independence, strengthen its power so that it cannot be used as 'Siloam pool' by the political and economic system and could enhance citizens' trust.

3.4. POLICE (TG III)

3.4.1. An outline of factors affecting Police and policing

Generally speaking, police competence to create solutions in existing arrangements depends on the force's ability to cooperate with its external environment, to understand and communicate with it at an acceptable level. The police develop their relations with the public in the sense of involvement in social life. For decades, the Greek Police have worked to expand their power instead of advancing the powers of citizens, local authorities etc., which could help them confront the increasingly complex circumstances of the modern world. This was developed into an informal exchange with the governments which used police for their own plans. In recent years police have tried to set up new patterns of cooperation with the public, but have been hampered again by politics. The police have some characteristics that do not correspond to the friendly image they want to present. They have a monopoly in the use of violence and the threat to employ it (Bowling & Foster 2002: 985).

Police have a responsibility for diverse assistance performed 24 hours per day (Morgan & Newburn 1997: 79), which implies an extended field of reaction (Walker & Katz 2002: ch. 5,11). The size of the reaction and the different levels of

[7] In 1991 the Law 1968 was issued, wherein Art. 14 foresaw the increase of monthly payments and 'court appearance reimbursement' for the leadership of the High Courts. This occurred at a time when several of the previously mentioned cases were pending in the Special Court (11/10/1991), as well as cases with high political interest in other criminal courts. The increase caused heavy criticism mostly by the Press, discrediting justice's impartiality amongst public opinion. If the increase was taken place in a different time and applied to the whole justice personnel, the criticism would be avoided (Manoledakis 1992: 23, fn. 21).
In July 2008 the reaction of the Minister of Justice was similar to some of his predecessors. This month and during the investigation of the Siemens case, an amendment was brought to the Parliament abolishing the self administration of the courts. According to the previous law, the First instance courts, the Courts of Appeal and the prosecution services had the right to vote for the heads of the courts. The new regulation foresees that the directors will be appointed by the Supreme Judicial Council. The amendment which was introduced without previous consultation with the professional associations of judges and prosecutors caused strong reactions by them, as well as the Bar Associations and others. After that the Ministry of Justice in cooperation with the Ministry of Finance increased from 40-80 percent the remuneration of the judiciary, and what is more, in a very difficult period for the whole labour force of the country who experience heavy taxation, salary reduction, and many retrenchments, apart from the unstable situation of the global economy (see more in the national Press from 17 to 30 July 2008).

performance produce a 'drift' in the organization. The expectations and demands of the public are, in some cases, contradictory. On the one hand they ask for order and strict enforcement of the law and on the other, for support, understanding, mediation, problem-solving, as well as leniency and respect for human rights regarding offenders (Reiner 1992: 767–768). The development of characteristics such as absenteeism, cynicism and attempts to present over-effectiveness with various methods ('blue curtain culture', cop-culture) are some forms used by the police to adjust to the 'drift' (Reiner 2000: 89-103; Bowling & Foster 2002). The same applies to the governments' demands. Political intervention can strengthen those feelings and promote such characteristics. Nevertheless, in practice, police enjoy a high degree of freedom and they develop their own attitudes to adapt to the environment. Since they have to satisfy numerous demands and expectations effectively, they pick and choose according to the situation, thus shaping their accountability (Walker 2005). But the social reality, which at first seems quite controllable, is much more complex. Therefore, they often become ensnared by the system that they have constructed in order to be regarded as successful (Waddington 2000: 163).

Professionalism and democratic ethos are the basis for good policing. Professionalism means the capacity to confront problems with 'fine judgment', namely, to use the 'right' approach according to the situation (Punch et al. 1998: 66-72). However, professionalism requires transparency and accountability, which means making choices and letting the people see on what basis those choices are made. Professionalism is based on experience and knowledge; both help the police in arranging working time, policing methods and practices, expenditures allocating personnel and personnel planning etc. and generally they support many aspects of their activities. The friendly and supportive presence of the Greek Police during the Olympics 2004, as well as their effective non bureaucratic response to the demands of those days have shown that such experience and knowledge exists, yet it must be mobilized, since neither the governments (more) nor the police themselves (less) appear to be aware that expertise and qualification are not enough if they have no continuation. Education in democratic principles is education in a specific life and work style and far removed from party political and governmental needs (cf. Papakonstandis 2003; Vidali 2007). Neither the first nor the second operate independently.

'Integrity', selflessness, objectivity, accountability, openness, honesty and leadership (Nolan Committee 1998) are important elements not only or not so much to control corruption, but because they provide the basis for articulating the values that underpin 'democratic policing' (Jones et al. 1994).

3.4.2. Police views about corruption

The reports of the Division of Internal Affairs of the Hellenic Police (DEY) analyzed in the first phase contain rhetoric and descriptive statements on state and ethics. The use of the word *corruption* was rare. They emphasized the significance of citizens' trust and the effects of corruption on the state's image and efficiency. The reports present the effectiveness of the Service and stress the Police role as 'objective, impartial, and corresponding to society's needs'. The reports refer several times to

maladministration and ensuing graft, question 'catharsis crusades', suggesting instead repressive control and more information flow from the public services to counter corruption. The reports were an example of self-complacency. DEY's approach to corrupt practices was person-oriented. While rejecting (more) transparency for themselves, they support inspection and repressive mechanisms (deterrence) for other public services. Yet this was not repeated by our interviewees in the second phase, who underscored instead prevention and education. The Service was also much more moderate regarding public administration, while the Union representative implies in its discourse the existence of the problem in the police, although he does not put emphasis on it.

During 2007 the Service of Internal Affairs took several disciplinary measures, including dismissal and suspension, against officers involved in corruption, primarily for forging documents and taking bribes. Most charges against police involved violation of duty, false certificates, abuse of power, corruption, violations with arms and explosives, illegal release of persons in police custody, procuring, and violations related to alien registration. The former Ministry of Public Order (now under the Ministry of Interior) conducted regular training to address a variety of problems, including corruption and police abuses. The ministry also issued a code of conduct, booklets and other material to police officers to promote reform.

In our discussion (2nd phase) the Service of Internal Affairs used for its argumentation the national legislation and the definition of the European Council. DEY's focus on the above definition was expected, not only because of its authority and inspective role, but also due to the formal interviewing. In general the Service was concentrated on the normative context of anticorruption policy. The other interviewee, from the Police Servants' Federation is very sceptical about the international definitions and consequently the policies used.

All interviewees remain loyal to the legal concept as defined in criminal law, but they oscillate between a sociological description (social 'phenomenon') and a medical one (social 'sickness')'. They estimate corruption in police to be limited and in any case, not higher than in other public services, and they generally agree about policy measures for dealing with it; yet, it is implied that the 'famous' *esprit de corps*, operates against the clearance of such cases in the police force. Furthermore, the *low interest of the leadership* (political and natural) in the financial situation of police officers, and their everyday problems, but above all its 'failure to inspire and represent the officers' results in its delegitimization. In our discussion the interviewee of the Federation distinguishes among the rank and file of the corps and notes a discriminatory treatment in the police, such as the 'preferential treatment' of the Service of Internal Affairs not only in cases of corruption but also in their higher remuneration. With this, according to our interviewee, the leadership acknowledges where the core problem is for the ordinary police officers.

Nevertheless, strong hierarchical structures of organisation followed by heavy bureaucracy and low wages, contribute along with the *anonymity* afforded in big cities and increase of illegal opportunities to corrupt practices of police officers. DEY attempts to move the blame usually put on Greek society, countering that most of the citizens criticize and disapprove of corruption. The Union's representative regards

corruption in society as 'usual' social behaviour. But he refers to a general behaviour, not corresponding to approved social–moral standards, rather than to illegal practices. The interviewees attribute corruption initially to Greek society's superstructure, affecting its legal, social, cultural and political institutions. Bureaucracy, overregulation and complex legislation are considered to be the main reasons for corruption.

The *institutional crisis* (delegitimization) is overstated in the discourse and is seen as cause and result of corruption in Greece. The crisis is general followed by an overall scorn for the state institutions, police included. Furthermore, corruption is related to *personality formation* (character etc.). They stress education and socialisation of a *new citizen type* (referred as investment in social structures). Whatever policy is adopted against this background, it needs long-term planning and time for its outcomes. Similarly, although less striking, DEY refers to 'elastic-conscience' and 'personality' (meaning opportunism and profiteering).

In addition, they suggest administrative reform, modernisation of public services, and modernisation of justice in order to increase its effectiveness and its speedup, use of swift and exemplary sentences, emphasis on prevention, limiting of public servant's discretionary authority in dealing with specific cases. All accept that each citizen has a key role against corruption. What are missing in the suggested measures of our interviewees are those pertaining to the police.

