

## The Radiographic Instrument of Corruption

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### ABSTRACT

When Romania joined the European Union on January 1, 2007, special provisions were taken in order to facilitate and support the implementation of this action in good conditions and, at the same time, to safeguard the proper functioning of U.E. policies and institutions. Through its accession to the EU, Romania has agreed to assume both rights and obligations assigned to each Member State. According to the normal practice, the European institutions are monitoring the implementation of the Community acquis, in order to ensure itself that these obligations are complied.

In the Accession Treaty were introduced safeguard clauses and transitional arrangements (for example, restrictions on free movement of workers, access to the road transport networks, provisions concerning the veterinary, phytosanitary and food safety rules) as well as the clear provision that, if there are serious shortcomings in the transposition and implementation of the acquis in the economic, internal market and respectively in justice and internal affairs, harsh sanction measures can be taken. Romania's accession was accompanied by a series of targeted support measures which were instituted with the purpose of preventing or remedying the shortcomings in the areas of food safety, agricultural funds, judicial reform and the fight against corruption.

For the last two ones was established a cooperation and verification mechanism, setting out specific goals to provide the necessary framework for monitoring the progresses in these areas.

### Introduction

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shortcomings in the areas of food safety, agricultural funds, judicial reform and *the fight against corruption*.

For the last two ones was established a cooperation and verification mechanism, setting out specific goals to provide the necessary framework for monitoring the progresses in these areas.

This mechanism was established to improve the functioning of the legislative, administrative and judicial system and to remediate the serious deficiencies recorded in our country in the *fight against corruption*.

The purpose of the cooperation and verification mechanism is to ensure the implementation of those measures which guarantee that the decisions, the administrative and judicial legislation and practices from Romania are in line with the rest of the EU. The progresses of the judicial reform and the *fight against corruption* will allow the Romanian citizens and the Romanian businesses to enjoy their rights as EU citizens. Without irreversible progresses in these areas, Romania risks to be unable to correctly apply the Community law.

In the current legislation of Romania, the corruption acts, along with money laundering, fraudulent banknote, extortion, human trafficking, illicit drugs and precursors, smuggling, traffic with stolen vehicles, counterfeiting of currency or other valuables, and any other crimes with the purpose of obtaining a profit for the benefit of a terrorist entity, all of these are treated as terrorist acts. The evolution of contemporary societies reveals the fact that although the measures and interventions of the social control institutions against the criminality have been intensified, in many countries it can be seen a resurgence and a multiplication of the crimes committed with violence and aggressively.

Corruption is a social problem which concerns both the factors of social control (police, justice, administration) and also the public opinion. The offenses and crimes committed by violence and corruption tend to become very intense and dangerous for the stability and security of the institutions, groups and individuals, being often associated with those of the organized crime, specific to the "subcultures" of the professionalized violence and crime.

The effective combating of the corruption and criminality represents a national interest whose aim is to maintain the status of our country as a stable zone and security generating factor, in the geographic proximity area by strengthening the authority of the state and its institutions.

The National Security Strategy of Romania, in Chapter VIII, approaches the issue of fighting against corruption. Currently, for the *fight against corruption*, it is imperative that the institutions to operate collaborate and be integrated into a system where vital information must circulate professionally, in terms of legality and in an appropriate way, the responsibilities to be clear and do not overlap, and tasks to be accomplished under the law, on time and with maximum efficiency.

The concrete results of the preventive measures adopted by the public institutions are difficult to evaluate in the absence of some analytical instruments integrated into the awareness/ information campaigns, developed until today. A comprehensive anti- corruption campaign, funded by European projects, equipped with all the conceptual elements to provide a clear picture of the status of the actions which were taken to prevent and combat the corruption, both in the public and private sectors, at this moment is in an early stage and requires urgent actions for implement some operational plans to complete the actions carried out to date.

The Global Corruption Barometer assesses the extent in which the key institutions and the public services are perceived as being corrupt and identifies the citizens' views regarding the efforts made by the government in the fight against corruption. Like other reports of Transparency International, the instrument is designed to complement the expert opinions about the corruption from the public sector provided by the Corruption Perception Index and the information about the international bribery flows reflected in the Bribe Payers Index. The Barometer also provides information on corruption's trends in the public perception.

The public's points of view about the corruption are the most important because they give an essential image from the inside, about how corruption affects people's lives all over the world. We consider as being crucial to present people's attitudes on corruption because they are the ones who

suffer its direct and indirect consequences, and they are playing an active role in stopping it, fact that is reflected by improving the governance.

We will use as an example a study conducted by Transparency International which aimed to encourage the public to play an active role in stopping corruption, highlighting its desire to engage in the fight against corruption.

