



Ministry of Foreign Affairs of the
Netherlands

OFFENDERS ON CAUSES AND CONSEQUENCES OF CORRUPTION

A study on corruption in Romania

January 2015

In partnership with:



With the support of:



Summary

Context. As part of a project aiming to support the implementation and the monitoring of the National Anti-corruption Strategy (NAS) of Romania and to achieve progress on the benchmarks set up under the CVM, a criminological study on the corruption phenomenon in Romania was carried out. This research project was conducted in a partnership of the NAS Secretariat of the Ministry of Justice, the Center for Research in the field of Criminal Sciences of the Faculty of Law of the University of Bucharest and the School of Criminology of the Faculty of Law of VU University Amsterdam, with the kind support of The National Prison Administration, The National Probation Department, The National Anticorruption Department and the Prosecutor's Office attached to the High Court of Cassation and Justice.

Being part of the project 'Further measures for achieving progress on the Co-operation and Verification Mechanism's benchmarks', this research project study was financially supported by the Netherland Ministry of Foreign Affairs, represented by the Netherlands Embassy in Romania.

Goal project. The goal of the research project was to gain more insight into possible causes and consequences of corruption in Romania. To better understand people's motivations for engaging in corruption, a questionnaire was administered to 315 people convicted for a corruption offence. Of these 315 respondents, 50 individuals were interviewed to gain a more in-depth insight into their motivations for committing corruption, and the consequences of their conviction for their personal and professional life.

Conclusions.

The results of the questionnaire study show that the most important explanatory factors were personal norms regarding corruption and the expected benefits of engaging in corruption. Of these benefits, the most important ones were the expectation of personal satisfaction and gratification, and the ability to provide a better life for the offenders' families – and not financial gain, as it is often assumed. In the survey, we also asked questions about people's intentions to engage in other forms of unethical behavior. The analyses show that the factors that seem to underlie corruption may be rather comparable to the factors that underlie non-integrity more generally.

The results of the interview study confirm these results and offer a more in-depth understanding of the motivations for corruption. Most respondents don't deny the facts or the acts they have been convicted for, but they do deny that they have done anything wrong. According to their own personal norms, their actions do not constitute corruption. As far as they admit corruption motivated by benefits, they confirm the conclusion of the questionnaire study that these were meant for their family or relevant others.

Acknowledgements

The project team consisted of:

VU University Amsterdam

- Wim Huisman – academic supervision, final report
- Madelijne Gorsira – design questionnaire, data-analysis, final report
- Mioara Zoutewelle-Terovan – interview training, data-analysis
- Adriaan Denkers – methodological advice

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- Andra-Roxana Trandafir – selecting and coaching students, interview-transcript analysis, final report
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- Anca Jurma – advice on questionnaire, interview topics and selection respondents

The Prosecutor's Office attached to the High Court of Cassation and Justice

- Gheorghe Ivan – advice on questionnaire

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1 Introduction

1.1 Setting the scene

The problem of corruption

Worldwide, corruption is seen as a serious problem. Transparency International – Berlin defines corruption as the misuse of public power for private gain. In many countries, bribing public officials is considered a criminal act.¹ The negative consequences of corruption are manifold: it can lead to unfair competition, higher prices and a weakening of trust in the government. Corruption poses a threat to all countries, although its nature and extent may differ from one society to another (Mousavi & Pourkiani, 2013).

Also in the European Union, corruption is seen as a serious problem. According to the 2014 EU Anti-corruption report, corruption costs the Union and the member states 120 billion euros per year. 76% of the Europeans think corruption is widespread. The report also observes that the prevalence of corruption as well as anti-corruption policies differ a lot between the member states.²

Within the European Union, corruption is particularly a problem in several countries among which Romania. According to the 2014 Corruption Perception Index, corruption is a rather widespread phenomenon in Romania, the country being ranked 69th out of 175 countries included in the survey. In the 2013 Control of Corruption Index of the World Bank, Romania is ranked 52.63, the second lowest of the EU member states. According to the Eurobarometer, 93% of the Romanian population thinks corruption is widespread, which is significantly higher than the EU average of 76%.³

Anti-corruption policies in Romania

The government of Romania is well aware of this problem and has seriously stepped up its efforts to tackle the problem of corruption. There is also a strong pressure to meet the benchmarks of the EU Cooperation and Verification Mechanism (CVM). In 2012 a new national anti-corruption strategy 2012-2015 was adopted by the government and endorsed by the parliament and the judicial system. The strategy takes a multi-disciplinary approach and requires the development of sector- and institution-specific anti-corruption strategies across the board. The implementation of the

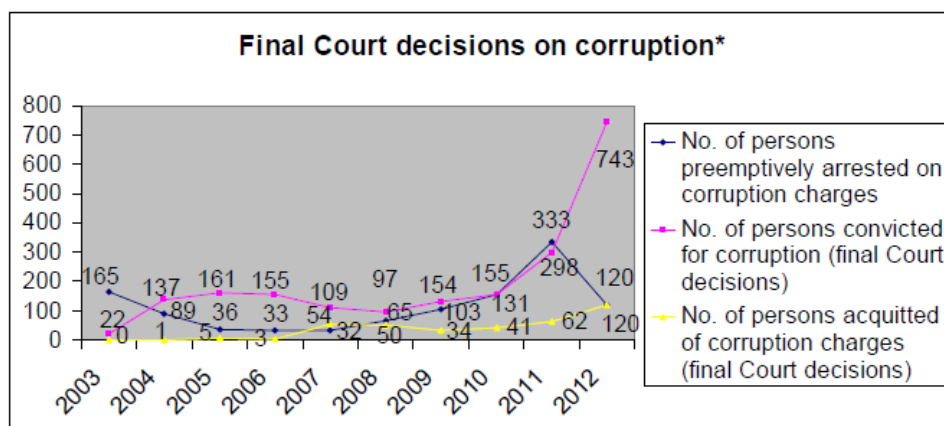
¹ <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor08.htm>

² http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/organized-crime-and-human-trafficking/corruption/docs/acr_2014_en.pdf

³ http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/corruption/anti-corruption-report/docs/2014_acr_romania_factsheet_en.pdf

strategy is monitored by the NAS Secretariat of the Ministry of Justice. The National Integrity Agency (ANI) checks conflicts of interests, incompatibilities and personal wealth of public officials. A wide range of public officials, including high-level positions, are subject to strict asset disclosure obligations and their asset declarations are publicly accessible.

The EU Anti-Corruption report observes positive results in particular in the prosecution and, more recently, in the adjudication of high-level corruption cases, as a result of efforts undertaken by specialized law enforcement bodies, prosecutors, and judges.⁴ Indeed, Romania first and foremost has taken a repressive approach in fighting corruption. An elaborate legal framework to combat corruption has been created, in which a wide array of corrupt behaviors has been criminalized by special laws: besides all sorts of bribery, also trading in influence and elements of patronage and nepotism which are connected to other types of economic crimes. The National Anti-Corruption Directorate (DNA), an independent and specialized prosecution office with far-reaching investigating powers, has been set up for investigating high-level corruption cases. DNA has a solid track record of non-partisan investigations into allegations of high-level corruption.⁵ Many high-level politicians and public officials have been prosecuted and convicted for corruption offences, including members of the judiciary, law enforcement officials, and people from a wide range of sectors: transport, infrastructure, healthcare, extractive industries, energy, agriculture, sports. The increase in the number indictments and convictions was shown by Nicolea e.a. (2013, p. 7):



* Cases prosecuted by National Anticorruption Directorate (DNA) - medium and high level corruption. Source: DNA annual reports

⁴ Ibid note 3, p.15.

⁵ Ibid note 3, p. 2.

Between January 2006 and December 2013, 2547 defendants were convicted in final court decisions, of which almost half held political office, including one former prime minister, 3 ministers, 14 members of parliament, 2 state secretaries, 2 presidents of country councils, 49 mayors, deputy mayors and prefects, 34 judges and prosecutors, 79 directors of national companies and public institutions and 110 officials from control authorities.⁶ The confirmation rate of DNA indictments through final court decisions has reached over 90%.⁷

This research project

So while Romania has a high prevalence of corruption, the Romanian government is implementing an ambitious anti-corruption strategy, while the judiciary is applying a radical criminal justice response affecting many corruption offenders. In spite of the importance of knowledge about the causes of corruption for the development of effective anti-corruption interventions, up until now, however, there is still a lot of uncertainty about what motivates individuals to engage in corrupt transactions. In addition, hardly anything is known about the consequences of a conviction for people's personal and professional life.

The Kingdom of the Netherlands is supporting Romania in enforcing the Rule of Law to meet the CVM- benchmarks. The Romanian Ministry of Justice proposed the Netherlands Ministry of Foreign Affairs, a project aiming to support the implementation of the measures adopted in view of achieving progress on the benchmarks set up under the CVM. The project is structured in two components, each corresponding to two of the benchmarks under which Romania is assessed under the CVM, respectively the reform of the judiciary and the fight against corruption. For the second component – supporting the monitoring of the National Anticorruption Strategy – the corruption phenomenon in Romania was to be analyzed by a criminological study. This criminological study should aim at gathering direct experiences of corruption practiced by corruption offenders. In this regard, a partnership with a law university/faculty was to be concluded, which would facilitate the involvement of students for conducting interviews, as part of this study. These activities were to be conducted under the direct supervision of the NAS Secretariat with the support of Dutch expert(s). The outputs of the analysis on of the corruption phenomenon in Romania should contribute to the fulfillment of the Secretariat's function to monitor the impact of NAS by scientific instruments. To achieve these aims, the NAS Secretariat invited the Faculty of Law of the University of Bucharest and the School of Criminology of the Faculty of Law of VU University Amsterdam to jointly conduct the proposed criminological study on the phenomenon of corruption in Romania.

⁶ DNA's 2013 Annual Report, pag. 55 (http://www.pna.ro/faces/bilant_activitate.xhtml?id=27).

⁷ Ibid note 3, p. 6.

A number of Romanian public institutions supported the project at various stages: the National Prison Administration, the National Probation Directorate, the National Anticorruption Department and the Prosecutor's Office attached to the High Court of Cassation and Justice.

1.2 The goal of the project

Fighting corruption is a condition for upholding the Rule of Law. Anti-corruption policies should strike an optimal balance between effective crime control and due process. The goal of this research project was to gain more insight into possible causes and consequences of corruption in Romania, by tapping into the direct experiences of people convicted for committing corruption offences. This insight is seen as a condition to develop effective anti-corruption interventions. In evidence-based policy making, interventions should be aimed at the root causes of a social problem while the detrimental effects of these interventions should be minimal.

For these purposes, a questionnaire was administered to people convicted for a corruption offence to uncover which individual and situational factors were related to corruption. Further, an interview study was conducted to better understand why people committed corruption and the consequences of their conviction for their personal and professional life and future behavior.

1.3 Theoretical framework

While many academic studies on corruption have been conducted, not many of these studies aim to gain insight into why offenders engage in the crime of corruption. Most studies are perception studies that assess the perceived levels of corruption in countries. Many studies on the causality of corruption look at macro-level factors and study for instance how economical conditions and characteristics of politics, government and civil society on a national level are related to differences in the prevalence of corruption between countries (Dong, Dulleck & Torglet, 2012). Such studies however do not provide insight into why certain individuals – given specific country conditions – engage in corruption, while others do not. In addition, societal or organizational factors are generally extremely stable. As a result, this knowledge is less likely to lead to the development of effective tools to mitigate corruption within countries and organizations. Investing in a better understanding of why people make corrupt decisions may, within a given country, ultimately lead to practical tools that may withhold those who are prone to corruption to sustain from engaging in such transgressions (Gorsira, Denkers & Huisman, forthcoming).

From a criminological perspective, acts of corruption would be seen as the result of corruption-prone people who engage in criminogenic environments (Huisman and VandeWalle, 2010). So corruption is seen as the outcome of the interaction of individual and situational factors. The challenge then is to identify these factors that are expected to be causally related to corruption. The rare studies on individual-level causal factors of corruption as well as theoretical frameworks on the causation of white-collar crime (as corruption is widely seen as a white-collar crime) offer various such factors (Huisman and VandeWalle, 2010; Coleman, 1987). For this research project, the factors examined were similar to the ones investigated in a study on explanations for corruption in the Netherlands (Gorsira et.al, 2014; Gorsira, Denkers & Huisman, forthcoming), added by situational factors that seemed relevant in post-communist countries (Tavits, 2010; Roman, 2014). Below, these factors will be introduced and elaborated.

Corruption

This study tries to explain corruption. For this purpose, corruption is operationalized in two ways:

- Actual corrupt behavior. The proxy was the corruption offence for which the respondent had been convicted.
- Corruption-proneness. Respondents were asked about their intentions to engage in acts of corruption in the future.

Individual factors

This study tried to understand how corruption is related to individual and situational factors. Individual factors are seen as integrally tied to individual offenders. The following individual factors were included:

Values are "desirable goals, varying in importance, that serve as guiding principles in people's lives" (Schwartz, 1992, p.21). Values are very stable over time and transcend situations. We distinguish three types of values relevant for corruption: egoistic values, altruistic values and hedonic values. People with strong egoistic values focus on a good outcome for themselves, people with strong altruistic values on good outcomes for others and people with strong hedonic values on having fun in life.