3.4.3. Conclusions

Corruption is not the problem of some 'bad/rotten apples' (cf. Crank 2003; Punch 2003) as the interviewees argued. Any successful anti-corruption strategy must involve much more besides. It is the result of serious social or organisational problems. First, because the issue is complex and responses to complex problems are themselves usually complex. Secondly, it is unlikely that such problems can be 'solved'. It is much more practical to attempt to reduce the impact of the problem. Every so often, governmental as well as political declarations and official inquiries in many countries into police corruption or police failures suggest the implementation of 'new' practices which will enable the Police to improve its effectiveness (we have many examples for that in the governmental 'reorganisations' of the Greek Police) and 'drive corruption from the ranks' (Mollen Commission 1994: 6). Unsuccessful 'reforms' as in the case of drastic reduction of police departments in the nineties in Greece resulted in public betrayal and may have increased public scepticism about the ability of the corps to reform itself. Similarly, statements about the aim of completely eliminating corruption may lead to disillusion and disbelief within the police service itself and the citizens. Finally, naive claims about corruption may lead police management and others responsible for the governance of the police, to 'take their eye off the ball' (Newburn 1999: 48-49). Education, support, control and realism must be the key words of the police administration seeking to ensure police self-esteem, counteract corruption and maintain trust among the public in the corps.

3.5. TG IV MEDIA

3.5.1. Media views about corruption and views about media's role in corruption

The deregulation of the state broadcasting monopoly in the late 1980's has led to an expanded commercialisation of the whole media sector. The Greek Press faced 'the biggest challenge in its history': increasing competition from electronic media and the need to control the publishing tools offered by new technologies (Papatheodorou & Machin 2003: 41-42). For the Press the rise to the challenge required the reform of traditional publishing goals and marketing strategies. However, the political affiliation of newspapers remained manifesting itself in periods of high political tension, including pre-election periods. The magazine field witnessed similarly a sharp decline in sales and it reacted by closing the old titles and publishing new (foreign) ones which increased their (young) readership.

The broadcasting commercialisation resulted in more channels, advertising, domestic productions and program imports. But none of the major political parties designed a strategy or attempted to enforce it in tactical steps for regulating the sector. Thus, from a broadcasting environment with two public TV channels and four public radio stations, in the early 1990's, we were led into an overpopulated environment of 160 private TV channels and 1,200 commercial radio stations (Papathanassopoulos 2001b: 113). Since the mid 90's, there have been various efforts by the governments to regulate the sector (in particular: licenses, advertising time, program quotas, protection of minors, and media ownership) but without much success. Many TV licenses continue still to operate with periodic renewals.

As in other countries, the publishers and business magnates with multiple activities including oil and petroleum products, shipping, banking, real estate, hotels and leisure, have intruded on the broadcasting landscape only to dominate it after a while. The contemporary audiovisual field is similar to printed Press: there are too many stations for such a small market. All TV stations face financial problems, so that one wonders about the real motives of their owners.

This situation is related by most analysts to the fact, that Greece, like other Southern European states, entered late into 'modernity' and has neither a strong civil society nor a strong market. Although we tend to support the existence of a civil society form not necessarily apparent (Sotiropoulos 2007b; see also Sotiropoulos & Karamagioli 2005), we accept the argument of the weak market and it will be analyzed below. Several authors believe that the extended state is used by the private interests more than the market (which has remained restricted) as a field to maintain their business, in particular in the area of public works. In this context it can be explained why the power of the media has increased so much, contrary to the power of the market (Papathanassopoulos 1990).

The deregulation of broadcasting has extended the relations that existed between the government and the Press to the domains of radio and television. This raises serious doubts about the potential of the market to operate as a 'democratizing, rationalizing power' in the society (Papatheodorou & Machin 2003: 49). The financial profits from broadcasting are not the unique motive of businessmen who invested a lot of money in the small Greek market (Papathanassopoulos 2007: 95). The entry of construction

companies, ship-owner companies and various business concerns in media market provided the opportunity to use politics through the influence of public opinion, in order to serve their entrepreneurial interests and strategies (Hallin & Papathanassopoulos 2002: 178). Media ownership is the means and at the same time the guarantee for profits in other business areas.

Furthermore, we must keep in mind the deep dependency of political communication on media and in particular on television all over the world (Papatheodorou & Machin 2003: 51). Our interviewees stressed that politicians are captured between the prevalent image which is promoted by the media and the alleged demands of their electoral clientele. The result is lack of political courage to enforce measures of transparency and anticorruption with the repeated justification of the 'political cost'.

In the previous research phase (2nd), our interviewees from the TG Politics noticed that politicians in general, due to the prevailing citizens' distrust as a result of economic scandals in the previous decade, are not any more supported financially or in whatever way by their voters, and in any case much less than previously as in other countries. This, in relation to the big districts and the subsequent expensive pre-election campaigns, made politicians dependent on private donors and interests. It led to the 'americanisation' of political communication (Negrine & Papathanassopoulos 1996: 45-62), raising television to the main player in communication and pulling the strings especially during the pre-electoral periods (see more in Papathanassopoulos 2000: 47-60). In this context corrupt practices (mutual 'facilitations') can be regarded as characteristic of the game. As Papathanassopoulos notes (2007: 96), 'the fact is that Greek broadcasting operates with no rules of the ″game″'. Within sixteen years of TV deregulation, it has become clear that when ″politics of the day″ became the determining factor in shaping the re-organisation of broadcasting, it was bound to produce less–than–ideal results and many side effects'.

The 'no rules argument' is also referred to by our media representatives during the interviews, associating it also with corrupt practices for economic profits, implying what happens in their work area. They agreed that corruption is considered to be a general problem of all countries of our time; however, the 'rules of the game' within western societies remain stable unlike what happens in Greece.

Several media analysts adapt to the politico-sociological viewpoint in power in Greece (see above 3.1.1, 3.2.1) which advocates the clientism argument and the state paternalism approach to support their work. This viewpoint often contrasts the countries of the South (southern Europe and Latin America) with those of the North (northern Europe and North America), as we also referred previously to the paragraph of public administration. The concept of clientelism is useful in media analysis, because it sheds light on normative issues of media performance in a democratic system. The studies on political clientelism found out that universalistic ideologies are hegemonic in public discourse, even where their institutional legitimacy is lacking. In the case of the news media, the ideals of neutral professionalism based on Anglo-American media history are widely accepted by journalists around the world, even where the practice of journalism departs radically from them (*Monthly Review* 1989; Mancini 2000). Media historians have also observed that society – mainly urban, middle class newspaper readers – became more sophisticated and independent-

minded, as did journalists, who generally come from similar social backgrounds (Hallin & Papathanassopoulos 2002: 190). Moreover, the newspapers of southern Europe, for example, 'are impressive in their attention to public affairs, the sophistication of their political analysis and their political diversity' (2002: 176).

In a study of seven countries of the South (Italy, Spain, Portugal, Greece and Brazil, Colombia, Mexico) the above researchers refer to several factors that have undermined clientelist relationships during the last decade in these countries. Among them the most important is commercialization in the media sector, which increased competition, and changed the orientation of media management from politico-ideological to economic ends. However, clientelism and commercialization are not always incompatible, because clientelism is a social make-up of market societies. In Greece, the commercialization of television has not so much eliminated the game of particular political pressures associated with clientelism, but changed its form (2002: 190-191). The erosion of the state monopoly on broadcasting, the expansion of privately-owned media and the introduction of market oriented 'tabloid' forms of reporting gave media owners new means for an exchange with politics for their own interests (Papathanassopoulos 1999). Nonetheless, the logic of the media markets can, under certain circumstances, weaken clientelistic relationships. It can make media organizations less dependent on political subsidies and discourage identification with particular political positions. It may also make media enterprises too expensive for most entrepreneurs to buy purely for political motives. Similarly 'globalization' may neutralize clientelism such as the effect of the common legal framework of the European Union on member-states. And finally, the diffusion of global journalistic culture can counteract clientelist bonds of journalists to political factions (Hallin & Papathanassopoulos 2002: 191). But the process is more complicated than it seems to be.