Thus, from September 2012 until March 2013, more than 20.000 people from over 20 countries of the European Union were interviewed about their opinion about the level of corruption in their countries and the government's efforts to fight against it, and in the same time, was revealed the frequency of bribery in different sectors and institutions and it was also investigated the people's willingness to engage in the fight against corruption.

In fact, in the survey, people were asked about their perception of corruption in their countries of origin, and the study reflected points of view regarding the increase or decrease of the overall level of corruption in the recent years. They were also asked about their points of view regarding the corruption widespread in the public sector and in the different institutions, being also evaluated the importance of the personal relationships when they are trying to solve some situations and the influence of the great interests in the government decisions.

1000 people from each of the 20 EU countries who were surveyed from September 2012 until March 2013 as part of the Global Corruption Barometer 2013 survey and the sample from each country was designed to be nationally representative, and where it was possible, the questionnaire was translated into the local languages, using the method face to face or CATI, ie Computer-Assisted Telephone Interviewing, or even the online interviewing.

### Material and methods of analysis

In the table below, we will analyze the "Bribe Payers depending on the service"

Country	Education	Legal system	Medical system	Police	Authorizations	Utilities	Taxes	Land services
U.E.	4%	8%	12%	7%	5%	2%	2%	7%
Belgium	2%	6%	3%	4%	3%	3%	3%	6%
Bulgaria	2%	13%	7%	17%	3%	0%	1%	7%
Croatia	0%	3%	4%	3%	2%	2%	1%	6%
Cyprus	4%	11%	14%	10%	8%	5%	9%	13%
Denmark	0%	1%	1%	1%	2%	1%	1%	2%
Estonia	2%	2%	7%	2%	3%	0%	0%	0%
Greece	7%	6%	23%	4%	7%	3%	4%	9%
Hungary	1%	3%	18%	0%	1%	1%	1%	1%
Italy	3%	12%	4%	4%	3%	6%	2%	4%
Latvia	8%	14%	24%	25%	6%	2%	2%	9%
Lithuania	7%	15%	35%	23%	10%	2%	1%	24%

Portugal	1%	2%	2%	1%	2%	1%	2%	7%
Romania	7%	13%	27%	9%	6%	1%	1%	11%
Slovakia	9%	8%	28%	12%	19%	3%	5%	11%
Slovenia	2%	3%	5%	3%	4%	3%	2%	5%
Spain	0%	2%	1%	3%	2%	2%	1%	2%
U.K.	7%	21%	3%	8%	11%	3%	4%	11%

The data are referring to any family member who, in the last 12 months, respectively during 2013, has had contacts with each of the 8 sectors outlined above and has given bribe in any form.

Over 65% of Romanians believe that corruption has increased in Romania in the last two years.

In the same time 8 percent of them believe that this level has remained unchanged and only 29% of Romanians believe that the corruption level is now lower than 2 years ago. 87% of Romanians believe that the government is not effective in the fight against corruption and only 13% of them believe that the anti-corruption measures of the government are effective.

The political parties and the parliament are considered the most corrupt institutions. On a scale from 0 (least corrupt) to 5 (most corrupt) these two institution are receiving a score of 4.5. Besides the justice, private sector and media, for the other institutions, the assessed level of corruption is significantly higher than in the previous years, and the political parties, the parliament and the justice are receiving a score above 4 for the incidence of corruption.

Only 13% of Romanians believe that the government and governors have the ability to fight against corruption. From this perspective, the Romanians are the Europeans with a medium average trust in government, at the lower limit being the Cypriots (3%), Latvians (6%) and Lithuanians (6%). To be noted the fact that 63% of Romanians do not trust anyone regarding the fight against corruption, which places us as the most disappointed European nation, far away from the other ones.

It is found that 61% of Romanians believe that the involvement of ordinary people in the anti-corruption actions is important and thus they can make a difference in the fight against corruption. 59% of them would like to report a corruption act and nearly 71% would sign a petition asking the government to do more in combating the corruption. 50% of those questioned in Romania would be willing to take part in a protest or in a civilized demonstration against corruption. The results are encouraging, but we are still standing among the least active ones in the fight against corruption. Only in Hungary, Lithuania, Estonia, Latvia, Italy and Estonia the percentages of those who would report the corruption cases are lower than in Romania. The data show that although they do not trust institutions, the Romanians trust themselves and think that a sustained effort to encourage whistleblowers may cause a vehement attitude of the citizens against corruption.

In fact it must be identified the means of supporting the actions of Romanian citizens who wish to report the cases of corruption through assistance forms and expert advice.