Motivations are defined by Coleman as 'a set of symbolic constructions defining certain kinds of goals and activities as appropriate and desirable and others as lacking those qualities.' (Coleman,

1987). Motivations refer to the reasons why individual offenders, given a certain situational factors, want to engage in corruption.

Rationalizations are the verbal techniques offenders use to neutralize the seriousness and culpability of their behavior. A rationalization is in essence a reasoning that allows people to violate laws or other normative standards without having to consider themselves to be deviant or criminal (Coleman, 1987). Especially when their involvement cannot be denied, they will look for rationalizations to make the involvement look acceptable. Often used rationalizations for white-collar crime and particularly corruption are the denial of harm, the denial of victims, the denial of illegality, the appeal to higher loyalties and the diffusion or transfer of responsibility to others or larger groups (Coleman, 1987, Ashford and Anand, 2003).

Personal norms are an individual's own moral beliefs. Tavits (2010) found that personal norms also might play a role in corrupt actions. The risk of rule violation is highest for people with *weak* personal standards. These people use principles such as 'Rules for thee, but not for me' and 'Rules are made to be broken'. In contrast, people with *strong* personal norms do tend to adhere to rules at the workplace. In this study, personal norms about rule violation are narrowed down to personal norms about corruption: an individual's beliefs about the immorality of corruption.

Situational factors

Situational factors are seen as primarily being related to and being produced by the environment in which an offender operates. The following situational factors are included:

Social norms refer to people's perceptions of what *is commonly done* (descriptive social norms) and what *should be done* (prescriptive or injunctive social norms). Social norms are unwritten rules about how to behave in a specific context. As Dong et al point out (2012; 5) "individuals are more likely to commit crimes when those around them do". And Tavitz (2010; 9) found that people were more susceptible to corruption when they perceived that corrupt behavior was approved of and widespread among their peers. We will investigate whether people are more prone to corruption if they have the perception that relevant others (such as close colleagues, people in the same social context, etc.) approve of corruption or do not adhere to the rules about corruption.

Economic conditions have been the most cited explanations for corruption (Andvig & Fjeldstad, 2001). Economic conditions might serve as a motivation for corruption as well as a rationalization for

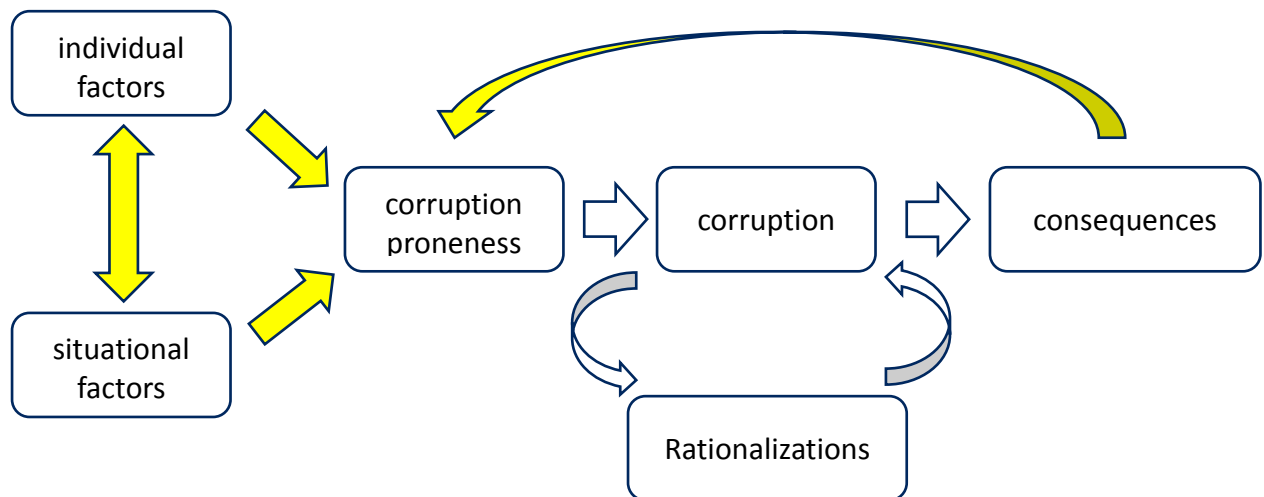
corruption. Economic strains might give individuals the perception that corruption is necessary and/or justified for economic survival. Economic conditions relate to the macro level (e.g. GDP-per capita) and the micro level (e.g. the wage of the respondent).

Trust in government is a situational factor that is seen as relevant for understanding (increased) levels of corruption in post-communist societies (Tavits, 2010; Roman, 2014). During the communist era, 'stealing from the government', was seen as common, acceptable and necessary for survival. Till today, this might have an influence on the moral evaluation of corruption. Furthermore, a period of strong political, economic and cultural transition can create a situation of anomie (Passas, 1990), in which norms are unclear and the boundaries between what is acceptable and what is not are blurred.

Opportunities relate to the specific situational conditions can make corrupt behavior more or less attractive. In our study, we distinguished two types of opportunities; the perceived possibilities to comply with corruption rules and the possibilities to break these rules. We investigate whether people are more prone to corruption if they find the rules easy to break and difficult to comply with.

Costs and benefits of corruption also shape the perceived attractiveness of opportunities for corruption. According to rational choice theory, corrupt decision-making is the result of balancing the pros and cons associated with corruption. Costs are the possibility of detection and the costs associated with detection. Benefits of corruption are financial gain, excitement, pleasure, reduction of frustration etc. Perceived costs and benefits can influence the motivation to engage in a corruption offense, while the actual benefits and costs in the form the consequences of getting caught and being convicted for the offender's personal and professional life might impact the intention to commit corruption in the future.

The dependent corruption variables and the independent individual and situational factors can be presented in the following theoretical framework that underlies the studies of this research project on corruption in Romania:



1.4 Methodology

This research project consisted of two studies: a questionnaire survey and an interview study. For executing these studies, the following steps were taken.

Questionnaire construction

A questionnaire was constructed to measure the individual and situational factors expected to be related to corruption, as well as corruption-proneness (tendency for corrupt behavior). The questions were formulated in a general, neutral and non-offensive manner. Each variable was measured by multiple questions. Most were answered on a scale from 1 (completely disagree) – 7 (completely agree). Control questions were added in order to control for social demographic factors (age, gender, social economic situation, etc.) and truthful answering (social desirability, 'lie-scale').

Part of the questions were developed exclusively for this study, while part of the questions were derived from a Dutch study on corruption-proneness (especially on individual factors, for international comparative purposes: Gorsira et.al. 2014) and part of the questions were derived from perception studies on corruption in post-communist countries (Tavits, 2010).

The questionnaire was accompanied by an introduction letter, explaining the nature and the purpose of the study. Taking into account the fact that many respondents might feel that they did nothing wrong and/or denied being guilty of committing a corruption offence, the letter made clear that although the respondents had been selected because accusations against them had been made

(assuming that they wouldn't deny this), however, the questions were about their thoughts and opinions on the topic of corruption.

Sampling

The survey was administered to a sample of the population of offenders convicted for corruption offences (according to the Criminal Code and Law no. 78/2000) who were serving a sentence in the criminal justice system (n=1200) at the time of the survey. As of January 2014, this target group consisted of:

- 212 respondents in penitentiary facilities
- 988 under surveillance of the probation service

The numbers changed significantly until August – September, when the questionnaires were administered. In August 2014, there were 316 potential respondents in penitentiary facilities.

The aim was to administer the survey to all respondents in penitentiary facilities (n=100%) To this end, the questionnaires were disseminated to the entire prison population serving corruption-related sentences (316), and most of the inmates (265) agreed to fill them in (giving a response rate of 84%). For the respondents under the surveillance of the probation service a convenience sample was used: those respondents with a regular moment of contact with the probation service during the project had been asked to fill-out the survey.

Administering the survey

The questionnaires were filled out by respondents individually, in a pencil and paper format, in a room different from their cells. They were collected by each prison's administration and sent in bulk, in a closed envelope, to the central HQ of the National Prison Administration, who forwarded them to the Ministry of Justice.

Analysis

The filled-in questionnaires were entered into Excel by students under MoJ supervision. The Excel-files were transported to SPSS for further statistical analysis. First, the correlations (the degree of relationship between two variables) between the individual and situational factors and corruption-proneness were analyzed. Second, it was estimated how the dependent variable (corruption-proneness) changed when any one of the independent variables was varied, while the other independent variables were held fixed. This gives insight in which individual and situational factors were most important for explaining corruption-proneness.

The interview-survey

The second work package was the interview-survey. The goal of the interview-survey was to do a more in-depth study of the correlates found in the questionnaire-survey and to get a deeper understanding of the causes of corruption.

Construction of the interview guide

An interview guide was drafted that contained the topics that were to be discussed during the interviews. These topics focused on: the case of corruption the respondent had been convicted for; the individual and situational factors that may have contributed to the respondent's behavior; his/her reflection on the case, the problem of corruption and the way this is being dealt with; and the consequences of the conviction for the respondent's personal and professional life as well as future behavior. The topics and interview questions were partly based on the items of the questionnaire study, to get a better understanding of the meaning of these outcomes. The interview guide was designed by the research team in English (see attachment 5.2) and subsequently translated into Romanian for use by the interviewers. The interview guide was tested in several test-interviews.

Sampling

A sample was made consisting of respondents to the questionnaire study who indicated their willingness to participate in the interview study. The selection was made based on factors expected to be related to corruption based on the experiences of the supervisory team and the outcomes of the questionnaire study. While practical limitations prevented an exact representative sample of the respondents in the questionnaire study, roughly a similar distribution of relevant factors was strived at, such as high-level/petty corruption, relevant occupations (public office, judiciary, police, customs, public procurement, education, health care), sex, age and level of education. Respondents were approached and invited via the National Administration of Penitentiaries and the National Directorate for Probation.

Conducting interviews

The interviews were conducted by semi-structured interviewing: open questions were asked on the basis of a topic-list. First, the general aim of the interview study was explained to the respondents and then the interview-topics were introduced, to which the respondent was invited to reflect and respond. The interviewers summarized the answers and followed up by asking probing questions on

the basis of the answers. ('So, you say that you did not agree with the new policies that had to be implemented. Can you please elaborate on that?'). The interviews were conducted by couples of interviewers. One of the interviewers introduced topics and asked questions, the other took notes.

Transcription and analysis

The notes made during the interviews were worked out into a full transcript of the interview. The analysis of the interviews was done by coding the relevant passages of the interview-transcripts (relating to the interview topics) and comparing these to conduct a further analysis.

1.6 This report

This report is structured as follows. Chapter two will discuss the execution and the results of the questionnaire study. Chapter three will discuss the execution and the results of the interview study. Chapter four will summarize the main findings of both studies and will draw conclusions about the causes and consequences of corruption in Romania from the perspective of corruption offenders. Also, the limitations of this study and opportunities for further study will be discussed.

2 The questionnaire study

To gain a better understanding of people's motivations for engaging in acts of corruption, a questionnaire was administered to people who had been convicted for a corruption offence. As the goal was to shed light on why people decide to engage in corrupt transactions, the questions were directed at respondents' own values, beliefs and behaviors. Hence, this first study made use of surveying offenders, a method that is gaining popularity in corruption research (Andvig & Fjeldstad, 2001). The administered survey was based on a questionnaire that was developed by the department of Criminal law and criminology of the VU University Amsterdam⁸. The questionnaire was translated from Dutch into English by the Dutch researchers, adapted to the Romanian situation by the Romanian Ministry of Justice and the Bucharest Faculty of Law and extended by questions about personal and professional consequences of a conviction for corruption. The survey was translated from English into Romanian and pre-tested.