In 1983, Ben Bagdikian published *The Media Monopoly* which warned that continuing deregulation of the media under Reagan's Federal Communication Commission (FCC)[8] was allowing the media to be bought and controlled by an ever-shrinking number of corporate owners. Once called 'alarmist', the book is now considered a classic, because all its predictions have come true. The number of corporations controlling the media has fallen from year to year (only by 1992, in USA their number fell from 50 to 20) and more media mergers are inevitable. Most US cities have become one-newspaper towns. Thus, one of the major effects of the deregulation in the media sector is the *concentration of media ownership* (alias *consolidation*): A handful of powerful global media groups and business people take control of the expanding media and leisure market spanning film, television, book publishing, music, new online media, theme parks, sport, the print media and even the theatre. Deregulation has boosted both the commercial power of global corporations, but has also given them political power. From now and then they demand even greater relaxation of rules on media ownership, spending enormous sums on political donations while lobbying key politicians. The concentration is an imminent *danger to diversity and plurality* in the media and there will be/is also a damaging impact on the

[8] The Federal Communications Commission (FCC) is an independent United States government agency. It was established by the Communications Act of 1934 and is charged with regulating interstate and international communications by radio, television, wire, satellite and cable. The FCC's jurisdiction covers the 50 states, the District of Columbia, and U.S. possessions (http://www.fcc.gov/).

range and quality of the work that journalists produce. Even Greece, a small country, as already mentioned, has such an experience. The International Federation of Journalists/Europe (2005) argues moreover that the market itself cannot protect pluralism and diversity. The public's need to be properly informed means that information services must be regulated beyond the market framework of ratings, profits and commercial objectives (IFJ 2006).

In 2001, a new provision was added to the Greek Constitution (Article 14[9]), according to which the owners of private mass media are not allowed to participate in public procurements[9]. Both big parties, ND and PASOK, agreed to this provision, aiming, according to those who proposed it, at promoting transparency. In 2005 the Parliament issued a law implementing the constitutional provision (Law 3310/2005). The law required media companies – television and radio stations, newspapers and magazines – to have registered shares held by individuals (in the words of the legislation, 'registered until a natural person is identified as owner'). As far as television and radio are concerned, there was a clause according to which foreign companies from a country where there is no obligation that shares be registered until a natural person is identified as owner, may be authorised under certain conditions to hold up to 15 percent of the capital of a radio or television company. The European Commission reacted immediately and warned that the law violates EU's legislation of competition (IP/05/987). The Greek government replied that the law implements the respective constitutional provision, which is superior to the EU law. Ardent supporter of this opinion was the Minister of the Interior and law professor. Nevertheless, the government backed down and amended the law according to the European Commission's instructions (Law 3314/2005), under the pressure that the European Commission would reduce Community funds destined for Greece.

Another serious effect of deregulation is that *public broadcasting cannot compete* against the massive resources that large or global media groups can draw on to develop programming, acquire rights i.e. sports etc. with its limited finances. In Greece, for example, the entry of private channels was disastrous for the public broadcaster, the Hellenic Broadcasting Corporation (ERT). According to media researchers few other public broadcasters in Europe have suffered so much from the advent of private TV (Papathanassopoulos 2007: 95; see also Murdock & Golding 1999).

[9] Hellenic Constitution, Art. 14[9]. The ownership status, the financial condition and the financing means of information media should be disclosed, as specified by law. The measures and restrictions necessary for fully ensuring transparency and plurality in information shall be specified by law. Concentration of the control of more than information media of the same type or of different types is prohibited. More specifically, concentration of more than one electronic information media of the same type is prohibited, as specified by law. The capacity of owner, partner, main shareholder or management executive of an information media enterprise is incompatible with the capacity of owner, partner, main shareholder or management executive of an enterprise that undertakes towards the Public Administration or towards a legal entity of the wider public sector to carry out works or supplies or to provide services. The prohibition of the previous section also applies to all types of intercalated persons, such as spouses, relatives, financially dependent persons or companies. A law shall set out the specific regulations, the sanctions which may be carried to the point of revoking the license of a radio or television station and to the point of prohibiting conclusion of or annulling the relevant contract, as well as the means of control and the guarantees for deterring infringements of the previous sections.

During the last two decades, European media and especially broadcasting have gone through radical changes. These are associated with changes in communication policy and technological developments, which have had a strong impact on policy choices about media, and particularly television. The European Union has attempted since the mid-1980's to develop a homogeneous media sector of its member states, to make the sector competitive in the internal and the global market (Papathanassopoulos 2005: 46-47).

In this process, the smaller European countries are at a disadvantage in comparison to the bigger ones. They have fewer possibilities to be attractive in the unified European market (Meier & Trappel 1992). Moreover, their policies have to take into account the policies of larger countries (Burgelman & Pauwels 1992: 181) because their resources are limited, their market size is small for production and consumption, and their markets do not usually represent a worthwhile target for multinational corporations (Tunstall & Machin 1999: ch. 22). They have to follow and implement policies that correspond little to their needs. This can lead to heavy cross-ownership by local dominant groups or a sharp decline of their public broadcasters (Papathanassopoulos 2005: 48-49), as the experience in Greece has shown. The deregulation of the media sector has been associated with the 'marketization' of the public communication sector (Murdock & Golding 1999). Under this view and the rhetoric about the 'information society', consumer demands have been taken for granted, while very little interest has been paid to citizen-audiences, although all argue on their behalf (Papathanassopoulos 2005: 48) and to quality.

3.5.2. Conclusions

Summing up, the present situation has to do with the general developments in the political and economic field of Greece, as already presented, and the respective trends all over the globe. It is also related to the applied pressures on the governments for media modernisation (deregulation); finally it is the result of the strong economic interests for making profits. It is the period for which the interviewees noticed that the transformation of the Greek economy (following the 'modernization dogma'), the influx of EU funds, which both gave an impetus to the private economy from one side, the state's decline and the weakness of its control mechanisms from the other, expanded corruption and its impact on collective behaviours. Finally, the state monopoly was replaced by a 'dramatic short-sighted' deregulation for broadcasting (Papathanassopoulos 1990: 395), and as the interviewees said, the deregulation proliferated corruption and falsified the 'parties' voice'. Unfortunately, the efforts for media emancipation from politics (transmission licenses, state subsidies), as well as the politics emancipation from the owners of private media (political communication) were rather unsuccessful, confirming what Lazarsfeld and Merton (1948/1971: 503) some decades ago have underlined 'He who pays the piper generally calls the tune'. But in a small market like the Greek one, even though media owners appear to pay for the media product, this takes place because they have benefits in other areas of economy, much more profitable than in the media (Papathanassopoulos 2001a: 519). Our interviewees view it as an example of a *'state-sponsored capital'* which has privileged relations with political power. In this context, 'the political-economic

system' not only produces corruption (mainly grand corruption) but also reproduces it.

According to the interviewees, the 'system' is regarded as working in a triangular form: the political and economic power is at the base, and the mass media at the top. In this way it operates independently (without social control), reproducing itself. Therefore, it is strong, distorting conscience and disabling mechanisms in order to support its own interests. In relation to this, a survey by PRC in 1995[10] found that the majority underlined that they trust neither politicians nor journalists and regard politics and mass media as equally dysfunctional in the political system. Some suggestions that would counteract deviant or unconventional practices are a) the completion and improvement of legal framework for broadcasting (TV), b) finish licensing, c) upgrade of the role of Journalists' code of ethics, d) strong involvement of the National Council for Radio and Television for the support of quality standards, and e) transparency in public contracts with media owners.

3.6. CIVIL SOCIETY-NGOs (TG V)

3.6.1. Views about the role of civil society in Greece, its anticorruption involvement and discourse

The 'premature' institution of parliamentarism in Greece without the respective development of *productive forces* led, according to some analysts, to the formation of a strong state and a weak civil society (Komninou 1989: 361). Other analysts argue that due to the inflated state and clientelism, the civil society in Greece is weak. In other words, the Greek civil society is weak due to the parties' interference and the transfer of their competition to its organisations and the citizens' associations, as well as the financial and administrative reliance (i.e. professional federations, labour unions, some NGOs) on the central government. Consequently, according to the second view, not only civil society is considered to be weak, but also the state as such is weak (for an overview, see Sotiropoulos 2007b).

Another justification for the weak Greek civil society is the low social capital (see more in Jones et al. 2008: 176). Many national analysts consider the social capital in Greece to be low because of the low trust (indicatively see *Science and Society* 16/2006; see also par. 3.1.1. Politics). Social capital is often operationalised as social participation in the activities of the formal and informal networks of civil society and/or as generalised trust. Social participation and trust are, according to the literature, two aspects of social capital that mutually affect each other (cf. Lindström 2004: 3-4)[11].

Correlates of high levels of social capital include education, health, mutual support, confidence in political institutions (Brehm & Rahn 1997), and satisfaction with

[10] PRC (Project Research Consulting) (1995), *Media and Politics, Athens* (in Greek) cited by Papathanassopoulos 2001b: 118-119.

