

## SOCIAL PERCEPTION OF CORRUPTION

**ABSTRACT** - *The social pathology of corruption is not typical solely of our times and is as old as human societies. Research conducted by Transparency International that corruption is present, in various intensity, in all countries of the world. Of the 179 countries included in the last year's study, Poland was in the 61<sup>st</sup> place, with the Corruption Perception Index equal to 4.2 points. Poland is perceived as the most corrupt country of the European Union. In the period between 1966 and 2006, the value of Poland's CPI systematically decreased, which indicates that corruption became more prevalent in various areas of social life. The study conducted between the 3<sup>rd</sup> and the 6<sup>th</sup> of February 2006 by the Public Opinion Research Center (CBOS) on the representative random sample of adult citizens demonstrated that a large part of the Polish society (93%) perceives corruption as a big problem.*

The electronic media and the press systematically present news of bigger or smaller corruption scandals. Individual cases of a public official accepting a bribe in exchange for performing an official function do not raise much public interest any more. The classical meaning of the term "corruption" has significantly expanded its scope. The most frequent types of behavior described as corrupt include using an official post in order to obtain profits; trading influences; paid protection; using budgetary means and public property for private or personal purposes; irregularities in public tender procedures, contracts, or licences; evasion of customs and taxes; and illegal use of the national government's budgetary funds.

The social pathology of corruption is not typical solely of our times and is as old as human societies. After all, the Bible includes the following sentence: "And thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous (Exodus 23:8)."<sup>1</sup>

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1 The quote is from M. Surkont, Łapownictwo [Bribery] (Sopot, 1999), 9.

Research conducted by Transparency International indicates that corruption is present, in various intensity, in all countries of the world. The Corruption Perception Index (CPI), published by the Secretariat of Transparency International<sup>2</sup>, which ranks countries by their perceived levels of corruption, shows that, in 2007, the countries with the lowest level of perceived corruption were:

Denmark	9,4	Iceland	9,2
Finland	9,4	The Netherlands	9,0
New Zealand	9,4	Switzerland	9,0
Singapore	9,3	Canada	8,7
Sweden	9,3	Norway	8,7

Of the 179 countries included in the last year's study, Poland was in the 61<sup>st</sup> place, with the Corruption Perception Index equal to 4.2 points. Poland is perceived as the most corrupt country of the European Union.

As of Poland's neighbors, Germany is in the 16<sup>th</sup> place with the CPI equal to 7.8 points, but Czech Republic and Slovakia also have higher scores than Poland. Czech Republic was classified in the 41<sup>st</sup> place with the CPI equal to 5.2 points and Slovakia - in the 49<sup>th</sup> place with the CPI of 4.9 points. Of Poland's eastern neighbors, only Lithuania has scored better than Poland and is in the 51<sup>st</sup> position with a score of 4.8 points. Belarus, classified in the 150<sup>th</sup> place with CPI of 2.1 points, and Russia, classified in 143<sup>rd</sup> place with the CPI of 2.3 points, have been ranked much lower than Poland.

In the period between 1996 and 2006, the value of Poland's CPI systematically decreased, which indicates that corruption became more prevalent in various areas of social life.

In 1996, when the first study of the Corruption Perception Index was conducted, Poland scored 5.6 points, and in 2006 - 3.1 points. Over the period of eleven years, the CPI fell by as much as 2.5 points. It is remarkable that this tendency got reversed in 2007, when the CPI increased by 1.1 points. This may testify to the effectiveness of the efforts to fight corruption that have been made in the recent years.

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2 The study ranks countries by the perceived level of corruption, measured on a 10-point scale. On this scale, 10 means high transparency and negligible corruption, and 0 - a ubiquitous corruption. The 2007 report can be found at: [http:// www.transparency.de](http://www.transparency.de).