2.1 Procedure & respondents

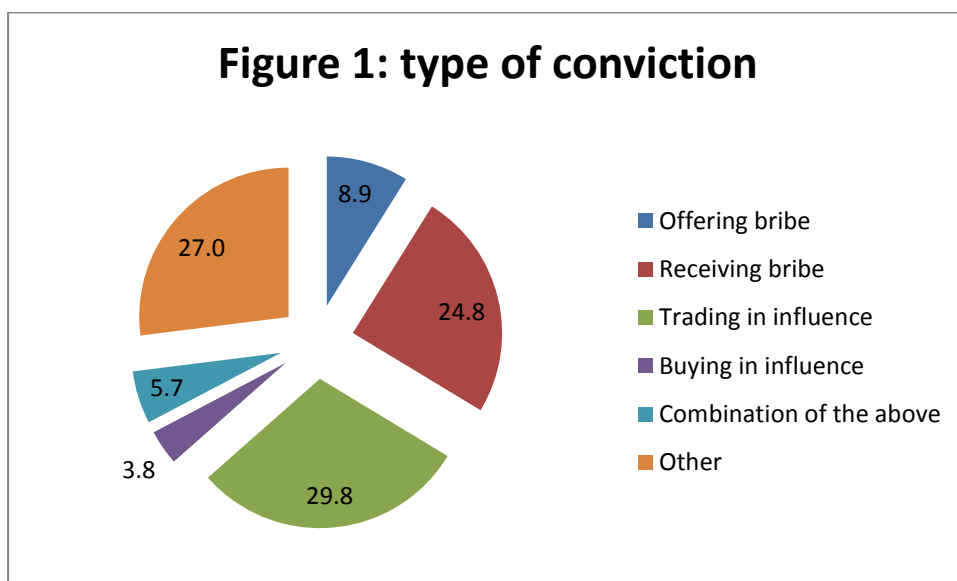
The questionnaires were distributed in July-September by the National Administration of Prisons and the Probation Services. The questionnaire was presented to the respondents in a paper and pencil format. Completing the questionnaire took about twenty to forty minutes. Participation in the survey was voluntary and anonymous. The introduction of the survey stated that a criminological survey was conducted regarding the direct experience of persons convicted for corruption offences, as part of the project "*Further measures for achieving progress on the Co-operation and Verification Mechanism's benchmarks*", co-financed by the Romanian Ministry of Justice and the Ministry of Foreign Affairs of the Netherlands, carried out by a research team consisting of the Romanian Ministry of Justice, the Law Faculty of the Bucharest University and the VU School of Criminology of the VU University Amsterdam, in partnership with the Romanian National Anticorruption Directorate and the Romanian Prosecutor's Office attached to the High Court of Cassation and Justice, and with the support of the Romanian National Directorate of Prisons and the Romanian National Probation Directorate. The introduction made clear that the survey results served social scientific research only⁹.

⁸ Gorsira, M., A.J.M. Denkers, W. Huisman (forthcoming) Motives of corrupt-transactions between business employees and public officials

⁹ The English questionnaire is attached as an appendix to this report

The questionnaire was filled out by 315 convicted offenders). Of the convicted offenders in the sample, 81% served a prison sentence, while 19% were under probation¹⁰. Before examining which factors could explain the respondents' engagement in corrupt transactions, we took a closer look at their background.

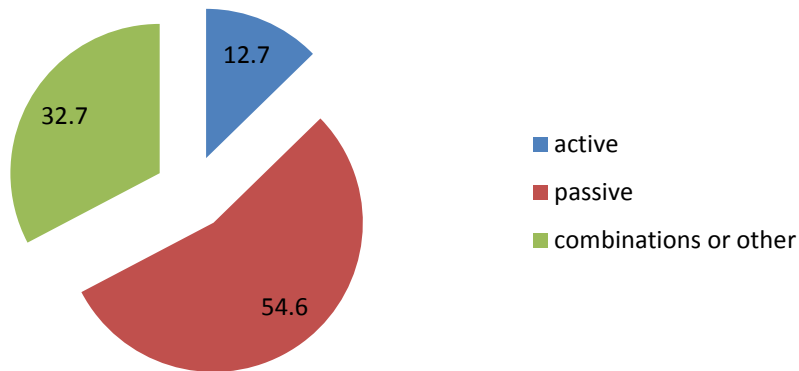
First, we looked at the type of offence the people in the sample were convicted for. As can be seen in Figure 1, the majority of respondents was convicted for trading in influence, followed by receiving a bribe and other corruption related offences (see Figure 1).



In the corruption literature, a distinction is often made between active and passive corruption. People who commit active corruption offer, promise or give bribes; people who commit passive corruption are the ones who accept, expect or request these bribes. Offering bribes and buying in influence could be regarded as forms of active corruption, while receiving bribes or trading in influence could be considered forms of passive corruption. Figure 2 shows that most people in the sample were convicted for a combination of either active and passive corruption or a form of corruption that was not among the response categories, followed by passive corruption. Just a small part of people in the sample was convicted for an offence of active corruption.

¹⁰ We were able to reach the latter participants because they had a meeting scheduled with their probation officer at the time of data collection. Further, these figures represent the sentence respondents were executing for corruption (suspended or not). Regarding the conditions under which the questionnaires were administered, 84.1% were in prison (already serving a different sentence when they were also convicted for corruption under suspension) and 15.9% under probation. 9 respondents make this difference, being convicted for corruption while already in prison under a different conviction.

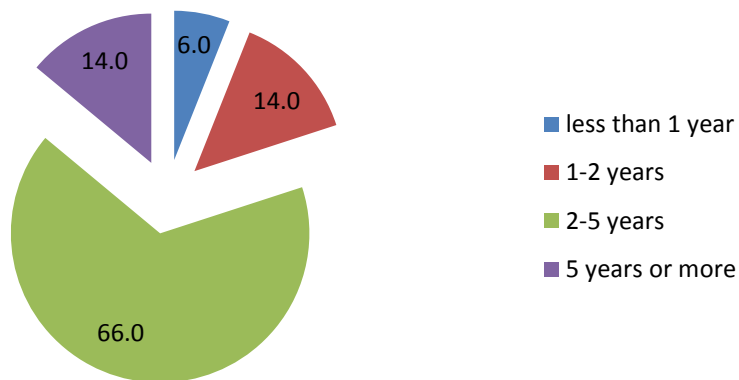
Figure 2: side in corrupt exchange



b

Most people in the sample were sentenced to two to five years in prison (see Figure 3).¹¹

Figure 3: length of sentence



The majority of the participants in the study were male (Figure 4), between 41 and 50 years old (Figure 5), Orthodox (Figure 6), married (Figure 7) and highly educated (Figure 8).

¹¹ Most penalties in Romania are between 2-5 years (irrespective of the crime committed). See http://www.insse.ro/cms/files/Anuar%20statistic/22/22%20Justitie_ro.pdf p. 628, and <http://www.insse.ro> – Romanian National Statistics Institute.

Figure 4: gender

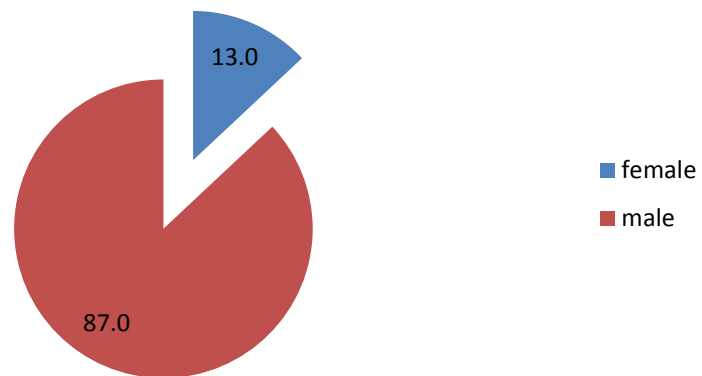


Figure 5: age

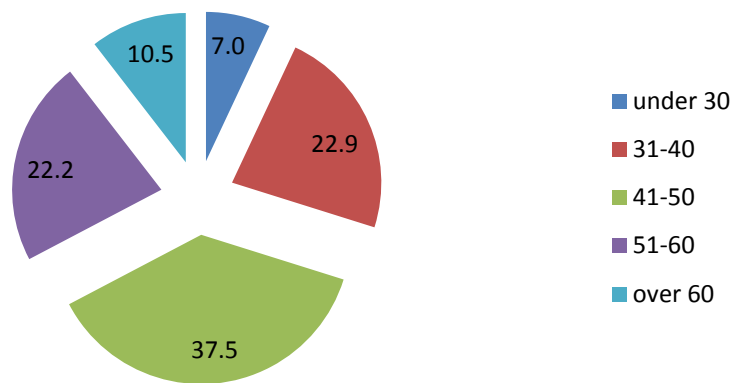


Figure 6: religion

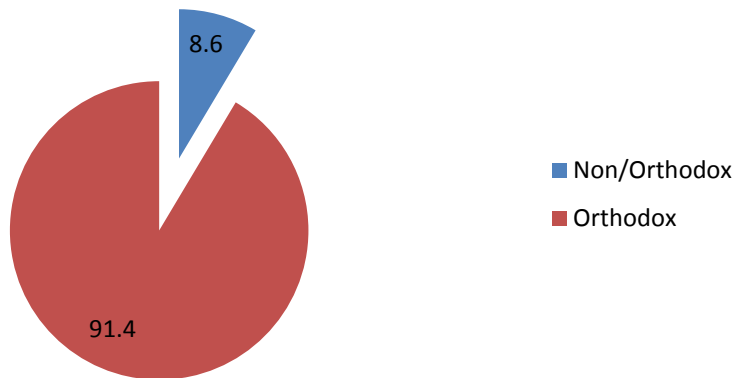


Figure 7: family status prior to conviction

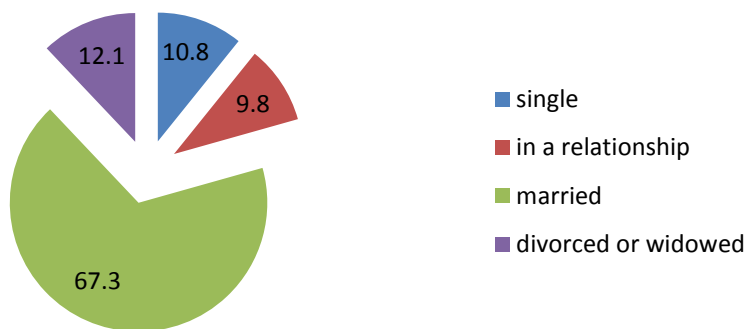
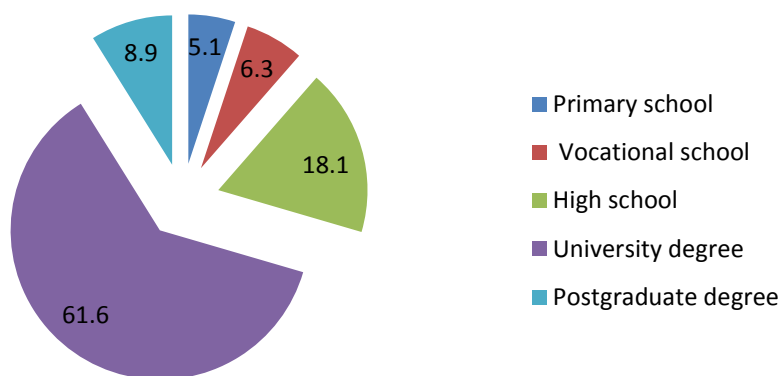


Figure 8: level of education



Regarding their professional life prior to conviction, most respondents in the sample indicated that they received a salary (Figure 9) and worked in local administration or the private sector (Figure 10). Most respondents regarded their social status prior to conviction as average or above average (Figure 11).

Figure 9: financial status prior to conviction

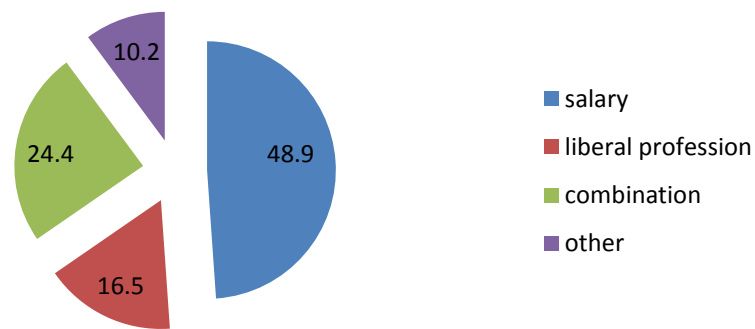


Figure 10: workplace prior to conviction

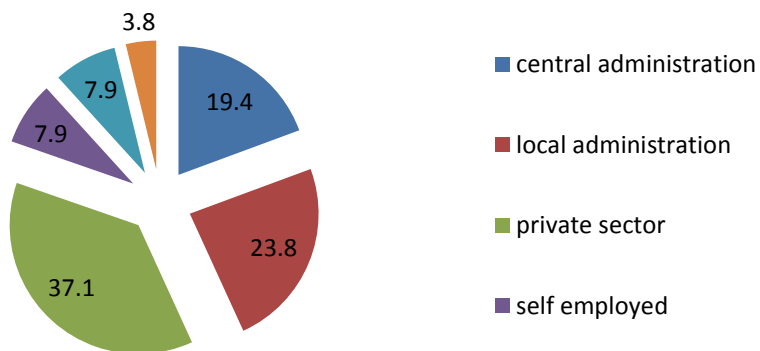
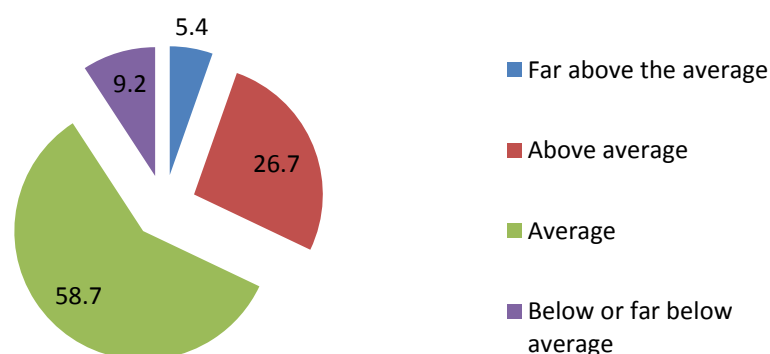


Figure 11: social status prior to conviction



2.2 Measures

In the survey, questions were asked about corrupt behavior and possible motives for corruption, as the aim was to examine relationships between the two. In the study carried out in The Netherlands, the respondents (none of whom had been convicted for a corruption offence) were asked whether they had engaged in acts of corruption in the past, to examine which of the motives could explain why they had or had not engaged in corrupt conduct. In the current study, however, it did not make sense to ask whether the respondents had engaged in corruption in the past, as the Romanian court ruled that they all had done so. Therefore it was not possible to differentiate the sample in a group that had engaged in corruption and a group that had not, and then to investigate which of the motives could explain these differences in behavior. Hence, instead of asking questions about past corrupt behavior, we asked the Romanian respondents whether they did or did not have an intention to engage in acts of corruption in the future.