[11] However, in recent years there has been an increased attention to the decline in generalised trust, while social participation may take new forms, such as ideologically much narrower single-issue movements that do not enhance trust (in Sweden, USA). The phenomenon has been called the 'miniaturisation of community' and the corresponding scheme is low-social participation/high-trust.

government and political engagement (Putnam et al. 1993). All interviewees emphasise the failing education, meaning the cultivation of spirit and character and learning of civics, the rights and duties of citizens. Mutual support is also associated with self-reliant economic development without the need for government intervention (Fukuyama 1995). Therefore, the more the level of participation in voluntary associations, the greater the social capital; the greater the social capital, the greater the confidence in government (and other institutions); the greater the social capital, the higher the percentage of problem-solving outside the governmental sector; the less the social capital, the greater the need to rely on authoritative controls.

Although international researchers include in the social capital not only behaviours, for example the participation in social networks, but also attitudes and perceptions, social capital is mostly measured with the level of trust which the persons have in other persons, groups and institutions (high-social participation/high trust # low-social participation/low trust). If trust is low then the social capital will be low and civil society weak (Jones et al. 2008)[12].

The social participation of Greek citizens and the interpersonal trust along with trust in the state institutions are considered to be limited. Nevertheless, some researches dispute both, or at least their degree. In some surveys the trust of Greek citizens in formal institutions apart from the political parties is high (see *Scientific Report 3*, 2008: 53-54, par. 4.4.2.*b*, footnote 189).

However, in the European Values Survey of 1999/2000 (Halman 2001) the majority of the Greek sample (1999: 65 G) stated that 'Compatriots cheat on taxes' [Question F146][13], indicating the low level of trust in their fellow people; in the meantime the vast majority put corruption - bribery in the group of highly disapproved of behaviours (1,116 out of 1,142 respondents). In addition, the research of Wayne Sandholtz and Rein Taagepera (2005), who used the Elite Integrity Index/EI (Welzel et al. 2003) have found that the *elite integrity score* (EI) of Greece is low. Elite integrity is the *perceived* low elite corruption and it is regarded as an expression of the 'rule of law' (Welzel et al. 2003: 344-350, 357, 367; Sandholtz & Taagepera 2005: 118, Figure 2)[14]. Greece's EI score among 68 countries for the research period is 4.6/10 and in the *Transparency International* index is 28 (op.cit., p. 131, Appendix)[15]. Thus, the EI scores represent not only average perceived levels of corruption in the late 1990's and the first years of the new millennium (op.cit., pp. 117, 128, endnote 7; WVS, 1994-1999 wave), but also the levels of trust. In the European Social Survey

[12] Social capital consists of five variables: social trust, institutional trust, social networks, social norms and political participation. The authors conclude that Greece is a country with low social capital and from a comparative perspective, the significance of informal networks is one of its strongest components. South European countries, Greece included, show similar tendencies regarding levels of social trust, political participation and involvement in social networks. Even within Southern Europe, Greece presents the lowest stocks of social capital, having similarities with Portugal, Jones et al. 2008: 177-182, 187-188.

[13] ESS World Values Survey 1999-2004 wave, *Greece 1999*, Part: Extent of social behaviours (http://www.worldvaluessurvey.org/).

[14] See also European Values 1999, Methodological questionnaire, and for Greece: http://spitswww.uvt.nl/fsw/evs/documents/Surveys/Countries%20PDF/1999-2000/EVS_Greece_1999_1.pdf.

[15] Elite integrity figures are averages of available annual scores for the period 1997-2001, Source: TI – CPI (2003).

(EKKE/NCSR 2003) Greeks show higher mistrust towards their compatriots than British, Dutch, Spaniards and Portuguese. This predicates their lower participation in collective initiatives. As the specific part of the Survey is elaborated and presented by Sotiropoulos (2007b: 7), in general, the South Europeans participate less than other Europeans in voluntary associations and clubs, but more in trade and employees' unions to protect their working rights (op.cit., Table 1).

Recently several voices in Greece have stated that civil society is not so weak, or it isn't weak any more, even in organizations with low participation (so called 'post-materialistic' organizations) and that there are signs of its revitalization (Sotiropoulos 1995; Yiannis 2001: 40; Lyrintzis 2002: 94-96).–Even though the concept of civil society is a recent construction (Etzioni 1991, 1993; Nussbaum 1996), the analysts consider it in continuous operation in western countries (Benhard 1993: 310)[16], contrary to Greece. We have already noted (par. 3.5.1.) that we tend to support the existence of a civil society form not very active and not necessarily apparent, which according to some researchers is eventually closely related to the party system (Sotiropoulos 1995: 3-4, 23-24; Sotiropoulos & Karamagioli 2005). It is not possible for the weakness of the Greek civil society to be permanent and in the beginning of the 21st century it cannot be attributed exclusively to the control of political parties and central government (see also TG Politics/Public administration)[17].

Another dispute of the weak civil society is theoretically grounded. According to it (Voulgaris 2006), the view about the weak civil society corresponds to the traditional approach that civil society is a self organisation of volunteers either for expressing resistance against the authoritarian practices of the state or the majorities' tendencies to domineer over minorities. The term 'civil society' is in any case ambiguous, for that reason there are different approaches about its content (Georgiadou 1996: 39; Makrydimitris 2006: 47). Moreover, the scheme 'weak civil society/weak state' has been contested in Greece because of the presence of strong pockets of civil society (Sotiropoulos 2007b: 9-12). During the last two decades there have been several examples of pressure groups quite independent from parties and trade unions, such as the from time to time local movements of farmers above the party lines, or of other groups who are mobilized for local issues and demands, as well as the inter-party ballots with common candidates in the local government elections, the social movements 'from below' either for national or international issues (i.e. the anti- and alter-globalization movement, Thessaloniki Summit/June 2003; Fourth European Social Forum Athens/May 2004), the volunteer development for the Athens 2004 Olympic Games (Karkatsoulis et al. 2005), the ecological activation of civil society, of NGOs for migration policy issues, for humanitarian help (Iraq, Lebanon, former Yugoslavia, Turkey), and finally the mobilization of numerous collective initiatives, which don't have the typical legal form ('the unknown and invisible civil society', Sotiropoulos 2004). This means that when the institutional representatives of the society (trade unions and professional associations, political parties etc.) are proved either unready or unable to deal with their members' interests towards the state, the initiative is taken by informal associations and networks. It is the time when the latent

[16] Bernhard, M. (1993). "Civil society and democratic transition in East Central Europe", *Political Science Quarterly* 108 (2): 307-326, in Georgiadou 1996: 17.
[17] Historians have already argued against the extended use of patronage as a key concept for the explanation of Greek politics during the 19th century (Hatziiosif 1994; Hering 2004).

forms of power in the society become manifest and the invisible capabilities of civil society apparent (Sotiropoulos 2007b: 5-6, 8-12).

What only few refer to is that Greece recently turned from the help receiver status (even during the first period of its accession in the European Community) to the help donor status[18]. The previous situation couldn't promote a culture of volunteering, since the information was limited, as well as the awareness of, the preparation and mainly the participation in the activities of world humanitarian and developmental process (Filipaios 2002: 163). The situation changed in the 90's with the collapse of communism and the tumultuous situation in the Balkans. The milestone for the debut of several Greek NGOs was the NATO military operation against the Federal Republic of Yugoslavia (1999) (Moskof 2004: 64-65).

There are various views about relations of NGOs with the state and the political parties in Greece, similar to other countries (Sklias & Houliaras 2002). On the one hand, optimism is expressed about the existing third sector over and above the parties. All these voluntary, not for profit organisations and NGOs appear capable of instilling the values of transparency, accountability, volunteering, social responsibility and solidarity in the public life and public sector, claiming in the meantime their support in order to enhance the administrative capacity of the public services (Vlahos 2007: 2).

On the other hand, the opponents underline 'covered' and 'invested interests' and regard the majority of NGOs as 'Trojan horses' (Wallace 2005: 31-52) for the political climb of those who have not been elected, and who either operate as arms of status quo supported by public and state funds or as arms of revenues-hunting groups for the maintenance of global order; moreover, they are involved in party-political 'games' of questionable reliability concerning their sources, as well as their ideological concept (Moskof 2004: 57). In this speculation the obscure status of NGOs financing has a significant place (Vlahos 2007: 2).