Table no. 1. Corruption Perception Index<sup>3</sup>

Year	Number of countries included in the study	Poland's place in the ranking	Poland's value of the CPI
1996	54	24	5,6
1997	52	29	5,1
1998	85	40	4,6
1999	99	44	4,2
2000	90	43	4,1
2001	91	44	4,1
2002	102	45	4,0
2003	133	64	3,6
2004	146	67	3,5
2005	159	67	3,4
2006	163	67	3,1
2007	179	61	4,2

The Corruption Perception Index does not fully reflect the scale of corruption in the countries included in the study. The research concentrates on corruption in the public sector and defines this phenomenon as a misuse of public authority to achieve personal gains. The questionnaires and surveys that constitute a part of the research are conducted by twelve independent institutions.<sup>4</sup> The respondents in the polls are entrepreneurs and domestic analysts, both citizens of a given country and foreigners. Consequently, the Corruption Perception Index reflects a subjective perception of corruption of public officials and politicians by the respondents from a given country who participated in the research.

Corruption affects various areas of social life. The Global Corruption Barometer (GCB) of Transparency International,<sup>5</sup> which was prepared on the basis of research conducted on a sample of approximately 55 thousand persons in 96 low, mid-

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3 The Corruption Perception Index can be found at the following web site address: <http://www.transparency.pl>.

4 A detailed report on the subject of the methodology of the research can be found at: <http://www.ICGG.org>

5 "The Global Corruption Barometer 2005", p. 5, <http://www.transparency.org>.

dle, and high income, demonstrates that the areas of public life that the respondents most often perceive as affected by corruption include:

political parties	4,0 <sup>6</sup>	medical services	3,2
parliament	3,7	utilities	3,0
police	3,6	education system	3,0
legal system/judiciary	3,5	the military	2,9
business/private sector	3,4	registry and permit services	2,9
tax revenue	3,4	non-governmental organizations	2,8
customs	3,3	religious bodies	2,6
media	3,2		

It is alarming that the top of the list is occupied by the parliament, the police, and the legal system/judiciary, as these institutions should play a major role in fighting corruption. After all, it is the parliament that passes legislation and who ought to make laws that prevent fraud. The police and the judiciary are institutions established to impose laws and to monitor their observance. Corruption in these institutions impairs the authority of the state and may be used by the citizens to justify their own improper behavior.

The results of the above-mentioned research concur with the views on corruption shared by the Polish society.

The study conducted between the 3<sup>rd</sup> and the 6<sup>th</sup> of February 2006 by the Public Opinion Research Center (CBOS)<sup>7</sup> on a representative random sample of adult citizens demonstrated that a large part of the Polish society (93%) perceives corruption as a big problem.

The question asked of the respondents was, "In your opinion, is corruption in Poland a big or a small problem?". As many as 93% of them stated that corruption was a big problem, and only 2% found it a small problem. In the group of respondents who considered corruption as a big problem, as many as 67% stated that it was a very big problem. The number of persons who consider corruption as a very big social problem has systematically increased in the period between 1991 and 2006. Such persons constituted 71% of all respondents in the study conducted in July 1996, while in the study conducted in June 2004 that number was 95%. The study

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6 The scale is from 1 to 5, where 1 means no corruption and 5 - ubiquitous corruption.

7 Central Anticorruption Bureau, report from the research "Aktualne problemy i wydarzenia" [Current problems and events] (Komunikat nr 3945, Nr kancelaryjny BS/39/2006) [Report no. 3495, Office no. BS/39/2006], <http://www.cbos.pl>

conducted in December 2004 showed a break in the growth trend of the number of people who consider corruption as a serious problem, although it was not significant as the decrease was equal to just two percentage points. In 2006, the number of persons who perceived corruption as a very big problem was 5 percentage points lower than in 2005.