Intention to corruption was measured by four items (e.g. “In the foreseeable future I can imagine that at my work a situation could arise in which I... ask money, goods or services from someone outside of my organization in exchange for preferential treatment”; “... accept money, goods or services from someone outside of my organization in exchange for preferential treatment”) on a 7-points Likert scale (1 “not at all” – 7 “to a great extent”). The average score across the scale was computed, which formed an internally reliable scale ($\alpha = .78$; $M = 1.51$, $SD = 1.032$).¹² Because most

¹² α (Cronbach’s alpha) = indicates the reliability of a scale, i.e.: the extent to which the questions of a scale “measure the same thing”. In most social science research, a reliability coefficient of .60/.70 or higher is considered acceptable. M (Mean) = the arithmetic mean across the observations, i.e. the average score of the

respondents indicated that they did not have an intention to engage in corruption, the data was not normally distributed (in a normal distribution, the data tends to scatter around a central value, without a bias to the left or the right side). Because many statistical analyses require a normal distribution of the data, the corruption scale was dichotomized, in order to be able to perform statistical analyses without violating the assumptions. Two groups were formed, one group with corrupt intentions (respondents who scored a four or higher on the intention scale, which was 21%), and one group without (79% of the respondents).

In addition to whether respondents could imagine engaging in an act of corruption, we also asked whether they could imagine situations in which they would engage in other forms of non-ethical behavior. Apart from that it could be interesting to explore whether the same factors may underlie both corruption and other forms of non-integrity, another reason to include questions about non-integrity more generally was as a safeguard, in case people did not want to admit the intent to engage in corruption – behavior they were punished harshly for, after all.

Intention to non-integrity was measured by five items (e.g. “In the foreseeable future I can imagine that at my work a situation could arise in which I... tell a small lie in order to receive personal gain”; “... take a flexible stand on integrity rules in the pursuit of financial gain”) on a 7-points Likert scale (1 “not at all” – 7 “to a great extent”). The average score across the scale was computed, which formed an internally reliable scale ($\alpha = .87$; $M = 1.38$, $SD = .890$). Since the data on the non-integrity scale was also not normally distributed, two categories were formed, one for people who intended to behave in a non-ethical way (respondents who scored a four or higher on the scale, which was 13%), and a group who did not (87%).

Personal norms regarding corruption were measured by eight questions concerning feelings of moral obligation to refrain from corruption (e.g. “Prior to conviction... I would have felt guilty if I gave someone from outside of my organization preferential treatment in exchange for money, goods or services”; “... I felt responsible for pursuing honest decision-making in my work, even if the consequences were at my own disadvantage”). Questions were scored on a 7-points Likert scale ranging from 1 “completely disagree” to 7 “completely agree”. Mean scores on the eight items were computed, which formed a reliable scale. The mean score indicates that most respondents felt a strong moral obligation to refrain from corruption ($\alpha = .69$; $M = 5.53$, $SD = 1.162$).

participants on the scale. SD (Standard Deviation) = a measure of how spread out the data on the scale are. The larger the standard deviation is, the more spread out the observations.

Injunctive norms refer to people's perceptions of what others find desirable and undesirable in a certain situation. Injunctive norms were measured by eight items (e.g. "Prior to conviction, I believed my colleagues would have felt guilty if they gave someone from outside of their organization preferential treatment in exchange for money, goods or services"; "I believe there is no problem with accepting what you are offered because everybody does it at a certain level"), which were answered on a 7-points Likert scale (1 "strongly disagree" – 7 "strongly agree") and formed a reliable scale ($\alpha = .83$; $M = 4.95$, $SD = 1.351$). The mean score indicates that respondents had the perception that corruption was disapproved of by others.

Perceived opportunities to engage in corruption was measured by seven items (e.g. "At my workplace, there were many opportunities where I could be bribed"; "If I wanted to, I could make my decisions at my workplace based on improper ground"; "At my workplace, it was difficult to adhere to the rules when doing business with people with whom I had a personal relationship"), which were scored on a 7-point Likers scale (1 "strongly disagree" – 7 "strongly agree") and formed a reliable scale ($\alpha = .79$; $M = 3.99$, $SD = 1.836$).

Next, questions were asked about the costs and benefits the respondents expected from engaging in corruption. Questions regarding these two factors were asked in a little less direct manner than the other questions. Although we were interested in the respondents' own perceptions about the costs and benefits of committing corruption, we decided to ask them what they thought the costs and benefits would be for others when they would engage in corruption. Because people often tend to overestimate the level to which other people share their beliefs (i.e. the false consensus effect), we expected that asking the questions in a little less direct manner would still offer insights into the respondents' own assessments of the costs and benefits associated with corruption.

Benefits of corruption were measured by ten questions (e.g. "If somebody is bribed... it would make his job more exciting"; "... it would have a positive impact on his financial situation"; "... it would increase his status") on a 7-point Likert scale ranging from 1 ("strongly disagree") to 7 ("strongly agree"), which formed an internally reliable scale ($\alpha = .89$; $M = 3.17$, $SD = 1.523$).

Costs of engaging in corruption consisted of two elements, namely the perceived chance of detection and the severity of punishment ("Suppose that somebody bribed a public official/ somebody was bribed by someone from a private company. How likely do you think it is that the following persons and institutions would discover this, and how serious do you assess the negative consequences if the discovery was made by: direct colleagues; a manager; an enforcement agency; a

relative; a friend”) on a 7-point Likert scale ranging from 1 “extremely unlikely” to 7 “extremely likely” and 1 “no consequences” to 7 “severe consequences”. The items measuring chance of detection and severity of consequences formed reliable scales ($\alpha = .71$; $M = 3.79$, $SD = 1.545$ for chance of detection and $\alpha = .82$; $M = 4.22$, $SD = 1.569$ for severity of consequences).

Salary satisfaction measured the extent to which respondents were satisfied with the wage they had earned prior to their conviction. The factor was measured with five items (e.g. “My wage prior to the deed which caused the conviction was fair”; “Prior to the deed, I believed that my friends, who were working as much as I was, were making more money than me”) on a 7-point Likers scale (1 “strongly disagree” – 7 “strongly agree”), which formed a reliable scale ($\alpha = .86$; $M = 4.49$, $SD = 1.868$).

Trust in the system consisted of eight items (e.g. “Public officials in my country are trustworthy”; “I have confidence in public institutions in my country”) measuring the extent to which respondents trusted public officials and public institutions in Romania. The questions formed a reliable scale ($\alpha = .92$; $M = 3.11$, $SD = 1.534$) and were answered on a 7-point Likers scale (1 “strongly disagree” – 7 “strongly agree”).

Values were assessed by a questionnaire comprising twelve items reflecting egoistic, altruistic and hedonic values. People with strong egoistic values focus on a good outcome for themselves, people with strong altruistic values on a good outcome for others, and people with strong hedonic values on making fun (Steg, Perlaviciute, van der Werff & Lurvink, 2014). Respondents rated the importance of these values as “a guiding principle in their lives” on a nine-point scale, ranging from –1 “opposed to the value”, 0 “not at all important” to 7 “of supreme importance”. The questions measuring the three values formed reliable scales ($\alpha = .83$; $M = 2.70$, $SD = 1.832$ for egoistic values, $\alpha = .63$; $M = 5.41$, $SD = 1.254$ for altruistic values and $\alpha = .79$; $M = 3.32$, $SD = 1.847$ for hedonic values).

We also asked questions to measure the extent to which respondents answered the questions in a socially desirable manner. Although social desirability poses a threat to all self-report studies, this could be even more so in the current study, as the participants were asked to disclose information to a research team consisting not only of scientists, but also of officials of the Ministry of Justice. By measuring socially desirable response tendencies, it was possible to determine the extent to which participants answered the questions in a socially desirable manner, and to correct the findings for this social desirability bias.

Social desirability was measured by seven items (e.g. “At my work it has happened to me that I... did not keep a promise”; “... violated a rule”; “...benefitted from someone else”) on a 7-points Likert scale (1 “never” – 7 “often”), which formed a reliable scale ($\alpha = .82$; $M = 6.08$, $SD = 1.132$). The scores on the scale were reversed during scale construction, so the average score of 6.08 indicates that people indeed responded in a rather socially desirable manner.

Background factors such as age, gender and educational level were measured in the survey as well and were included in the analyses as control variables.

Missing values

Because the survey was presented to the respondents in a paper and pencil format, it was not possible to make sure respondents answered all the questions before handing in the survey. Hence, there was quite some missing data. Because it is important to have as little missing data as possible when performing statistical analyses, missing values were corrected for by adding the mean answer of the other respondents on the particular question with a missing data to the respondents’ mean answer on the scale that the question was part of, and dividing this by two.

2.3 Results

First, the relationships were examined between corrupt intentions and the motives hypothesized to underlie corruption, as well as between corrupt intentions and non-integrity. To assess the strength and direction of the relations among the variables, we used the point-biserial correlation coefficient. Correlation coefficients range between +1 and -1: a positive correlation indicates that as one factor increases in its values, the other factor increases in its values as well, while a negative correlation implies that as one factor increases in its values, the other decreases. The correlations between the motives, corrupt intentions and non-integrity can be seen in Table 1. The statistics show that intention to corruption and intention to non-integrity were both significantly related to egoistic values, to hedonic values, to personal norms, to perceived opportunities and to expected benefits. These findings indicate that respondents who reported to have an intention to corruption and to non-integrity focused more than others on a good outcome for themselves, focused more on personal satisfaction and gratification, found corruption less morally reprehensible, perceived more opportunities to engage in corruption, and thought engaging in corruption would bring more benefits. The results are also depicted in Figure 12. The red line in Figure 12 means that when the bar intersects the line, a significant relation existed between that particular motive and intention to

corruption or non-integrity (in other words, the chance that the relationship was just a chance occurrence is lower than five percent). The results clearly suggest that the factors that may underlie corruption and non-integrity may be quite similar.

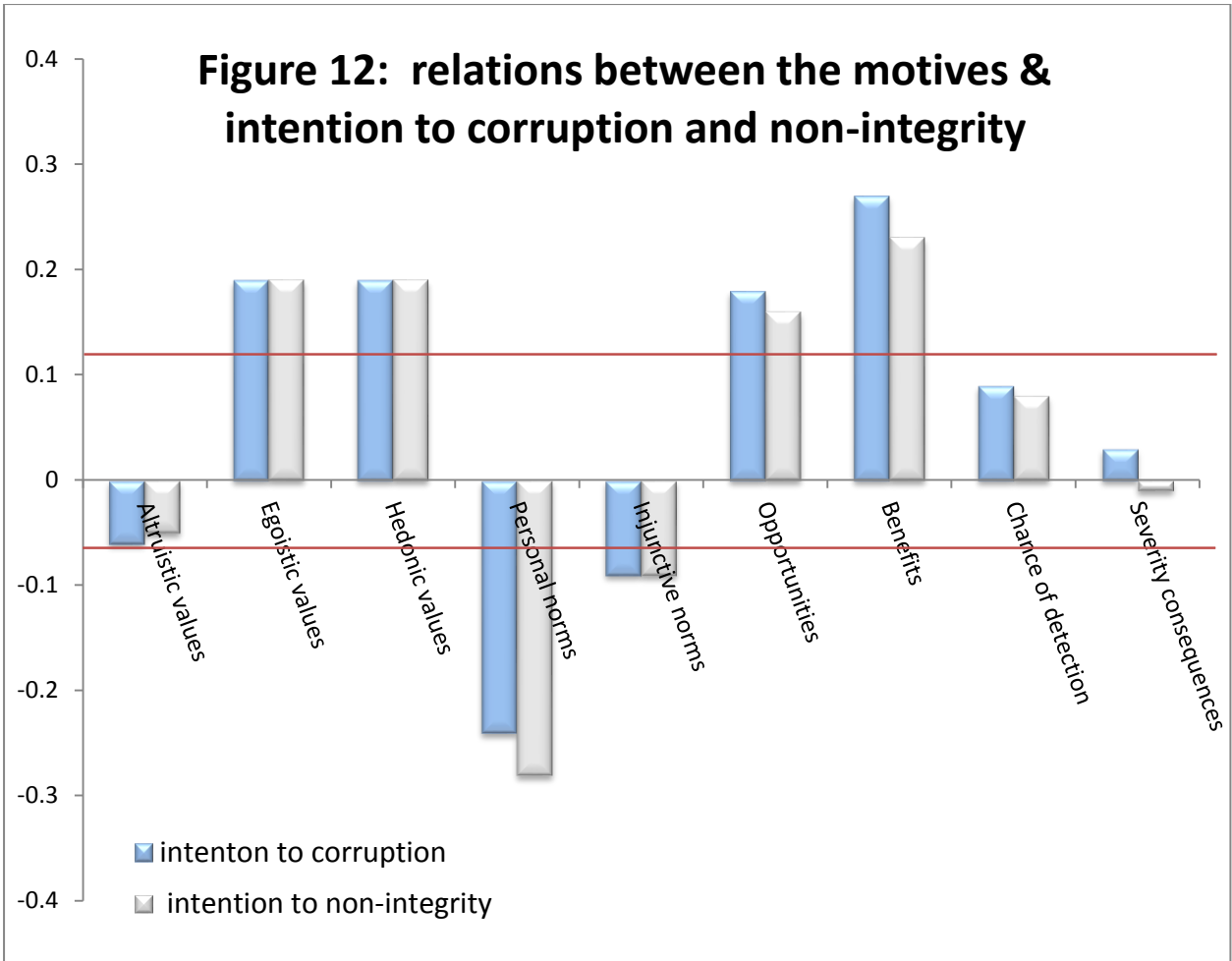
Both intention to corruption and intention to non-integrity were, however, also significantly related to social desirability, which means that respondents who indicated that they did not have an intention to corruption or to non-integrity may have portrayed themselves more favorably than they really were. As the results might therefore be biased by socially desirable response tendencies, social desirability was included as a covariate in the subsequent analyses.