The interviewees have also questioned the status of NGOs in respect to their financing and integrity. Some representatives acknowledge that there are NGOs serving either governmental or private sector interests, as well as various economic and political interests outside the country that fund them, while some others reject whatever such submission. Additionally, the critiques stress that NGOs tend to be a system of political representation bypassing the institutionalized methods for that, morally unharmed in relation to the political parties, and democratically unaccountable (Venizelos 2000: 30). According to many analysts the public appeal of the Greek NGOs lies in between the previous trends. The organizations of civil society and the forms of their mediation cannot but correspond to the political culture of the country. The public opinion and mass media face them with the same distrust as other forms of collective activity, which are not associated with the state, the political parties and the

[18] In the Ministry of External Affairs, the Law 2731/1999 and the PD 224/2000 has established the Service of International Development Cooperation – Hellenic Aid – as a monitoring service for the promotion, coordination and supervision of activities and programmes in developing countries; the programmes are to be implemented by NGOs and other associations of civil society (Iordanidis, 2007: 50). Around 180 NGOs were registered until 2002 in the record of Hellenic-Aid, the majority of which have their offices in Athens and Thessaloniki.

trade unions (Moskof 2004: 58, 66-67). Nevertheless, they don't explain the spontaneous high commitment of the society to certain cases (mostly humanitarian aid), apart from the volunteers in the Olympics 2004 and the Yugoslavia war (i.e. the people of Greece participated generously in international aid operations in the aftermath of an earthquake in north-western Turkey on August 17, 1999 [Karkatsoulis 2004: 300-309]; to the war-battered people in Iraq (2003) and Lebanon (2006) etc.).

The issues of independence, objectivity and political neutrality of NGOs (not only) in Greece are fundamental. The politicization of NGOs is a sensible issue since the limits between political rhetoric and NGOs' goals, i.e. humanism, for which they fight, are imponderable. The absolute political neutrality of NGOs is by definition unattainable. Firstly, because the majority of NGOs are financially dependent on public and private subsidies and donations. Secondly, because they fight, generally speaking, for human rights and the protection of public goods (Castells 2008). However, human rights, justice, democracy, equality etc. are political terms, thus it is obvious that NGOs are indeed involved in politics (Houliaras 2002: 91-109; Moskof 2004: 65). And there are some cases which show the existence of a 'grey zone' where even the humanitarian activity coincides not only with local but also with global politics. Thus, the question arises whether the world civil society is in fact politically engaged contrary to what is proclaimed and not differentiated from the global political order. Namely, whether there is a system using the mechanisms and processes of communication to influence the views and gain the support of world public opinion; a system, however, which does not come from democratically accountable and organized procedure for expressing public will (Venizelos 2000).

The above questioning has been expressed by our interviewees, yet with varying emphasis and extension. Although the complexity of corruption has been approached by the majority of the NGOs' representatives in a rather simplistic way ('a battle', 'social illness', 'shameless behaviour'), these approaches are nevertheless practical. We can justify this only because NGOs are relatively new structures in Greece and require time to construct an original view on social problems such as corruption. Furthermore it seems to be also associated with the people who attract the reference issue of an NGO in order to be engaged in their activities. The difference in the quality of the discourse has been noticed during the first as well as the second phase of the research.

The interviewees focused on everyday corruption and attribute it to the shortcomings of public administration (heavy bureaucracy; manipulation of public sector by the political system; loose law enforcement; slow justice). In the discourse of NGOs grand corruption is limited to party financing and transparency in electoral expenses, illegal or extra-legal exchanges between politicians and private sector, mainly mass media enterprises. Their view coincides with that of economy's group about the negative effects of corruption on free competition and business ethics; it is remarkable that they justify (small) enterprises' illegal practices as being unavoidable to bypass bureaucracy. However, according to a second approach, corrupt practices are often used in private sector, especially when the economic activities are not based on free competition and innovation (i.e. attaining state supplies and public works, stockbrokers' illegal business, unlawful completion, securities fraud etc.). Criticism has also attracted the Federation of Greek Industries for concealing business'

participation in illegal practices by attributing responsibility to the public sector. Several Greek enterprises are nourished by the State, which they blame for corruption, and are over protected, thus facilitating oligopolistic practices, for example, collusion by firms. Therefore free competition and transparency, as in the case of EU financing which has also attracted increasing corruption, are impeded at the expense of the citizens.

NGOs view the commercialization of the News as the main reason for scandalizing and overpresentation of the problem. There are two views about the power of media in Greece. According to the first, they are not considered so powerful, but equally responsible for corruption generation to society. According to the second one the media use their power to manipulate public opinion, politicians and politics in general, for their own good.

Finally, NGOs have a rather unclear view of whether mass media's interests collude with political ones. Still, all interviewees accepted that they fail to inform citizens objectively; they distort information or semi-inform, confusing the public. Therefore, their role for informing and sensitizing about corruption, as well as other issues is questioned. The interviewees neither overestimate, nor underestimate the CPIs; they consider that such indexes show only the trend of the phenomenon; moreover that only by comparing Greece with other countries would be a motivation for Greece to be improved.In both phases, NGOs regard corruption as leading to poverty and under–development and reject it having any positive outcome whatsoever. Apart from economic reasoning, the interviewees also reject corruption at a political level since it destroys the constitutional organization of the state and the core meaning of democracy. Like TG Economy the interviewees sometimes present the state as very powerful and sometimes totally powerless. In addition, they emphasise the role of the leader to operate as example and inspire the citizens.

On account of the measures that Greece should take in order to diminish corruption, representatives of NGOs stress, as in the first period, the role of the State, European Union and NGOs. Furthermore during the interviews the representatives point to citizens' education, sensitization and the role NGOs can play. According to them administrative reform and cultural–ideological 'reform' in society is absolutely necessary.

3.6.2. Conclusions

After all, it would be more accurate to regard the Greek civil society as having weak and at the same time strong aspects. Furthermore, the civil society in general should be considered as a field of conflicts and identity formation rather than a homogenous set which juxtaposes with or opposes that of the state (Sotiropoulos 2007b: 12-13).

The transition to new multilevel and cooperative forms of governance implies the involvement of new partners in decision making and the design of public policies. Considering that the traditional role of the national state is changing and new institutions and organisations sit next to it, then civil society, and in particular NGOs, are the preferential partners for modern governance. The new reality causes numerous

questions about the conditions and the context of cooperation between NGOs and the State. It is a context directly associated with the quality of democracy and the Greek political system (Vlahos 2007: 1).

The cooperation of NGOs with the central government and state institutions along with a conditional transfer of competences to them could contribute to the improvement of political and administrative culture, which will incorporate the cooperative spirit and will strengthen the values of participatory, pluralistic democracy. As NGOs representatives stressed, there is *'need for alliances between governments, civil society and economy sector, in order to face the problem'*. The cooperation based on accountability, transparency and efficiency is a challenge for the future of democracy in parallel to and above political parties and institutions (Vlahos 2007: 3-4).

3.7. ECONOMY (TG VI)

3.7.1. Economy's views about corruption and views about economy's role in corruption

Economy's representatives associate corruption more with the malfunctions of Greek public sector and its low institutional quality and less with cultural or ethical factors. First of all they seem not to have a clear idea about the meaning of the term *corruption*. They relate it to illegal economic transactions, not always involving financial exchange but also coercion. For the target group, corruption is a *process*, as well as a form of *behaviour*.

Although corruption is seen mainly as an illegal financial transaction, the business unions' representatives, contrary to the representative of employees, focus on the public sector, and only rarely to the interface between public and private sector. They only imply it when talking about financial crimes such as fraud, market manipulation and abuse, speculation and oligopoly tactics, tax evasion and paraeconomy in the country. As a process, it refers to acquiring income beyond the legal context or the official economic network (outside the formal financial and state structures – *paraeconomy* or *grey economy*). As behaviour, corruption means the positive attitudes of people to acquire income through illegal means and methods. A person is considered as 'corrupt' either if s/he offers a bribe or accepts a gift. Therefore, positive attitudes, tolerance and involvement in illegal practices are regarded also as corruption. The representative of employees' confederation notes that 'the term is very *elastic*' and 'its true meaning is concealed'. He thinks that corruption is a very 'heavy' term for everyday corruption and corresponds only to *grand corruption.*

Coming to causes and magnitude of corruption in modern Greece, the economic agents espouse the concept about the more corrupt European South and the less corrupt European North. At first, some of them doubt whether this phenomenon is so widespread in Greece, questioning the integrity of international corruption indexes[19],

[19] See also Bribe Payers Index (2006) of Transparency International, where Switzerland is at the top rank (7,81), declared as the export nation most effective at preventing bribery in its companies, although it handles an estimated one-third of all the money held in private accounts in offshore financial centres (*Financial Times*, 3 December 2003).

or criticizing mass media and politicians for exaggeration. In particular, they criticize the scandalous and superficial approach of the Media, but as their argument unfolds, they appear to accept that corruption is 'structural', placing emphasis on the state development and role in Greece and not on national qualities.

Adopting the neoliberal economic doctrines, the representatives of the economy accept by principle that public administration does not operate on a competitive basis, as the private sector does; thus decision making and allocation of resources are not effective but compromised by overregulation, low accountability and rent-seeking. Rent-seeking is related to 'corrupt bureaucrats' that use their discretion power and authority to circumvent rules and speed up procedures in order to receive gifts and bribes. The private individuals and enterprises are mostly presented as 'victims' of this situation, paying extra transaction costs and losing competitiveness. Ineffective law enforcement (punishment and control) and low salaries are considered to facilitate the engagement of public servants in corrupt practices.