Table no. 2. Social perception of corruption (in %)

Time of research	Corruption perceived as a problem						
	very big	rather big	big	very small	rather small	small	don't know
July 1991	33	38	71	2	15	17	12
February 1992	49	37	86	1	8	9	5
July 2000	46	40	86	0	6	6	8
August 2001	68	23	91	1	2	3	5
February 2003	68	23	90	0	2	2	6
December 2003	65	25	90	1	2	3	7
May 2004	75	20	95	0	1	1	4
December 2005	71	22	93	0	2	2	4
February 2006	67	26	93	0	2	2	5

The results of another research are also remarkable. In May 2006, a study was conducted on a representative sample of Poles older than 15 years who were selected in accordance with selection methods for samples representative of the whole population of Poland. The sample consisted of 1005 persons. The goal of the research

was to learn about the attitudes of the Polish society towards various types of pathological, controversial, and criminal behavior. One of the studied behaviors was corruption. Let us examine the responses of the participants in the study to questions related to the following situations: an official taking a bribe for resolving an issue that he is supposed to resolve, an official taking a bribe for resolving an issue in a way that is not in conformance with regulations, giving a bribe to an official for resolving an issue in violation of regulations, using an official position to obtain undue benefits, and getting a private issue resolved through connections and schemes.

Table no. 3. Attitude of respondents to the presented types of behavior (%)

Types of behavior	1993			2006		
	Strongly disapprove	Rather disapprove	Total	Strongly disapprove	Rather disapprove	Total
an official taking a bribe for resolving an issue that he is supposed to resolve	68	25	93	78	19	98
an official taking a bribe for resolving an issue in a way that is not in conformance with regulations	68	25	93	78	19	97
giving a bribe to an official for resolving an issue in violation of regulations	64	27	91	73	24	97
using an official position to obtain undue benefits	67	27	94	73	24	97
getting a private issue resolved through connections and schemes	34	34	68	39	32	71

The situation that was disapproved by the largest number of respondents (98%) was that of an official taking a bribe in relation to an issue that he is supposed to handle. The respondents were a little less disapproving (by 1 percentage point) of such situations as an official taking a bribe for resolving an issue in a way that is not in conformance with regulations, giving a bribe to an official for resolving an issue in violation of regulations, and using an official position to obtain undue benefits. Getting a private issue resolved through connexions and schemes had the lowest rate of disapproval among the respondents and only 71% of them strongly disapproved of

getting private issues resolved through connections. Notably, a large group of participants strongly disapproved of the above-mentioned situations. Situations of an official taking a bribe for resolving an issue that he is supposed to resolve and an official taking a bribe for resolving an issue in a way that is not in conformance with regulations were strongly disapproved by 68% of respondents. Persons who strongly disapproved of using an official position to obtain undue benefits constituted a slightly smaller group (67%). At the same time, getting a private issue resolved through connections and schemes was strongly disapproved by only 34% of respondents.

The results of the survey conducted in 2006 indicate that, in comparison with those of 2003, there is a significant increase in disapproval of corrupt behavior that was a subject of the study. The highest increase of disapproval, by 6 percentage points, concerned giving a bribe to an official for resolving an issue in violation of regulations. Slightly smaller increase of disapproval, by 5 percentage points, concerned an official taking a bribe for resolving an issue that he is supposed to resolve. Notably, all the above-mentioned situations were strongly disapproved by a significantly larger group of respondents.

A large majority of respondents supported penalization of the actions that were the subject of the study. In the case of an official taking a bribe, only 0.5% of respondents were against penalizing the action and 6.2% considered mediation as the right solution to the problem. The respondents were more lenient in the case of a person who is giving a bribe, as 3.8% of them were against penalizing the person, and 11.7% supported mediation. Of the persons in whose opinion both the taker and the giver of a bribe should be penalized, a majority preferred penalties other than imprisonment or prison sentences with probation. In the case of an official taking a bribe, 36.6% of respondents declared that a penalty other than imprisonment (a fine or restriction of liberty), while 26.9% of respondents preferred prison sentences with probation. Only 25% of respondents stated that a prison sentence is the best penalty. In the case of persons giving bribes, the participants in the survey were more tolerant as to sentencing, as most of them stated that the bribe giver should stay at large (36% of respondents preferred penalties other than imprisonment and 23.7% - a sentence of imprisonment with probation, while only 16.7% of respondents considered a prison sentence as the most suitable penalty. The respondents were less strict in cases of persons giving bribes to policemen in order to avoid paying a ticket. Only 12.9% of them stated that giving bribes in such situations should be penalized with a prison sentence, while 60.3% considered penalties other than imprisonment or prison sentences with probation, and only 4.6% declared that penalizing such persons was not sensible. Mediation in such cases was selected as the most suitable method by 14.7% of respondents.