TABLE 1

Point-biserial correlations between intentions to corruption and to non-integrity and the proposed motives for corruption ($n = 315$)

	Intention to corruption	intention to non-integrity
Altruistic values	-.06	-.05
Egoistic values	.19 *	.19 *
Hedonic values	.19 *	.19 *
Personal norms	-.24 **	-.28 **
Injunctive norms	-.09	-.09
Perceptions of opportunities	.18 *	.16 *
Expected benefits	.27 **	.23 **
Expected chance of detection	.09	.08
Expected severity of punishment	.03	-.01
Satisfaction with salary	-.05	.01
Trust in public officials/ Romanian system	-.01	.02
Social desirability	-.24 **	-.27 **

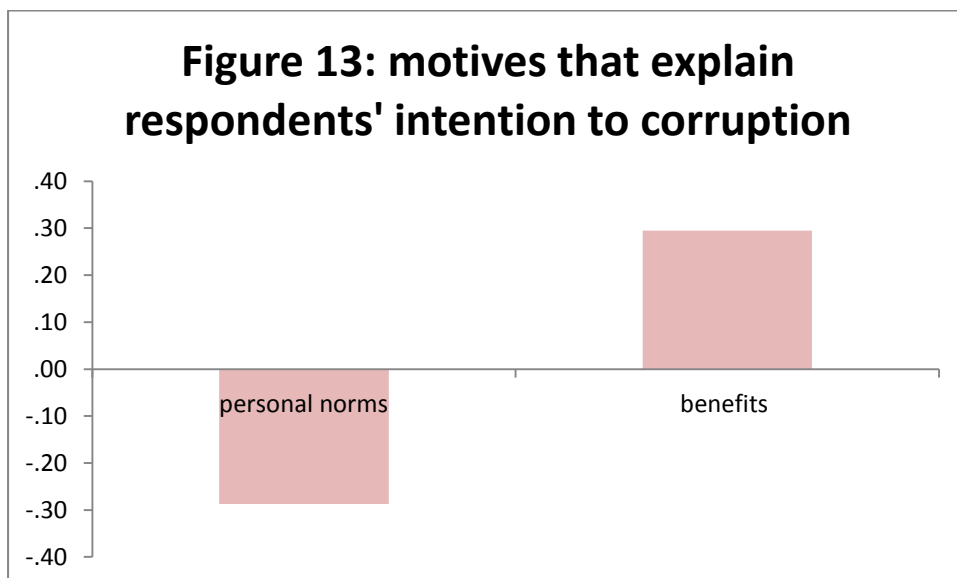
* $p < .05$. ** $p < .001$.



Which of these five motives that were related to intention to corruption and to non-integrity were best able to explain whether or not respondents had an intention to corruption? Before we investigated which motives were the most important explanatory factors, we tested whether demographic/background characteristics would have an influence on respondents' intention to corruption and non-integrity. The results indicated that none of the background factors explained respondents' intention to corruption, which means that it did not matter whether the respondents were male or female, old or young, what their highest education is, what their economic/financial status prior to their conviction was and currently is, what their family's social status was, and in which workplace they had worked at the time of the offence. The same outcomes were found when it was examined whether these background factors explained respondents' intention to non-integrity.

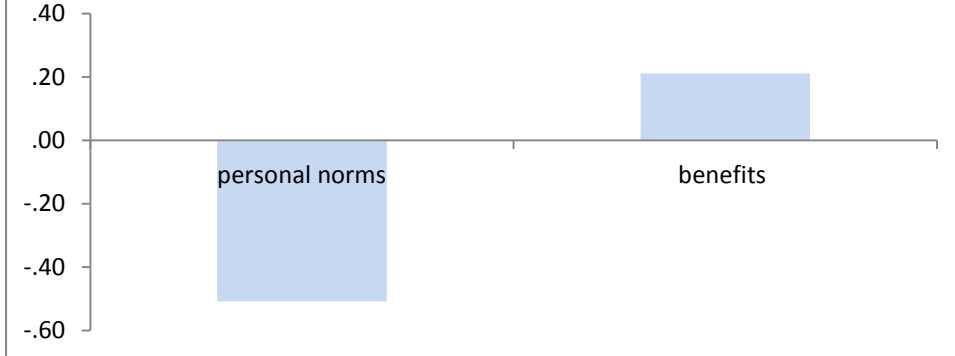
We were, however, interested most in whether the proposed motives would be able to explain if the respondents had an intention to commit corruption. A binary logistic regression analysis was performed to examine which motives were the most important explanatory factors of corruption.

Forward stepwise selection was used to investigate which of the motives would have an effect on intention to corruption. The statistics show that the factors that contributed most to whether or not respondents had an intention to commit corruption were 1) people's feelings of moral obligation to refrain from corruption and 2) the benefits they expected from engaging in corrupt transactions. Hence, it seems to be the case that respondents who saw more benefits of engaging in corruption were susceptible to corruption, while the opposite seemed true for respondents who felt a strong moral obligation to refrain from corruption. To find out whether the results were influenced by socially desirable response behavior, social desirability was also included in the model. Although the outcomes indicated that social desirability indeed explained whether or not respondents reported to have an intention to commit corruption (i.e. respondents who denied having an intention to corruption answered the questions more socially desirable than those who admitted having corrupt intentions), the pattern of results did not change after social desirability was included. Hence, irrespective of whether the outcomes were corrected for social desirability bias, the most important explanatory factors of respondents' intention to corruption seemed to be personal norms regarding corruption and expected benefits of engaging in corruption (see Figure 13).



The same picture emerged for the explanatory factors of intention to non-integrity (see Figure 14): personal norms and expected benefits explained best whether or not people could imagine to engage in unethical behavior in the near future.

Figure 14: motives that explain respondents' intention to non-integrity



Does this mean that the other motives hypothesized to underlie corruption did not play any role at all in the explanation of corruption? To investigate this, we looked at the relationships between the most important explanatory factors – personal norms and expected benefits – and the other proposed motives for corruption. The outcomes show that some of the other motives were indeed related to personal norms and benefits. For instance, respondents who reported to be less satisfied with their salary prior to conviction indicated that they would feel less guilty when they would engage in corruption ($r = .15, p = .011$).¹³ Hence, although satisfaction with salary might not have a direct influence on intention to corruption, it might be possible that dissatisfaction with wage influences personal norms regarding corruption, which in their turn influence engagement in corruption. We also found a relationship between personal norms and perception of opportunities to commit corruption ($r = .32, p < .001$): respondents who reported that they would feel less guilty when they would engage in corruption saw more opportunities to engage in corruption. Or the other way around: people who saw more opportunities to engage in corruption felt less of a moral obligation to refrain from corruption¹⁴.

In addition, we found a relation between benefits of corruption and egoistic values ($r = .33, p < .001$): people who had strong egoistic values – who focused on good outcomes for themselves – saw more

¹³ r (Pearson product-moment correlation coefficient) = measures the strength of the association between two variables. Correlation coefficients range between +1 and -1: a positive correlation indicates that as one factor increases in its values, the other factor increases in its values as well, while a negative correlation implies that as one factor increases in its values, the other decreases. p (probability) = determines the statistical significance of the results. A p -value lower than .05 ($p < .05$) indicates that it is unlikely that the results have occurred by chance alone (i.e. chance lower than 5%).

¹⁴ Only experiments offer insights in cause and effect relationships. With questionnaire studies, it is possible to examine whether two variables are related, but not whether one of them is the cause of the other.

benefits of engaging in corruption. Which of the benefits we distinguished explained best whether people had an intention to corruption? In the questionnaire, we asked the respondents to assess the importance of the following benefits of corruption: financial gain, excitement, status, a better life for your family, personal satisfaction and gratification, an increase in influence and career opportunities. Which of these possible benefits associated to corruption were the most important explanatory factors? The results indicated that of all these possible benefits of engaging in corruption, the most important explanatory factor was the expectation of personal satisfaction and gratification, followed by providing a better life for the respondents' family¹⁵. Hence, the benefits of corruption that seemed best able to explain whether respondents had an intention to corruption were the expectation of personal satisfaction and gratification, and the ability to provide a better life for their family. Hence, although it is often assumed that the most important motivator of corrupt acts is financial gain, the results of this study did not support this claim¹⁶.

Likewise, it is often argued that there might be a relation between trust in public institutions and corruption levels¹⁷. The results of our study, however, do not support this claim (see Table I), at least not on the individual level: respondents with lower levels of trust in public officials and in the Romanian system did not report a higher intention to engage in corruption, nor a stronger tendency to engage in other forms of non-integrity. Trust was, however, related to a couple of other factors, for instance, people with lower levels of trust in public officials and institutions perceived more opportunities to engage in corruption ($r = -.14$, $p < .001$), thought that their colleagues found corruption less morally reprehensible ($r = .19$, $p = .001$), perceived a lower chance of getting caught for corruption ($r = .15$, $p = .001$) and expected less severe sanctions when corrupt actions were detected ($r = .19$, $p = .001$). Hence, although trust does not seem to be directly related to intention to corruption, nor to the most important explanatory factors of corruption, the results show that they might have an effect on a couple of other possible motives for corruption.

¹⁵ The results were corrected for socially desirable response tendencies.

¹⁶ This finding is in line with the results of the corruption study in The Netherlands, where financial gain also did not turn out as an explanatory factor.

¹⁷ <http://www.ebrd.com/downloads/research/surveys/LiTS2ee.pdf>

2.4 *Conclusion*

In short, the results of the questionnaire study, in which 315 convicted offenders participated, showed that individuals seem to be more prone to corruption when they focus more than others on a good outcome for themselves and on personal satisfaction and gratification (e.g. for achieving certain goals); when they perceived more opportunities to commit corruption; when they found corruption less morally reprehensible; and when they expected more benefits of engaging in corruption. Interestingly enough, the expected costs of engaging in corruption (the chance of detection and the severity of punishment) did not seem to influence whether individuals have an intention to corruption. Of the motives that were related to corruption, feelings of moral obligation to refrain from corruption and expected benefits contributed most to susceptibility to corruption. Furthermore, the outcomes for intention to corruption are very similar to the findings for intention to non-integrity. Hence, it might be possible that the same motives underlie both corruption and non-integrity more generally. This may be an indication that interventions that are directed at corrupt behavior may have a diminishing effect as well on other forms of unethical conduct in the workplace.

3 The interview study

The results of the questionnaire study give a first and broad oversight of the individual and situational factors that are related to the corruption proneness of people who are convicted for corruption offences in Romania. For a more in-depth insight in the motivations of offenders for committing corruption, as well as the consequences of their conviction for their personal and professional life, the questionnaire study was complemented with an interview study.

In the questionnaire, respondents were asked whether they would be willing to elaborate on their views and experiences regarding corruption in an interview. Following the consent of approximately 200 people who had participated in the questionnaire study, 50 interviews were conducted, out of which 44 in prisons (in nine penitentiary facilities located mostly in the Southern part of Romania, including the sole penitentiary for women in the country – Târgșor) and six within probation services. While striving for a representative sample (so that the respondents of the the interview sample reflected the questionnaire sample with regard to sex, age and type of profession) due to practical conditions (number of prisons to be visited, respondents with appointments with the probation service) the final sample was partly a convenience sample. The method of interview was that of a semi-structured interview, with open questions/answers, each interview carried out by a team of two interviewers.