The efficiency and effectiveness of the Greek public sector are further undermined by low accountability, in the sense of strict controls against malleability and performance measurement (i.e. ex-post controls), especially the economic- (procurement, budgeting) and the personnel management[20]. It is believed that citizens and enterprises use non conventional and corrupt practices in order to confront these problems in their everyday life. The officials can replace the legislative vagueness and mostly the administrative inefficiencies, either in a positive or negative way. But while for the representative of the workers' confederation these are *'little poor devils'*, and the real problem is 'grand' corruption which emerges in political and economic elites and their common interests ('games'), for the entrepreneurs it is the opposite. They maintain that petty corruption is widespread mainly in the public administration, especially because the state does not promote competition.

After the tumultuous first half of the 20th century, Greek economy experienced from 1950 to 1966 an intensive positive development. During this period, some liberalizing measures were carried out to open it and attract foreign investments. The state undertook the major economic role to create the necessary infrastructure and provide the financial mechanisms to boost economy and growth. Irrespective of which party(-ies) was in government and its/their ideological identity, statism was the main trait of all the post-war governments' economic policy. It is noteworthy that even the conservative governments were criticized for 'statist' and 'paternalistic' policies. The state intervention in the Greek economy was direct as well as indirect: either through its entrepreneurial activities or through its regulatory and subsidizing role (Featherstone 1990; Kazakos 2001). Particularly after 1974 an intensive process of state expansion took place with the nationalization of significant economy sectors (e.g. Olympic Airways, Commercial Banks), as well as private firms facing bankruptcy (undertaken by the state-owned Industrial Reconstruction Organization [OAE]). The majority of these entrepreneurial activities of the state proved to be

[20] OECD recently reviewed the budgeting system of the Greek Public sector and recommended that a shift should be made in order to enhance ex post controls, decentralization of accountability, multi – year and program execution, implementation of an appraisal system, where spending is related to public policies and respective performance indicators.

unsuccessful in the long run, although a large amount of state funds have been injected for their survival. The nationalisation of problematic firms by the State in the late 1970's until the end of 80's is criticized because it did not help the restructure of the business sector in order to raise its competitiveness, but gave rise to a huge public-business-banking merged superstructure (Liargovas & Patronis 2004).

The extensive regulatory role of the state over the economy was imprinted in opaque bureaucratic provisions, laws or documents concerning several aspects of economic life, such as the product market, labour market, banking sector. Additionally, intensive support was given to various business sectors, exports and economic activities by the state budget in forms of subsidies, grants and aids. The state's support of economy resulted in many pitfalls, such as uncontrollable public deficits ('the blight of the Greek economy', Agapitos & Mavraganis 1996), rapidly rising public debt and a bloated public administration (Christodoulakis 1994).

Yet, the most serious drawback of state intervention is that the Greek economy was developed in a protected environment, relying strongly on public subsidies and procurements, without developing international competitiveness and balanced allocation of resources. Consequently, the economy of the country and its enterprises became very sensitive to national political-economic reforms and international economic crises, such as the de-industrialization from the mid 80's to the beginning of 90's and the recent energy crisis (2007-08). In general, the powerful role of the state, being the biggest entrepreneur, – employer, – purchaser, produced an area of exchange between political parties in power and economic elites, each one operating for its own advantage (from the extended literature see indicatively Tsoukalas 1987; Lavdas 1997, and *Scientific Report 3*, 2008: 96, par. 4.7.2.*a*, footnote 421). In fact, none of the favoured economic groups desired political independence –much less the representatives of business world– simply because they would lose their economic benefits. When economy's representatives urge for 'less state' or/ and 'no state', they imply a state better controlled by them. Although the Greek state appears extremely big, it is neither powerful nor effective (Spanou 1996; Sotiropoulos 1999). It is captured by party-politics and collusive practices between party and economic elites.

In the beginning of the 90's, the view on the state's role started to change. Greece, in order to join the EMU, had to undergo a number of structural changes involving the liberalization, fiscal rigidity and reform of the public sector; once again Greece had to implement policies formulated by foreign authorities. Reforms, privatizations and liberalization of different markets (i.e. banking sector, telecommunications, energy market etc.) started, although sometimes with controversial results. Several interviewees emphasized the role of diminishing public sector and privatization. Nonetheless, international research has shown that privatization and liberalizing markets can also produce higher level of corruption (Rose-Ackerman 1999). In relation to that the representative of the labour unions underlines, *'corruption gained momentum as privatization did not prevent economy from being even more state-nourished; the state enterprises have been privatized but the entrepreneurs have been nationalized'* (!). And he continues that corruption is structural and not symptomatic of the capitalistic system, where profit maximization is pursued at the expense of other ethical values, such as workers' (he said that 1:4 employees are insured by their employers) or environmental protection. The privatization programmes too were

criticized for their ineffectiveness in reducing public deficit, the reliability of estimating public assets' value and the 'insider trading' to favour particular tenderers in the bid processes[21]. Furthermore, many recently liberalized markets are considered to be oligopolistic and to be making excessive profits, i.e. bank sector. The state has the new responsibility to supervise competition by Independent Public Authorities (IPA) (Flessas 2007). How effective and powerful these bodies will be, remains an open question and nobody can exclude that in the new areas opportunities for corrupt practices will not be created. Overall, political turbulence and economic disasters have produced insecurity in the population. This led to a strong conservatism in national economic planning and deep-rooted protectionism, after the demands of industry and workers (Dragoumis 2004).

Contrary to the official discourse of private sector's representatives, entrepreneurs always pressed for less competition, taking advantage of the protectionism 'umbrella' provided by the state[22]. This environment of low competition has lead to an oligopolistic structure of the business and industries. Even today, after the opening of the markets during the 1990's, many sectors of the Greek economy still have an oligopoly structure, often abusing a dominant position or through collusion[23]. 65 percent of the 20 largest Greek enterprises are controlled by a few wealthy families, while 30 percent are state-controlled and only 5 percent are widely-held (i.e. they do not have a controlling shareholder) (La Porta et al. 1999). Medium and small-sized enterprises are usually family-owned, whereby ownership and control are not separated (Kapopoulos & Lazaretou 2007). In these small enterprises, which are the majority in Greece[24], the activities are not determined by corporate values but by the character and behaviour style of the business(wo)man, education, family background and his/her economic appeal (Bitros & Karagiannis 2008). The situation is further aggravated by the ineffective controls of the Competition Committee[25] due to lack of resources (staff and budget)[26]. Regarding the industrial sector, the demand for subsidies and state protection against foreign imports looks like a rent-seeking game:

[21] The privatization of OTE (Organization of Hellenic Telecommunications) during 1990's and 2000's is an example of the effectiveness and the methods followed in reducing public spending (although the voluntary resignation programmes are proved to be very costly) (i.e. see Parliamentary Proceedings from May to July 2008 and the Greek Newspapers' articles about selling OTE's management to Deutsche Telecom during the same period).

[22] According to Lazaros Efraimoglou (ex-president of Industrial Directorate of Athens) "it is a common secret that a number of enterprises base their existence and development on favours and rents (easy financing, preferential selection for public procurement), violating also the competition rules for production" (Magazine: *Oikonomikos Tahidromos* 1986: 61, as cited by Sakellaropoulos 2004: 197-198). Whether or, better, how the situation has changed after 1990's with the market opening, cannot be answered yet.

[23] For example, the recent cases of milk-industry and supermarkets (2006-2008); see investigations and Decision of Hellenic Competition Committee (no 369/V/2007 and 284/IV/2005).

[24] According to the Observatory of European SMEs (2007), the small and medium sized enterprises are the vast majority of enterprises in Greece (almost 99 percent) and accounts for the majority of employees (90 percent). In addition, the Hellenic Observatory of SMEs (2006), notes that Greece is the EU-country with the highest number of enterprises corresponding to the country population − the majority of them being very small (up to 10 employees) and with intense family character.

[25] Created for the control of monopolies, oligopolies and the protection of free competition (according to Law 703/1977, as modified by Laws 2296/1995 and 3373/2005).

[26] See the statement of the president of the Hellenic Competition Committee before the Greek Parliamentary Committee of Institutions and Transparency, in the newspaper *TO VIMA* 11/4/1999: D11).

the governments are forced to abide, because they fear socio-economic side effects, especially unemployment. Therefore, *active*[27] industrial policy probably favours corruption (Ades & Di Tella 1997).