Before a penalty is administered, the perpetration of an offense must first be ascertained and the perpetrator must be identified.

Remarkably, the number of reported and identified cases of corruption is systematically increasing.

Table no. 4. The number of ascertained corruption offenses (by the type of main offense)<sup>8</sup>

Offense	1999	2000	2001	2002	2003	2004	2005	2006
<b>venality</b>								
art. 222§1-4	287	487	612	520	626	940	1.852	2.098
art. 228§5	3	4	1	6	3	5	3	3
art. 228§6	-	-	0	0	0	0	0	1
<b>bribery</b>								
art. 229§1-2	206	281	310	366	441	458	672	702
art. 229§3-4	268	513	749	509	732	938	1.305	1.535
art. 229§5	-	-	2	0	0	1	2	1
<b>alleging connections</b>								
art. 230,230a	177	57	103	146	296	424	472	737
<b>misuse of authority</b>								
art. 231§1-3	408	557	554	861	1.392	1.505	1.790	1.385

In the period of 1999-2006, the number of recorded cases of venal officials increased 7-fold. The growth in the rate of occurrence of bribery was equally high.

8 The source of this data is the court statistics of the Police, which can be found on the Police web site at: <http://www.policja.pl>.



Cases of giving a bribe to a public official in relation to his post occurred over three times more often.

The number of persons convicted for corruption-related offenses is also systematically increasing.

Table no. 5. Valid convictions of adults (by the type of main offense)<sup>9</sup>

Offense	2001	2002	2003	2004	2005
<b>venality</b>					
art. 228§1	55	61	45	108	116
art. 228§2	1	2	4	6	3
art. 228§3	38	74	65	168	227
art. 228§4	6	12	5	19	14
art. 228§5	1	3	2	6	1
<b>bribery</b>					
art. 229§1	72	74	134	291	294
art. 229§2	12	10	16	33	38
art. 229§3	360	362	496	688	1.027
art. 229§4	-	2	1	13	5
<b>alleging connections</b>					
art. 230	14	18	29	21	10
<b>misuse of authority</b>					
art. 231§1	41	50	50	96	76
art. 231§2	27	29	43	75	105
art. 231§3	2	-	3	3	2

In the five-year period between 2001 and 2005, the number of persons convicted for accepting bribes in relation to their public posts and persons convicted for giving bribes became more than three times larger.

<sup>9</sup> The source of this data is the statistics of the Ministry of Justice that can be found at the Ministry's web site at: <http://www.ms.gov.pl>.

The data presented in the two tables above may raise doubts about the social perception of corruption. One has to remember that the data does not cover all the crimes that were committed in the respective periods. Offenses related to corruption are characterized by a high “dark number”.<sup>10</sup> This is caused by the unique nature of corrupt behavior. The bribe taker takes actions that are expected by the bribe giver and none of the parties is interested in the crime being detected. Even though the bribe giver who informs a law enforcement agency of the bribe accepted by a public official, before the agency detects the occurrence of the crime, and reveals all the circumstances, is exempted from punishment, the bribe giver loses all the benefits that he has gained by giving the bribe.

The Polish society perceives corruption as one of the most important social pathologies. Nevertheless, fighting corruption is immensely difficult. Research to determine the reasons for corruption appears to be sensible as its results may assist in elaborating effective methods to fight this pathology.

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10 To learn more about the “dark number of crimes,” see, among others, B. Hołyst, *Kryminologia [Criminology]* (Warszawa, 2001), 65ff.