3.1 Introduction of the interviews

All interviews started with with an introduction of the interviewers, the purpose of the study and the manner in which his/her (or their) answers will be used. The anonymous recording of data was stressed.

The general goal of the study was explained as such:

The goal of this study is to better understand corruption: what are people's motivations for engaging in corruption, in which situations is it more likely to occur, and what does it mean for someone to be convicted for corruption? Therefore we approach people who have personal experiences with corruption, to hear their part of the story.

In case respondents wanted to know more about the reason for this study, the interviewers offered the following explanation:

The goal of this study is to get a better understanding of the social reality of corruption. In the European Union, Romania is perceived to have a high level of corruption and limiting corruption is an important priority of the Romanian government as well as the EU. This study was therefore supported by government of the Netherlands. Previous studies however are based on general perceptions on corruption and less on actual experiences. To this end, this study approaches people who, according to the Romanian judiciary, have personal experience with corruption.

The goal of the interview was also explained:

The goal of the interview is to get an insider view in the situation that has led to a conviction for corruption, how to better understand causes/reasons that have led to this situation, and to understand the consequences of being convicted of corruption. So we would really like to learn from your experiences.

We guarantee anonymity. Only general findings from the interviews will be published and these cannot be related to individual respondents. This study has scientific purposes and the answers given by you nor the transcripts will be used for any other purposes (such as criminal investigation).

3.2 *The background of respondents*

With the following instruction, respondents were asked about their background and personal and professional life:

Can you tell something about your life prior to the conviction: (previous) job, career, education, how long detained, personal life (married, children, parents, brothers/sisters)?

1. Most of the respondents were **male** (over 80%), over **40 years-old** (about 70%) **married or previously married** (over 75%), with **university education** (about 75%), usually having **one or two grown-up children**.

2. Although it was not a specific question because the need to respect confidentiality, this also offers an idea about the age of the respondents: a great part of them were **active middle-aged persons**, with a certain life experience.
3. Most respondents have obtained a **Bachelor or Master Degree** and some of them a PhD. Their jobs concerned a great number of activities, the respondents being managers of NGOs, police officers, judges, lawyers, professors, managers of commercial companies, accountants, engineers etc.
4. The offences for which they were convicted encompassed almost **all corruption and corruption-related offences**, such as offering bribes, receiving bribes, receiving undue benefits, trading in influence, buying influence, corruption involving EU funds etc.
5. The majority of the respondents were convicted for the first time and the **penalty** ranged from 4 years to 10 years (for respondents in prison) and around 3-4 years (for those on suspended sentence).
6. Most respondents were tried within the **regular procedure** (and not based on their admission of guilt).
7. Usually, their **conviction came many years** after they had committed their offence (4-11 years). In the majority of cases, the full procedure lasted 3-7 years and part of the respondents spent some time in jail during their trial.

3.3 *Motivations*

To learn more about motivations, the respondents were asked *why they had committed the acts for which they were convicted*. Interviewers received the instructions to only ask this question when the respondent did not totally deny the facts of the case. Interviewers asked this question when the respondents acknowledged (most of) the facts, but did not perceive their actions as corrupt. Motivation could relate to: financial difficulties, temptation, feelings of deserving the benefits, necessity to achieve certain goals, frustration, excitement, status, power.

8. When asked about the reasons they had for engaging in the offence(s) they were convicted for, most of the interviewees said they had done nothing wrong; hence, **they could not provide for a motivation for their deeds**. This is the most common answer to this question and is reflected in the pattern of the interviews: while at the end of the interview most of

them admitted that they had engaged in the behavior they were convicted for, they disagreed with labeling their actions as corrupt.

9. In the few cases where the respondent would see his/her own actions as acts of corruption, or when they did offer a motivation for what they did, the answers ranged from “*the whole system encourages corruption*”, “*there is bigger corruption at a higher level*”, “*corruption is a practice*”, “*everybody does that so I couldn’t be different*” to “*when the boss tells you to do something, you do*”, or “*otherwise I would have lost my job*”.
10. Other motivations provided were the **position** within the organization (in few cases, the respondents wanted to have a better position at their workplace) as well as the **social status** (how they are being seen by other people) or their reputation.
11. For some of the respondents, an important motivation was **financial gain** – for personal purpose, for the family or for the company owned by the respondents; they deplored low wages as public officers compared to their education level and competences. In one case, the financial gain was needed in order to prevent the home foreclosure by a bank because the respondent was unable to pay the interest rates.
12. That financial gain was the main motivator for engaging in corruption was denied by some, as the respondents had a very good financial situation and **no extra-gain was needed**. For this reason, many of them have explicitly denied the financial gain as motivation, saying that this is “*what the police wants to see*”.
13. In other situations, the involvement of the respondents in the case had the sole purpose of **helping a friend or an acquaintance** (in one case, a relative) and no financial gain was expected, although it was often subsequently received and appreciated. Some of them witnessed a relation of “*scratch my back and I will scratch yours*” type.

3.4 Moral evaluation and rationalization

Respondents were invited to reflect on their behavior in a moral sense.

How do you perceive the actions you have been convicted for in moral terms? As having done something wrong? Do you agree with the labeling of your actions as being corruption?

Following the theoretical framework, interviewers tried to grasp possible techniques of rationalization. If the respondent did not see his/her actions as being wrong or being corruption, interviewers asked why not. And if yes, the respondent was asked whether he/she could in any way justify his/her actions, by neutralizing the seriousness or the reprehensibility of the actions.

14. As most respondents believed/reported that **they had done nothing wrong**, the majority did not provide an answer to this question. In their opinion, their actions had been normal, they could not be labeled as corruption and the justification is denying the illegitimate character of these actions.
15. Some of them saw their cases as “*political files*” of the DNA or judicial errors (the latter estimated by one respondent at 20% and at 5% in corruption cases by another). Others said that corruption only concerns stealing from the State, and in their opinion that was not what they had done. According to many respondents, one can only speak of corruption when financial gain was obtained, which was not always the case. Some respondents believed that convicting people for corruption is only a “*trend*” in the Romanian society or even at European level, motivated by economic reasons.
16. Even when admitting a **mistake**, it was not considered to be serious enough to be convicted or in prison. This mistake usually concerned talking too much (e.g. offering advice to lawyers, as a judge) or choosing friends (being *nai ve*). In one case, the mistake consisted in studying too much, because “*it is wrong to study too much in Romania*”, because this offers access to higher positions and thus to a lot of grudging. However, some of them said they would not repeat their acts, because now they know what the consequences can be.
17. Many of them said that **everybody does it**, saying that corruption is a common practice (especially within public institutions or among lawyers, some of them offering percentages such as 90% for both cases) and that they could not behave differently. According to most of them, corruption is a problem of the system. In the opinion of a female respondent, “*if I don't offer something (to public officers, especially doctors – n.n.), I feel like I am not being considered*”.
18. The fact that corruption is a common practice also derives from the few respondents who admitted their facts represented corruption, although sometimes ironically, because “*three judges said so*” or “*because the legislator says so*”, but only because the concept of *lobby*

(i.e. seek to influence people, usually politicians or public officials, on a particular issue) does not exist in the Romanian legislation. In such cases, the respondents said that *“in Romania you need to have very strong moral principles, because it is very difficult not to be corrupt”*.

3.5 Social norms

For the purpose of analyzing social norms, the respondents were asked several questions. For instance, they were asked whether they considered their actions as deviant when they compared them to the action of others or whether they thought most people in the same position were doing the same. Also, the respondents spoke about their personal experience regarding the responses of relevant others (colleagues, family, friends) when these actions became known and whether such responses changed over time (just after they were arrested, during the investigation, during trial, when in prison).

19. As mentioned in the previous sections, a great part of the respondents **did not consider their actions as being deviant** because *“offering some presents”* or *“connecting people”* is a common practice everywhere in the world.
20. Even if they considered the actions to be deviant, they said that **everybody does the same thing** and they did not act independently, but within a greater structure which is the system within public institutions, as *“we live in a corrupt/sick society”* and they consider themselves as *“victim of the system”*, because *“corruption is a national sport”* or a *“cancer”*. Some general examples are given by the respondents, such as the case of the medical system or education (i.e. *“fondul clasei”* – money asked by the professors periodically for various purposes of the class/school).
21. The major concern of the respondents is that, although everybody in their position is corrupt or even if other people were involved in their case, sometimes playing a bigger role, **they had not been convicted**.
22. Some respondents who admitted committing the offences believed that it is hard to say what other people in their position would do as **it is up to every person to decide**; some are weaker and some are stronger. Some of them believed that other persons would take real advantage of similar circumstances, *“not like I did”* and others say they know people who

wouldn't have done the same thing. Last, one respondent said that only managers would do what he did and not everybody. One respondent believed that in his sector (i.e. justice) the level of integrity is very high and corruption tends to be zero; therefore, people in his position would not do something similar.

23. Concerning the reaction of friends and colleagues, the respondents believed that, before the conviction, many of those had close relationships only because they had various benefits; this is why the responses when hearing about the case changed (especially after conviction) and **only very few true friends stayed close**, because of fear, shame and, finally, "*nobody knows you in prison*" or "*who would visit you in prison?*". For a smaller part of the respondents, the reaction of friends did not change even after conviction because they did not consider the respondent to be guilty. Some of them were supported by people from whom they expected nothing.

24. Family was mostly **supportive** (especially for the respondents on suspended sentence) because "*it is the only one that stays with you during a lifetime*". Mostly, in case of imprisoned offenders, although they were astonished by the conviction, their family paid visits regularly and some relationships were even better (than before?). In some cases, the children of the respondents did not know about the conviction and believed their parent was out of the country, in the hospital or working abroad.

3.6 Opportunities

In order to address the issue of opportunities, the respondents were asked about the nature of the contacts of the people with whom they had corrupt transactions/relations and if such contacts were close. Also, they were asked how were the actions for which they were convicted related to their work or professional life, in order to find out whether their job/position gave any special authority/access to the opportunity for corruption. Moreover, there were questions asked about whether they perceived their actions as being hard to prevent and about their perception of the integrity standards or rules on corruption. The interview also wanted to investigate if any measures were taken in the working environment of the respondents to prevent such actions.

25. Regarding the nature of the contacts of the people with whom they had corrupt transactions/relations, most respondents reported that they were **colleagues, friends,**

employees, relatives or just acquaintances. In many cases, the respondents were judged or even convicted together with these persons. However, the respondents considered themselves only a pawn on a bigger structure, wherein a superior is never convicted (*“the master teaches his servant to be thief”* – *“stăpânul își învață sluga hoiață”*, Romanian saying quoted by a respondent).

26. The actions for which they were convicted **related in many cases to their work or professional life** (especially in case of passive corruption); without their job, they couldn't have committed the offence because the job offered them power, status, access to confidential information or simply the possibility to know other people (as some respondents pointed out, *“you don't know somebody who can...?”* is a pure Romanian question one can hear all his life).
27. For the respondents, corruption may be easy to prevent (*“except for the case where you are too kind”*, when it is impossible to say no when people ask for something) or not (because low wages make it impossible not to ask or expect something extra or simply because *“we live in a chaotic world”*). In any case, **integrity standards or rules regarding corruption are non-existent** or, if they exist, they are, at the same time, **easy to observe and easy to violate** (depending on each person, because *“when there is pressure, any law is difficult to observe”*). One respondent said that, although there are standards, they were created by the EU and a Romanian person does not have any education in this respect (*“it's like you introduce in the Balkans the Swedish social model”*). Integrity standards or rules regarding corruption were considered hard to comply with in some sectors (i.e. EU funds, NGOs, environment).
28. For some respondents, **no specific measures** were taken in this respect and no training was provided (in the opinion of one respondent, *“if you can find at least one document where I wrote I acknowledge such fact, I can stay an extra year in prison”*, meaning that no one informed him about what corruption means or what consequences may be). For others, the only measure was to introduce computers in their work, seminars on corruption or offering booklets (measure considered to be costly and totally ineffective).
29. Some of them considered that an important measure would be at a **legislative level**, including a better definition of corruption offences, especially concerning trafficking in

influence, because it is difficult to change people (in the Romanian society, having relations is *“in our nature”*). Anyway, for some respondents, *“having too many rules leads to many breaches of such rules”*. Other respondents said that an important measure would be a **better education** in this respect. For instance, a respondent presents a piece of advice he received: not to answer *“Yes”* when receiving a phone call, but using *“Hello”* (*“Alo”*), because *“the answer could be cropped and put in another context”*.

3.7 Costs and benefits

The respondents were asked what type of benefits of the actions for which they had been convicted they expected before executing these actions and if these expected benefits materialized. Also, they were asked whether they had considered the chance of getting caught and if so, how did they perceive this chance. Concerning costs, they were asked what type of costs of the actions they expected before they executed these actions and if they materialized.

30. Regarding benefits, since many respondents did not acknowledge the facts they were convicted for or the labeling of their actions as corruption, specifically because they had not received any compensation in return, they say **they had not expected any benefits**. Some of them said that they did not expect any benefit because they had a good (financial?) situation.