After the liberalisation of Greek Stock Market in the 90's, numerous cases of stock manipulation, illegal use of confidential information and exploiting of the expectation of the public for a quick profit became known. The legal context concerning supervision of the national Stock Exchange Market proved to be inefficient[28]. Misleading tactics and bribery also are not uncommon in private economic transactions (i.e. promotion, advertising) (Kaval et al. 2001). New digital economy and internet created new fields for economic and cyber-crime (i.e. e-commerce, e-transactions frauds, violation of intellectual property rights etc.), which can in turn lead to corruption.

It is strongly supported that countries with high levels of corruption have also high rates of shadow economy (Friedman et al. 2000), and wherever corruption is high, tax revenues decrease (Abed & Cupta 2002). The unofficial economy (paraeconomy) is in the centre of corruption debate of the private sector in our research. It is regarded as having the same detrimental effects as corruption on society. According to the interviewees, both are forms of evading social responsibility and increasing poverty, corroding people's trust in the integrity of the political and economic structures that govern their societies; they also abuse the public interest to the advantage of narrow sectional interests (Tax Justice Network 2008)[29].

3.7.2. Conclusions

For the present target group corruption is related to the quality of governance, its openness and modernization. Greece's accession to the European Community/Union strengthened democracy, enhanced the feeling of county's external security, and improved socioeconomic system (financial resources, large market, etc.) (Tsoukalis 1979; Ioakimidis 2000). European policies had/have a positive impact on public policies: they helped to diminish the economic role and size of the state, deregulate and liberalize crucial economic sectors (i.e. banking system, telecommunication market) and protect competition along with transparency in economic relations (private and public sector). EU membership rebalanced the relations between state, society and economy, in favour of the two latter. According to them, EU policies and Community Law played a positive role in limiting corruption and establishing transparent governance. The discourse of private economy representatives may be less

[27] An *active* intervention in industrial development is the policy which implements strong tax, tariff, and trade laws to protect the national economy from 'dumping', the flooding of a market by a competing nation with goods or services below market prices in order to gain an advantage over domestic firms (http://en.wikipedia.org/).

[28] For the enhancement of Stock Market supervision the Law 3340/2005 was issued against inside trading and information disclosure, corresponding to the EU Directive 2003/6/EK.

[29] The article cites Raymond Baker, the director of Global Financial Integrity, who has estimated that tax evasion is the biggest component of global 'dirty money' (65 percent), while money and assets from criminal activities account for 30 to 35 percent and cross-border bribery of state officials is a very small part, three percent of the global total.

refined and express neo-liberal thought, but finally their suggestions are not very different from the majority of the interviewees: administrative and regulatory reform, use of Information Technologies and computerization, measures for increasing accountability (i.e. new budgetary system, new human resources management systems) etc. They put emphasis on strengthening the independence and the administrative capacity of justice, the need for independent authorities and other control bodies, which can support openness, transparency, accountability of the public sector and law enforcement (see in detail *Scientific Report 2*, 2007: 77-78).

NGOs are regarded by the interviewees as being able to contribute to raising social consciousness and integrity. But only the representative of the Workers' Confederation expresses a clear view. He stress that NGOs can play a positive role and support the education and information of the citizens in areas, where it is difficult for the state, on the condition that there is accountability for their financing and their field of work. Regarding economy dysfunctions, there are suggestions about economic reforms related to liberalization, privatization and strengthening competition, especially through independent regulatory authorities (i.e. Hellenic Competition Committee). Nonetheless, as the employees' representative underscored, economic reforms can have the opposite effect and produce among others corruption, if they are poorly designed (Kaufman 1998).

The international dimension of today's corruption and economic crime is frequently mentioned by the representatives of economy, giving examples of bribery of public officials by multinationals and banking enterprises as well as of internet crimes and frauds related to off-shores companies. Confronting the above new and old crimes with their new faces cannot rely any more on punishment and control, but on the cooperation between governments, private and public sector for the establishment of integrity and ethical values in their organizations and people (Gilman 2004). International agreements and co-ordination between countries, focusing on the prevention of corruption both in the demand and supply side, are important[30].

The shift towards building integrity involves the supply side of the economy. This was hardly mentioned by the representatives of private economy. The private sector should also develop its own anti-corruption strategy, namely business-corporate ethics, education of their members on ethical conduct, self-regulation measures, ethics advisory committees (Kaval et al. 2001). These policies and tools should not be limited in declarations, but help managers and employees to take decisions according to the ethics (Berkman 1977; Kramer 1977). Although, the corporate standards do not prevail in the Greek business environment (i.e. small size of enterprises, self-employment) and there is often reluctance by business associations and firms to get involved in implementing a business code of ethics, some progress has taken place[31].

[30] In recent years, there have been a number of initiatives of international organizations to embed UN Convention against Corruption (UNCAC), as well as the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention). In this context, the OECD Guidelines for Multinational Enterprises are also worth mentioning.

[31] In June 2000 the Hellenic Network for Corporate Social Responsibility (CRS), a non-profit business association, was established by a group of companies and business associations in order to disseminate the values of CRS; it is a member of CRS Europe and in 2004 has signed the Global Compact of United Nations (http://www.csrhellas.org).

Yet the representatives of TG Economy question whether politicians and governments can effectively undertake a leading role against corruption because they are too weak to confront strong interests linked to it or unwilling because of political cost. For them what is missing in Greece is not so much control structures, control culture and realistic policies, but persons with vision, skills and character (Della Porta 1997), which means that, according to them, leadership is also a crucial factor for the support of measures against corruption and better governance. After all, we see that although morals and individualistic views are not missing from the discourse of our interviewees, and they refer also to business ethics, their argument is mainly based on measurable costs and outcomes which corruption has for economy and society corresponding to the views of international organizations.

4. General conclusions and discussion

From the research during the first as well as the second programme phase it became obvious that a channel of communication and promotion of views among different social systems operates (here: Media/Press, Politics, NGOs, and Economy). This was also confirmed after the overview of the results. The increasing number of those attempting an analysis of the problem in the national context use more or less political studies having as point of reference the development of democratic governance and the Greek state. Political patronage, clientelism and rent seeking are the main topics of the analysts' discourse since the '80s, with some variations, and this concept still prevails. Many of their standpoints have been expressed by the interviewees (Politics, NGOs, Media). The rest studies refer to elements or activities which the term corruption can or should include, to the existing control systems (e.g. preventive and pre-conventional judicial control), they make suggestions about their legal and organisational improvement, tight laws, explore the role of the specific institutions, such as the Ombudsman and the General Inspector of public administration on fighting corruption etc., or attempt a description of the Greek society on the basis of corruption (Koutsoukis & Sklias 2005). The majority of both groups of studies consider the term as given, they use it with ease, while only few show some scepticism. Predominantly they associate corruption with economic and political development. The *approaches* are in the main ontological interpretations and can be generally distinguished into those which put emphasis on economic and social system as such, those that focus on the modern or post modern state, the political system and globalization, and those that are interested in the economic and political development of the country. Most of them analyse *political* corruption. In the national (anti-)corruption literature corruption is connected to a series of other unfavourable perceived phenomena such as public distrust of the political system, reproduction and reinforcement of social inequality, value erosion, violation of human rights and democratic principles.

From the research we came across a moral and ethical understanding of the issue in the discourse of the majority of Target Groups (i.e. TG: NGOs, Economy, Police). Disagreement exists about the content of the term but its use was extended by the interviewees, contrary to its scarce use in the texts of the first period, despite some exemptions. Some admit it is very broad, diffuse and elastic and though useful for

communication, not for dispensation of justice, and not suitable for including grand corruption. Others that 'its true meaning is concealed', a very 'heavy' term for everyday corruption, and corresponds only to *grand corruption*. The term usually causes confusion amongst those not involved with the law while those that have better knowledge of law refer to *coercion* as a necessary element to distinguish the practices, which have to be regarded as corrupt and must be punished.

The previous 'free' interpretation of 'corruption' corresponds to the everyday views of moral/good and immoral/evil. Amplifying facts are that in the second research period the interviewees hyperbolize about several situations like media and NGOs in the first. They frequently described corruption as wide-spread, but when requested to provide more information and be more concrete, they were obliged to restrict it more and more.

Defining corruption is not an easy task. Every definition of the phenomenon is partial and incomplete, reflecting the socio-cultural context within which the relevant legislation is taking place. It also reflects the agencies and interests that participate in defining various phenomena as 'corrupt'. Thus corruption is more a social construction than a concrete, universal phenomenon that needs a proper definition in technical terms (e.g. an operational definition). Furthermore, it is rather an evolving construction of certain social groups and interests than an act of determining the 'objective reality' of corruption, which leads necessarily to specific policy measures for confronting it.