#### **Anova: Single Factor**

**Table 1 Differences between services**

SUMMARY						
Groups	Count	Sum	Average	Variance	s	v
Education	18	66	3.66666667	9.29411765	3.04862553	83.1443327
Legal system	18	143	7.94444444	33.4673203	5.78509466	72.8193734
Medical system	18	218	12.11111111	120.339869	10.969953	90.5775938
Police	18	136	7.55555556	54.9673203	7.41399489	98.126403

Authorizations	18	97	5.38888889	19.8986928	4.46079509	82.7776408
Utilities	18	40	2.22222222	2.41830065	1.55508863	69.9789884
Taxes	18	42	2.33333333	4.47058824	2.11437656	90.6161383
Land services	18	135	7.5	30.9705882	5.56512248	74.2016331
6.09027778						

ANOVA						
Source of Variation	SS	df	MS	F	P-value	F crit
Between Groups	1426.77083	7	203.824405	5.9116636	5.1762E-06	2.07755817
Within Groups	4689.05556	136	34.4783497			
Total	6115.82639	143				

We found significant differences between the percentages of the bribe payers for various services, the highest percentages being marked in red. The differences are significant with a probability greater than 99%.

We also notice that the medical system is in a peculiar situation, the average percentages of the bribe payers being almost twice as the ones of the legal system, police and land services, which is on the second place, with similar values.

**Table 2:** Comparative Differences between two services

	Education	Legal system	Medical system	Police	Authorizations	Utilities	Taxes
Education	1						
Legal system	0.69930385	1					
Medical system	0.77509053	0.383842204	1				
Police	0.65149846	0.698843399	0.629878	1			
Authorizations	0.8276093	0.511481209	0.5965	0.47865	1		
Utilities	0.23988251	0.289151883	-0.01533	-0.01134	0.30056045	1	
Taxes	0.38327805	0.285336297	0.145402	0.107571	0.54675273	0.655972	1
Land services	0.68302798	0.656847841	0.674481	0.709992	0.64096062	0.217506	0.35993702

Anova: Single Factor						
Table 3: Differences between countries						
SUMMARY						
Groups	Count	Sum	Average	Variance	s	v
U.E	8	47	5.875	11.26786	3.3567629	57.13639
Belgium	8	30	3.75	2.214286	1.48804762	39.68127
Bulgaria	8	50	6.25	36.78571	6.06512278	97.04196
Croatia	8	21	2.625	3.410714	1.84681192	70.35474
Cyprus	8	74	9.25	12.5	3.53553391	38.22199
Denmark	8	9	1.125	0.410714	0.64086994	56.96622
Estonia	8	16	2	5.428571	2.32992949	116.4965
Greece	8	63	7.875	41.26786	6.42400632	81.57468
Hungary	8	26	3.25	36.21429	6.01783065	185.164
France	8	37	3.50	2.314514	1.38750991	37.38124
Italy	8	38	4.75	9.928571	3.15096357	66.33608

Latvia	8	90	11.25	81.92857	9.0514403	80.45725
Lithuania	8	117	14.625	142.5536	11.93958	81.63815
Portugal	8	18	2.25	3.928571	1.98206242	88.09166
Romania	8	75	9.375	69.125	8.31414457	88.68421
Slovakia	8	95	11.875	65.83929	8.1141411	68.32961
Slovenia	8	27	3.375	1.410714	1.18773494	35.19215
Spain	8	13	1.625	0.839286	0.91612538	56.37695
U.K.	8	68	8.5	36	6	70.58824
ANOVA						
Source of Variation	SS	df	MS	F	P-value	F crit
Between Groups	2188.45139	17	128.7324	4.130058	1.5548E-06	1.704427
Within Groups	3927.375	126	31.16964			
Total	6115.82639	143				

The correlation coefficient between the systems listed in Table 2: Comparative differences between two services, shows that in the countries where the bribe is given in the medical system, it is also given in the educational system, fact that is explained by the low social development of these countries, whose state institutions are at an early stage of development.

The correlation coefficient between the judiciary and police demonstrates the interdependence of the two systems in terms of bribery and the practice has demonstrated many DNA (National Anticorruption Directorate) cases in which the offenders who received bribes are either prosecutors and police officers, either judges and policemen, either all together, and with them is associated even the category of lawyers.

We can see high values of the correlation coefficient between the education system and authorizations, between the utilities and taxes, land services and police, land services and authorization.

In Table 3: Differences between countries, there are significant differences between countries with probability greater than 99%, the highest values of these being marked in red. The explanation is determined by the fact that the countries in question were part of the Eastern- European bloc, the former communism, and the period of democracy of nearly 25 years, is not sufficient for a proper functioning of the institutions designed to ensure a climate of legality in this field.