31. When such benefits were however requested or received even without being requested, they comprised **money** (in most cases and those materialized), **products** (i.e. a car), **professional motivation, pride, preferential treatment as a customer** (of a restaurant) etc. In the opinion of one male respondent, all people expect something for their actions and *“even when you offer a present to a woman, you expect something, so corruption is hypocrisy”*.

32. With respect to costs, for the same reasons presented above, many respondents said that **they had not considered the possibility of being caught** or other negative issues, because they did not perceive doing something wrong or, anyway, because everybody did the same thing, without any consequences.

33. Interviewees who admitted to engaging in corruption said they did take into consideration the chance of being caught; this is why they tried to “*get out of the scheme*”, but it was too late. The **chance to be imprisoned** was also taken into consideration, but “*once you have started, it doesn’t matter if you are corrupt several times, because the result is the same*”. Other costs were the idea of living with qualms of conscience, loss of workplace, loss of clients and the public blame, because “*when you are criminally prosecuted, people always think you are guilty*”.

3.8 Assessment of criminal justice response

Regarding the evaluation of criminal justice response, the subjects were asked if they perceived the prosecution and the conviction as being fair. Questions also concerned their relation with the lawyer and the perception about the effect of the punishment.

34. While a **majority answer** regarding the criminal justice response **cannot be established**, there were several important aspects revealed by many subjects.

35. For the few respondents who did not even acknowledge the offences for which they were convicted, the response of the criminal justice is mainly perceived **in a negative way** and the penalty is seen as too high and given “*by ambition*” of the judge. In their opinion, “*justice has nothing to do with truth*”, because most convictions are not based on evidence (“*the judge will judge what the prosecutor says and not based on the evidence*”. For one imprisoned respondent who considered himself innocent, “*I should have lied and used 320 (the procedure regarding admission of guilt which leads to the diminution of special limits of the penalty – n.n.), I would be now on suspended sentence*”.

36. For instance, some respondents believed that the **trial was not fair**, as they deplore:

- the lack of relation with the policeofficers investigating the case,
- difficult relation with the prosecutor, who is considered often as an offender himself,
- superficial treatment of the case by the judges, who had not read the file or who did not know the specific situation of the respondent because of the big number of defendants,
- lack of impartiality of the judges (e.g. because they have different relations with the prosecutors),
- costly and irrelevant experts’ opinion,

- limitation of defense right, because the judges did not allow them to speak or to interrogate witnesses or because it was impossible to propose evidence,
- huge act of indictment (brought in 5 carriages),
- there is no presumption of innocence,
- too long or too oppressive procedures (i.e. hearings every two days),
- not taking into consideration mitigating circumstances (clean criminal record, studies, illness etc.),
- involvement of media in their cases (i.e. one respondent said that the media announced his detention more than one hour before it happened),
- first hearing without a lawyer (in one case) etc.

37. Some of them said that they had initiated or they were considering initiating procedures in front of the ECHR.

38. For other respondents, even the ones who considered themselves not guilty, the interaction with prosecutors and judges was considered to be **decent and correct**, and *“they only did their job”*.

39. Regarding the **lawyers**, many respondents had several defenders during trial, either paid by the State or by themselves. For some of them, *“the lawyer did everything he could”* and the defense was proper, at normal fees (some evaluated the normal fees at 10-20,000 euros), while for others, lawyers only wanted very high amount of money (some respondents had to obtain loans to pay for the lawyer). In any case *“no one knows the case better than yourself”*, so *“actually, you make your own defense”*. Most lawyers told their clients that, even if they were convicted, they would not go to jail for such facts, but *“when they put the eyes on you, they will execute you”* (in the sense of being convicted).

40. For some of them, the penalty has a **deterrent effect**, in the sense that in the future they will pay more attention to what they say and do. For some, the duration of the penalty is normal, but not the condition within prisons (aspect revealed by various respondents). For others, the penalty is so unfair that they cannot find any positive consequence.

3.9 Personal and professional consequences

In the end, the respondents were asked how they perceived the consequences of their actions, both on their personal and professional life.

41. Regarding their **professional life**, for most of them the major consequence was the loss of workplace or of clients. For some respondents, *“the professional life is over”*, while others can start anew at any time, because *“I was not born with this profession”*. Very few offenders expressed a negative consequence on their retirement plans; many of them continue to receive pensions.
42. The consequences on the **personal life** were a lot less obvious. As mentioned above, many offenders continued to receive the support of their families (two of them got married while in prison), although minor children are not usually being told about the conviction. Of course, a lot of them expressed their regret for being far from their families and they considered that detention affects family.
43. Few respondents said that their relationships ended after conviction, either by divorce or separation. However, in the opinion of one respondent, *“70% of the inmates divorce because intimate visits are too seldom”*.
44. Other consequences were the negative effects on their public image, personal trauma and the loss of trust.
45. Some respondents still have damages to cover or judicial costs and previous loans to pay, for which families are making a huge effort. As a general conclusion, the imprisoned offenders said that it would have been better for everyone if they had been on suspended sentence, because they could have worked, in order to pay the damages and to help their families.

4 Conclusion and discussion

4.1 Conclusions

For promoting the implementation and the effectiveness of the National Anti-corruption Strategy, the goal of this study was to gain more insight into possible causes and consequences of corruption in Romania, as insight into the causes is a prerequisite for effectively targeting corruption. Therefore, a questionnaire study was administered to people convicted for a corruption offence as to uncover which individual and situational factors were related to corruption. Furthermore, an interview study was conducted to better understand why people committed corruption and the consequences of their conviction for their personal and professional life and future behavior.

The results of the questionnaire study, in which 315 convicted offenders participated, show that most factors proposed to influence corrupt behavior were indeed related to people's intention to engage in corruption, however, the most important explanatory factors were personal norms regarding corruption and the expected benefits of engaging in corruption. Of these benefits, the most important ones were the expectation of personal satisfaction and gratification, and the ability to provide a better life for their family – and not financial gain, as it is often assumed. In the survey, we also asked questions about people's intentions to engage in other forms of unethical behavior. The analyses show that the factors that seem to underlie corruption may be rather comparable to the factors that underlie non-integrity more generally.

Although the other proposed factors that were related to corruption did not explain corrupt behavior as well as personal norms and expectations of benefits, they still might have an indirect effect. For instance, although dissatisfaction with salary did not directly influence intention to corruption, dissatisfaction with salary was related to personal norms, which means that it is possible that dissatisfaction with wage influences personal norms regarding corruption, which in their turn influence engagement in corruption (i.e., people who are dissatisfied with their salary feel less guilty when they engage in corruption). We also found that people who saw more opportunities to engage in corruption felt less of a moral obligation to refrain from corruption.

Trust in government and public institution was expected to be extra relevant in Romania, while low levels of trust in the system found in post-communist countries can also serve as a justification for 'stealing from the government'. However, trust does not seem to be directly related to intention to

corruption, nor to the most important explanatory factors of corruption, however, the results show that they might have an effect on a couple of other possible motives for corruption, such as the expected chance of getting caught for corruption and the severity of sanctions.

Interestingly, the main findings of the questionnaire study are quite similar to the outcomes of a similar questionnaire study administered to a sample of respondents in the Netherlands that have not been found guilty of corruption (Gorsira et al. 2014). The Netherlands is a country with a much lower perceived level of corruption. This puts a cultural explanation for corruption in Romania into perspective.

Further, the results of the interview study are in line with the results of the questionnaire study and offer a more in-depth understanding of the motivations for corruption. Most respondents don't deny the facts or the acts they have been convicted for, but they do deny that they have done anything wrong. According to their own personal norms, their actions do not constitute corruption. Most respondents deny having been looking for benefits by committing corruption. As far as they admit corruption motivated by benefits, they confirm the conclusion of the questionnaire study that these were meant for their family or relevant others.

The interviews clearly show the rationalization techniques that offenders use to neutralize the harmfulness and culpability of corruption. Perceived high levels of corruption and cultural explanations for that perception (the system evokes it, everybody does it, it is expected) seem to serve as a self-fulfilling prophecy: they provide an easy rationalization for corrupt behavior.

Further, the interviews showed that especially opportunities to refrain from corruption and to comply with integrity standards were lacking. While Romania is mostly responding to corruption in a repressive manner by a strong criminal justice response, the interviews give the impression that many of these cases may have been prevented when integrity standards, clear codes of conduct and compliance management systems had been implemented in the organizational context in which these respondents engaged in corruption offences.

4.2 Discussion

The added value of this research project to existing studies of corruption is that it is one of the first that focuses on offenders (instead of general perception studies or vignette studies). Further, most studies on corruption measure variables at the macro level. This is one of the few studies that

measures variables on the micro level. Nevertheless, this first explorative study has methodological limitations, which forces it to be modest in drawing conclusions and which limits generalization of the findings. A first limitation is the lack of research capacity and limitation of resources. A study like this needs experienced full time researchers. Because of the limited budget, affiliation of such researchers was not possible. Therefore, many people were involved in the project, each performing limited tasks. Especially in Romania, experience with empirical criminological research is currently lacking. Considering this lack of expertise, a giant leap in expertise (in a relative sense) was made in this project: at the NAS Secretariat, first knowledge of and experience with using SPSS-software for statistical analysis has been developed. At the Faculty of Law, experience with qualitative research methodology and interviewing techniques and analysis was developed. It is therefore strongly recommended to not let this expertise go to waste and build upon this by conducting further studies on corruption in Romania. Also, due to limited resources, only a sample of the total population of convicted offenders of corruption has been surveyed. The reliability of the results will be higher when a larger sample is surveyed. Second, not all factors were measured that might have been relevant. An improved questionnaire should for example not only measure perceptions of the *beliefs* of important others regarding corruption, but also what important others *actually do* – an important theoretical distinction. In addition, because a control group is currently lacking, it is not possible to determine in which way people who engage in corruption differ from those who are not. When insight into these factors is obtained, it is more clear which factors may be the most important motivators for corruption. Finally, for a better understanding of how particular manifestations of corruption and the underlying causes are for Romania, international comparative studies and validation in other countries should be done.

While this is a first and tentative study that has its limitations, the results offer indications for policy implications. First the factors that are related to and explain intention to corruption are very similar to the findings for intention to non-integrity. This indicates that corruption is not entirely different from unethical behavior in the workplace – which suggests that strategies developed to curb corruption may be effective in curbing other forms of misbehavior as well. Second, the results of the interviews show that the criminal justice intervention has considerable impact on the personal and professional lives of the convicted offenders. Respondents' experiences seem to serve as deterrence for getting engaged in future offending. Communication of these consequences might however also serve as a deterrent to peers that operate in similar corruption-prone settings. Third, many of the cases show that preventive instruments have been lacking in the settings in which these respondents have been operating. While the normative message of the highly publicized high-profile

cases cannot have escaped the attention of any Romanian, further effects in anti-corruption policy can be achieved by implementing and communicating strategies that are not only aimed at *fighting corruption*, but also on *enforcing integrity*. Sanctioning does not only have the purpose of deterring unwanted behavior, but also to confirm injunctive norms. But therefore, norms have to be clear. The interviews show that respondents realize that corruption is a crime, but they do not seem to know how to act according to integrity standards. Integrity should be a core value of the public administration and the judiciary. Therefore, integrity policies should be central to the public administration and the judiciary both at national and local level, focusing on upholding integrity as well as on preventing corruption. Such policy making should set clear integrity standards, which should be actively disseminated at all levels of government and civil society, raising awareness for officials, the business community and the general public. Further, policy making should enforce the implementation of preventive tools, such as integrity audits and compliance management systems. Such a preventive approach could anchor the moral messages that have already been sent by the strong criminal justice response Romania has already given to the problem of corruption.

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6.1. Annex – The questionnaire

Criminological survey regarding the direct experience of persons convicted for corruption offences¹⁸

Analysing the corruption phenomenon through scientific research tools is an activity that necessarily complements any national anticorruption policy and helps build better understanding of the broader concept of integrity in the exercise of a public function. The findings of the Eurobarometer, as well as of several other national surveys on corruption are mainly based on general perceptions and less on actual experiences. To this end, we are conducting a survey on corruption. The purpose of this study is to better understand the causes of corruption, as well as personal and professional consequences of convictions. Therefore, this study approaches people who have personal experience with the Romanian legal system regarding corruption.

Please note that, although you have been selected because accusations of corruption have been made against you, the questions are about your thoughts and opinion of this topic.

If you choose to complete and submit the survey, you thereby consent to the research team that we can use your responses as part of the study data. The survey results will serve social scientific research only. With the results from the survey we are not concerned with who completes the survey, so please do not provide your name, or identity, in any form on the survey. Thereby we are assuring your anonymity. The results of this study will be analysed and then used in impersonal format. Since your anonymity is assured, we ask you to respond as openly and honestly to the questions contained in the survey. There are no ‘right’ or ‘wrong’ responses.

It should only take you between 20-25 minutes to complete the survey. Your completion and submission of the survey is your implied consent for the investigators to use the data.

We want to thank you in advance for your participation in completing the survey.