The relationship between culture and corruption is more complex than it appears; many scholars follow a line of thought which associates certain cultural traits in developing countries and in countries of the semi-periphery, including Greece, with corruption. For example, the role of western values and their articulation with social processes and practices in developing countries in producing corruption is rarely examined; the same applies in comparing practices which are institutionalized in developed countries (high-level appointments are reviewed or approved by the legislature, and they are seen as a tool for rewarding and enforcing loyalty) and 'clientistic' practices which are followed in other. Similarly, the interviewees put the North/clean-South/corrupt contrast line with different intense though, apart from the representatives of economy. The Greek social system with its subsystems has been researched by several native specialists (sociologists, political and media scientists) on the basis of differences and not of similarities with other developed countries in Western Europe, having as a starting point the peculiarities under which the New Greek state was formed after the liberation from the Ottoman Empire. So, the starting viewpoint gives the meaning of the issues under examination. We read other things when we observe a society under the point of reference *internal security* and other under *social justice*; we understand different things when we examine deviance as one of the products of change in power relations and different as *value crisis* or *threat of internal and public safety*. Consequently, the different diagnosis ensues different confrontation and therapy methods.

Some interviewees who participated in our research stressed the importance of education in promoting cultural values and morals to the general public and picked on educational shortages for the extended corruption 'culture' in Greece. Nevertheless,

the relation between education and transmission of cultural values which discourages corruption remains ambiguous for several reasons. The most significant is related to the definition of corruption (activity) by the legislative power and the associated ethical system which is adopted by the educational system. The other significant reason is related to the strong links between broader social development and conditions within the educational system, as well as with the content of education. As far as competitive neoliberal arrangements in modern societies influence the form and content of education, it is questionable whether corruption (as officially defined and constructed) can be mitigated through the transmission of 'proper' values via education without extended and broader socio-political changes.

Apart from TG Economy, the majority of interviewees referred to the issue of *trust* and *state distrust*. Trust is an essential element of civil society. The establishment of several control bodies during the last decade to fight corruption and increase transparency is not an indication of trust. The situation has to do with the general developments in the political and economic field of the country and the respective trends all over the globe. It is the period for which the interviewees noticed that the modernization of the Greek economy and the boost of the private economy on the one hand, the state's decline and the weakness of its control mechanisms on the other, expanded corruption decaying collective behaviours.

Corruption is *neither an issue of morals nor of embedded attitudes*; successful anti-corruption strategies must involve much more besides. It is the result of serious social or organisational problems, for which there does not exist 'a solution'. Among them professionalism is from the most significant. However, professionalism requires transparency and accountability. Moreover, 'integrity', selflessness, objectivity, openness, education, support, control and realism must be the key words of the whole public administration, police included, seeking to ensure self-esteem, counteract corruption, increase and maintain trust of the public.

In the discourses of many interviewees the relationship *between state and society, as well as economy and state took an over-simplistic form*. Apart from 'common knowledge' which blames the state and its functions for corruption, those discourses reproduce the scheme 'bad state vs. good/best state = no state', 'bad state vs. good civil society' serving (unconsciously or not) certain (economic) interests. Informal networks integrated in the Greek social structure are not taken into account, if they are known; however, the argument about the 'weak Greek civil society is re-assessed.

The bulk of suggestions for confronting the problem may be placed within the *dominant conceptualisation* of corruption (controlling overregulation, law enforcement, value change, education etc.) and only few proposals place emphasis on broad social changes (income redistribution, public participation etc.). It is unlikely that such problems can be 'solved'. It is more an attempt to reduce the impact of the problem.

Thousand of books and hundreds of thousands of journal articles have been published on corruption in more than 44 languages during the last decades. Approximately 50% refer to developing and transitional countries, 45% study industrialised countries and the remaining 5% are either global or regional. In anti-corruption literature, the

absence of historical accounts of anti-corruption policies is remarkable. Less than one percent of the literature deals with historical data of the country analysed. Macro-analysis of corruption is also missing from the economic literature in the industrialised countries (Galtung 2001). A number of empirical studies have explored the possible correlation between corruption and democracy. Martin Paldam (1999), in his study found out that democracy seems to relate inversely to corruption, but the independent effect of democracy on the level of corruption is uncertain (see also Harris-White & White 1996).

In a comprehensive cross-national study on the causes of corruption, Daniel Treisman (2000) found that the degree of democracy in a country has no significant impact on the perceptions of corruption, but the life of democracy in the country (also Goldsmith 1999; cf. Amundsen 1999). The regression results suggest a painfully slow process by which democracy undermines the foundations for corruption. Those countries with at least 40 years of consecutive democracy behind them have lower corruption rates (Treisman 2000: 439). Another significant factor was the power allocation between centre and periphery. Some scholars argue that concentrated power is an aggravating variable in corruption. Due to social pressure, local officials may be less prone to corrupt activities against people from their own areas (Treisman 2000). By contrast, other researchers argue that decentralised political systems are more 'corrupt', since the potential offender needs to influence only a part of the government. In addition, in a fragmented system there are fewer centralised forces and agencies to enforce transparency. Corruption in some countries (i.e. Philippines and Thailand) has become more decentralised and uncoordinated (Manor 1999: 101). Greece had until recently a centralized administration system, which started being decentralized in the late '90s (Law 2539/1997). Voices and criticism for corrupt practices of local administration have multiplied during the last years; in our discussion with the General Inspector of Public Administration he described the local administration as a 'wound' of modern Greece, responsible for 'eroding morals'.

We all know that the prime motivator of international organisations against corruption was the extreme poverty and social inequality in the countries of the Third World. However, poverty and social inequality are not the cause of corruption and the reverse is certainly not true (WEF 2005; 2006). Poverty, social inequality and corruption are in interaction, while corruption dynamics attempt to diminish inequality. Otherwise, if they are the cause of corruption, how can we explain i.e. political corruption, corruption of mass media and illegal party financing in developed countries? (Marcinkowski & Pfetsch 2005). Corruption is also associated with low economic growth. A macro-analysis of anti-corruption experiences in Italy in the 1990s', has shown that in spite of economic success and growth, 'systematic corruption' exists in the south as well as in the north of the country, both at the higher political offices and in different levels of public administration (Putnam et al. 1993). For this reason some researchers insist on historical analysis in the area, in order to trace whether the institutional conditions of the state in question allowed or not the rents to end up in the hands of capitalist owners willing to expand production (Khan 1998; Kahn & Jomo 2000). From a similar standpoint, analysts explained in terms of institutional and political processes comparing patron-client networks why corruption in some countries (Malaysia, Thailand, South Korea, China) is compatible with rapid

economic growth, while in other cases corruption is very damaging for the economy (Moran 1998; White 1996; cf. Yao, 2002; *Crime, Law and Social Change* 1-2/2008).

Some researchers argued that, although 'similarities do exist and that experience and lessons are often transferable' among countries (Langseth et al. 1997: 22), data must be collected regularly to establish a base line for transparent monitoring and future assessment of corruption in a particular country. Even if CPI proved very useful for raising the awareness of the international and national audiences, including the private sector, it is mainly a 'poll of polls', reflecting the perceptions of business people and risk analysists who have been surveyed in a variety of ways (Lambsdorff 1999; cf. Bratsis 2003: 43-44). The perceptions of international and national business people most likely differ from the perceptions of ordinary people in the country in question, but also from other professional groups as our study noticed, in terms of levels, types of corruption, and its extent. The benefit of collecting data on the level of corruption is to increase the accountability of the state by establishing measurable performance indicators that are transparent, independent and monitored over time. In this perspective, a comprehensive country assessment aims at examining the levels, locations, costs, causes and remedies for corruption. Inherent in this approach are surveys of the perceptions of the general public, the private sector, civil servants, as well as case- and group studies at national and municipal/local level.

Political will is also considered a significant factor for successful reforms. The majority of our interviewees referred to the limited or lack of political desire to eliminate corruption. Bureaucratic corruption is thought to be controlled and restricted when there is a political will and political ability to implement the necessary regulations. Research showed a number of successful controls on corruption in liberal democratic countries, where bureaucratic corruption has declined through auditing, legislation and institutional reforms by strengthening and vitalising the existing political, judicial and administrative institutions of checks and balances (Moody-Stuart 1997; Doig 2000). However in some other countries despite the strong support of political leadership and the initial optimistic experiences of institutional reforms (Fjeldstad 2001), after a few years, the reforms were eroded and corruption levels have risen again. From all the above, several issues arise for a systematic analysis being also important for an effective policy design in the area. It remains to be proved whether social, political and economic reforms in the context of good governance, as the majority of our discussants noticed, can overturn the state of balance based on 'corrupt practices' in Greece.

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SIXTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION PRIORITY 7, FP6-2004-CITIZENS-5

SPECIFIC TARGETED RESEARCH PROJECT: CRIME AND CULTURE

Crime as a Cultural Problem. The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom

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