Exceptions to this rule are on the one hand Bulgaria, which has a value of the coefficient to the European medium average, but which in fact are hiding a widespread organized crime, which has penetrated even the highest institutions of the state, and on the other hand Great Britain, which has the same value as that of the eastern bloc countries, due mostly to the fact that here governs another law system that allows the "Lobby" policy which actually creates a multitude of integrity risks. In fact this was the cause for which the executive management of the United Kingdom has founded, for the first time in the world, an integrity system necessary to purify the political and administrative environment, system that represents a model adopted by the other European countries.

	<i>Education</i>	<i>Legal system</i>	<i>Medical system</i>	<i>Police</i>	<i>Authorizations</i>	<i>Utilitie</i>	<i>Taxes</i>	<i>Land service</i>
Education	3.91315		0	0	0	0	0	0
Legal system	4.906799	1.662737		0	0	0	0	0
Medical system	3.435041	3.908112	3.243897		0	0	0	0

Police	5.897755	2.380936	2.972788	2.180624		0	0	0
Authorizations	0.988389	1.208219	-0.06131	-0.04535	1.260525		0	0
Utilities	1.659872	1.190852	0.587856	0.432794	2.611998	3.476333		0
Taxes	3.740609	3.484497	3.654275	4.032843	3.34019	0.891364	1.543177	
Land service	0	0	0	0	0	0	0	0
	t crit=2.12							

The testing of the correlation coefficients was performed using the statistical test T "Student" where

$$t = \frac{(r)}{\sqrt{1-r^2}} \sqrt{n-2}$$

## Final conclusions

The main conclusion of our scientific research is that the level of the economic development determines the social development and implicitly the existence and the efficient operation of public and private structures that ensure the integrity and the fight against corruption.

The regression model is important for describing the economic development impact on the people's perception regarding the economic freedom and corruption, but can be also used in macroeconomic and global level, in FDI analysis etc.

Regarding the rank of our country, the last in terms of the income per inhabitant from the EU countries, regarding in fact the purchasing power or the living standards, we have revealed a gap almost insurmountable towards the countries from the first part of the classification. We must not relate only to Germany, the economic engine of Europe with the highest GDP in the EU (and the fourth in the world after the US, China and Japan) or to France or to UK. The comparison is too crushing. It is sufficient to take a look at our neighbors table, Hungarians and Bulgarians, or Greeks who are so much blamed, to enlighten ourselves about "the status of our nation".

Romania would have every year the chance to increase its dowry with the allocations received from the EU, with the condition to submit funded projects that will make possible the absorption of European funds. Thus in 2011, on paper, Romania would have been able to obtain from the Union more than twice compared with what it has given. Proportionally, the same thing would have happened to all the time between 2007 (the year of accession to the EU) and 2013. In fact, for this period were absorbed 11.47% of the available amounts, meaning a total value of 33.4 billion Euros.

On February 8, 2013 the European Council reached an agreement regarding the EU budget for the period 2014 - 2020. After 56 years of EU history, this is the first decreasing budget, by 1% net. However, from its value of 960 billion Euros, Romania would receive 39.8 billion. With about six billion more than in the previous period, but with approximately nine billion less than it had proposed from its political point of view. Irrelevant dispute, as long as Romania does not make its country economic homework. And "not making them" is equivalent to a crime against the national interest.

To be pointed out that there were also founded other tools of perceiving corruption as:

- The Bribe Payers Index - BPI- which is a classification of the exporting countries regarding the risk that their firms to bribe abroad and it is based on a survey among the business executives, focusing on the business practices of companies with operations abroad from their country;
- Global Corruption Report- GCR- is a thematic report that analyses corruption regarding a particular sector or a particular problem in governance. The report provides expert research and analysis, as well as studies of cases;

- The National Integrity System Assessment – N.I.S.A.- represents a series of studies from the inside of a country which provides a detailed evaluation of the strong and weak points of the most important institutions that have to ensure a good governance and integrity, such as the executive, legislative, justice, anticorruption agencies and others.

The persistence of corruption in the poor countries requires global actions. The concerted efforts of the rich and poor countries are needed to stop the money flow generated by corruption and to ensure the efficient functioning of the justice with the benefit of the poor people.

The biggest danger which are threatening with the collapse of the nowadays civilization, must be seen in the fact that, while the outside progress seems to have no predictable and possible limits, heading towards infinity, the inside one tends to go down, to zero.

As Alvin Toffler has shown "... we suffer of the smell and of the moral rot of a dying industrial civilization, watching its institutions as they are collapsing, one after another, in a splashing of inefficiency and corruption".

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