Research team :

Romanian Ministry of Justice, as implementing agency;
Law Faculty of the Bucharest University;
VU School of Criminology, VU University Amsterdam

In partnership with:

Romanian National Anticorruption Directorate;
Romanian Prosecutor's Office attached to the High Court of Cassation and Justice

With the kind support of:

Romanian National Directorate of Prisons;
Romanian National Probation Directorate

¹⁸ This activity is carried out under the project “*Further measures for achieving progress on the Co-operation and Verification Mechanism’s benchmarks*” co-financed by the Romanian Ministry of Justice and the Ministry of Foreign Affairs of the Netherlands.

PART I.

Section 1.

The rating scale is as follows:

0 means the value is *not important at all*; it is not relevant as a guiding principle in your life

3 means the value is *important*

6 means the value is *very important*

-1 means the value is *opposed* to the principles that guide you

7 means the value is of *supreme importance* as a guiding principle in your life; ordinarily there are no more than two such values

Your scores can vary of -1 up to 7. The higher the number (0, 1, 2, 3, 4, 5, 6, 7), the more important the value is as a guiding principle in YOUR life. Try to distinguish as much as possible between the values by using all the numbers. Some questions can be non applicable in your case; the questionnaire expressly provides such situations.

How important are the following values in your life?

Please choose one answer for each line:

	Opposed to my values	Not important	Important					Very important	Of supreme importance
	-1	0	1	2	3	4	5	6	7
EQUALITY: equal opportunity for all	-1	0	1	2	3	4	5	6	7
SOCIAL POWER: control over others, dominance	-1	0	1	2	3	4	5	6	7
PLEASURE: joy, gratification of desires	-1	0	1	2	3	4	5	6	7
A WORLD AT PEACE: free of war and conflict	-1	0	1	2	3	4	5	6	7
WEALTH: material possessions,	-1	0	1	2	3	4	5	6	7

money									
AUTHORITY: the right to lead or command	-1	0	1	2	3	4	5	6	7
SOCIAL JUSTICE: correcting injustice, care for the weak	-1	0	1	2	3	4	5	6	7
ENJOYING LIFE: enjoying food, sex, leisure, etc.	-1	0	1	2	3	4	5	6	7
INFLUENTIAL: having an impact on people and events	-1	0	1	2	3	4	5	6	7
HELPFUL: working for the welfare of others	-1	0	1	2	3	4	5	6	7
SELF-INDULGENT: doing pleasant things	-1	0	1	2	3	4	5	6	7
AMBITIOUS: hard-working, aspiring	-1	0	1	2	3	4	5	6	7
NOVELTY: new experiences, constant challenges	-1	0	1	2	3	4	5	6	7
FASHION: dress according to latest fashion	-1	0	1	2	3	4	5	6	7
FRIENDS: close relationships, trust	-1	0	1	2	3	4	5	6	7

Section 2.

The following questions are about your opinion about rules and procedures at your previous workplace.

How much do you agree with the following statements?

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):

1. Laws are made to be respected.	1	2	3	4	5	6	7	
2. It is okay to do anything you want as long as you don't hurt anyone.	1	2	3	4	5	6	7	
3. To make money, there are no right or wrong ways, only easy ways and hard ways.	1	2	3	4	5	6	7	
4. I believe my self-interest may play a role in the professional decisions I make. <input type="checkbox"/>	1	2	3	4	5	6	7	
	<input type="checkbox"/>	non applicable						

5. Prior to conviction, I felt morally obliged to refuse all gifts that people from outside of my organization offer me.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
6. Prior to conviction, I would have felt guilty if I gave someone from outside of my organization preferential treatment in exchange for money, goods or services.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
7. Prior to conviction, I believed it is not harmful to keep my self-interest in mind when making decisions at work.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
8. Corruption has negative consequences for society.	1 2 3 4 5 6 7
9. I think it is over the top to have rules about accepting or offering gifts to public officials.	1 2 3 4 5 6 7
10. Prior to conviction, I felt responsible for pursuing honest decision-making in my work, even if the consequences were at my own disadvantage.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
11. Prior to conviction, I felt personally responsible for ensuring that my colleagues comply with rules on accepting gifts.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
12. Prior to conviction, I believed that also I was responsible for preserving integrity at my workplace. <input type="checkbox"/>	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
13. I believe there is no problem with accepting what you are offered because everybody does it at a certain level.	1 2 3 4 5 6 7
14. I believe it is normal to accept what you are offered when you don't have enough money to provide for your family.	1 2 3 4 5 6 7

Section 3.

The following questions concern your beliefs about what your direct colleagues from your previous work thought about rules and procedures at work.

How much do you agree with the following statements?

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):

1. Prior to conviction, I believe my colleagues felt morally obliged to refuse all gifts that people from outside of the organization offered them.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
2. Prior to conviction, I believed my colleagues would have felt guilty if they gave someone from outside of our organization preferential treatment in exchange for money, goods or services.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
3. Prior to conviction, I believed my colleagues thought it was not harmful to keep their self-interest in mind when making decisions at work.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable

4. Prior to conviction, I believed my colleagues thought corruption had negative consequences for society.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
5. Prior to conviction, I believed my colleagues thought it was over the top to have rules about accepting or offering gifts to public officials.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
6. Prior to conviction, I believed my colleagues felt responsible for pursuing honest decision-making in their work, even if the consequences were at their own disadvantage.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
7. Prior to conviction, I believed my colleagues felt personally responsible for ensuring that the other colleagues comply with rules on accepting gifts.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
8. Prior to conviction, I believed my colleagues considered that also they were responsible for the fight against corruption at work.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
9. Prior to conviction, I believed my colleagues thought there was no problem with being a little corrupt because everybody does it at a certain level.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
10. Prior to conviction, I believed my colleagues thought it is normal to be corrupt when you don't have enough money to provide for their family. <input type="checkbox"/>	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable

Section 4.

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“not at all”) to 7 (“to a great extent”):

In the foreseeable future I can imagine that a situation could arise in which I...	
1. let self-interests influence my professional decisions.	1 2 3 4 5 6 7
2. <i>ask</i> money, goods or services from someone outside of my organization in exchange for preferential treatment.	1 2 3 4 5 6 7
3. <i>accept</i> money, goods or services from someone outside of my organization in exchange for preferential treatment.	1 2 3 4 5 6 7
4. <i>expect</i> money, goods or services from someone outside of my organization in exchange for preferential treatment.	1 2 3 4 5 6 7

Section 5.

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“not at all”) to 7 (“to a great extent”):

In the foreseeable future I can imagine that in my work a situation could arise in which I would...	
---	--

1. override my moral principles in pursuit of profit.	1 2 3 4 5 6 7
2. take a flexible stand on integrity rules for the sake of financial gain.	1 2 3 4 5 6 7
3. tell a small lie in order to receive personal gain.	1 2 3 4 5 6 7
4. deal improperly with confidential information.	1 2 3 4 5 6 7
5. declare undue expenses.	1 2 3 4 5 6 7
6. hamper my career because I hold on to my principles.	1 2 3 4 5 6 7
7. miss out on a personal advantage because I decide to speak up against dishonest behavior.	1 2 3 4 5 6 7
8. upset family, friends or acquaintances due to my refusal to unduly advantage them.	1 2 3 4 5 6 7
9. lose friends or lucrative opportunities because I abide with my moral principles.	1 2 3 4 5 6 7
10. not achieve targets because I refuse to tell people tales.	1 2 3 4 5 6 7

Section 6.

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“never”) to 7 (“often”):

At my work it has happened to me that I...	
1. got someone else blamed for my mistake.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
2. took something (even a pen or a pin) that wasn’t mine. <input type="checkbox"/>	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
3. benefitted from someone else.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
4. took more than I was due.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
5. did not keep a promise.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
6. told something untrue or unkind about someone else.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
7. violated a rule.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable

Section 7.

How much do you agree with the following statements?

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):

1. My wage prior to the deed which caused the conviction was sufficient for a decent living. <input type="checkbox"/>	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
2. My wage prior to the deed which caused the conviction was fair. <input type="checkbox"/>	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
3. Prior to offence deed which caused the conviction, my job was secure and stable. <input type="checkbox"/>	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
4. Prior to the deed which caused the conviction, I believed that my colleagues who were working as much as I was, were making more money than me.	1 2 3 4 5 6 7
5. Prior to the deed which caused the conviction, I believed that my friends, who were working as much as I was, were making more money than me.	1 2 3 4 5 6 7
6. Prior to the deed which caused the conviction, I could afford all goods I wanted to buy from what I was earning.	1 2 3 4 5 6 7
7. Prior to the deed which caused the conviction, my family was happy with the money we had.	1 2 3 4 5 6 7

Section 8.

How much do you agree with the following statements?

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):

1. Public officials in my country always obey the law.	1 2 3 4 5 6 7
2. I would find public officials’ values to be very similar to my own.	1 2 3 4 5 6 7
3. You should do what the law tells you to do, even if you disagree.	1 2 3 4 5 6 7
4. A person should obey the law no matter how much it interferes with their personal ambition/interest.	1 2 3 4 5 6 7
5. Public officials in my country are trustworthy.	1 2 3 4 5 6 7
6. I am proud of public institutions in my country.	1 2 3 4 5 6 7
7. People's basic rights are well protected in my country.	1 2 3 4 5 6 7
8. The public institutions in my country can be trusted to make decisions that are right for my community.	1 2 3 4 5 6 7
9. I have confidence in public institutions in my country.	1 2 3 4 5 6 7
10. Public officials in my country are usually honest.	1 2 3 4 5 6 7

11. Public officials in other EU countries are more honest than the ones in my country.	1 2 3 4 5 6 7
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Section 9.

How much do you agree with the following statements?

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):

1. The rules on bribery in my country are easy to avoid.	1 2 3 4 5 6 7
<i>extra response options:</i> at my workplace prior to the deed which caused the conviction there were no such rules	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
I think there were such rules at my work, but I did not know what they entailed	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
2. At my workplace prior to the deed which caused the conviction there were many opportunities where I could be bribed.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
3. While carrying out my activities prior to the deed which caused conviction, there were many opportunities where I could bribe public officials.	1 2 3 4 5 6 7
4. If I wanted to, I could take my decisions at my workplace based on improper grounds.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
5. If I wanted to, I could have public officials base their decisions on improper grounds.	1 2 3 4 5 6 7
6. The procedures at my workplace prior to the deed which caused conviction made it difficult to give someone from outside the organization preferential treatment.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
7. The work-related regulations at in my country make it difficult for someone outside an organization to benefit from preferential treatment.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
8. I found it difficult to comply with corruption rules at my workplace prior to the deed which caused the conviction.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
<i>extra response options:</i> at my workplace there were no such rules	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
I think there were such rules at my work, but I did not know what they entailed	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable

<p>9. It was clear to me which rules on corruption I had to adhere to when I did business with people from outside my organization.</p>	<p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p>
<p>10. At my workplace prior to the deed which caused the conviction it was difficult to adhere to the rules when doing business with people with whom I had a personal relationship.</p> <p><i>Extra response options:</i> at my workplace there were no such rules</p> <p>at my workplace I think there were such rules, but I did not know what they entailed</p>	<p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p> <p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p> <p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p>
<p>11. The rules on corruption within my organization prior to the deed which caused the conviction were easy to adhere to. <input type="checkbox"/></p> <p><i>extra response options:</i> at my workplace there were no such rules</p> <p>at my workplace I think there were such rules, but I did not know what they entailed</p>	<p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p> <p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p> <p>1 2 3 4 5 6 7 <input type="checkbox"/> non applicable</p>
<p><i>Please choose one answer for each line, by marking the number who best suits your option, from 1 (“unlikely”) to 7 (“very likely”):</i></p> <p>Suppose that somebody bribed a public official/ somebody was bribed by someone from a private company. How likely do you think it is that the following persons and institutions would discover this:</p> <p>12. direct colleagues</p> <p>13. a manager</p> <p>14. an enforcement agency</p> <p>15. a relative</p> <p>16. a friend</p>	<p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p>
<p><i>Please choose one answer for each line, by marking the number who best suits your option, from 1 (“no consequences”) to 7 (“severe consequences”):</i></p>	

<p>Suppose it was discovered that somebody bribed a public official/ somebody was bribed by someone from a private company. How serious do you assess the negative consequences if the discovery was made by...</p> <p>17. direct colleagues</p> <p>18. manager</p> <p>19. an enforcement agency</p> <p>20. a relative</p> <p>21. a friend</p>	<p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p>
<p><i>Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):</i></p> <p>If somebody is bribed...</p> <p>22. it would make his job more exciting</p> <p>23. it would have a positive impact on his financial situation</p> <p>24. it would increase his status</p> <p>25. he could provide a better life for his family</p> <p>26. he could help others (friends, relatives etc.)</p>	<p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p> <p>1 2 3 4 5 6 7</p>
<p><i>Please choose one answer for the following question, by marking the number who best suits your option, from 1 (“very small”) to 7 (“very large”):</i></p> <p>27. How would you rate someone’s personal benefits resulting from bribery?</p>	<p>1 2 3 4 5 6 7</p>
<p><i>Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):</i></p> <p>28. Accepting a bribe would render someone personal benefits.</p>	<p>1 2 3 4 5 6 7</p>
<p>29. Accepting a bribe would lead to fun and pleasure.</p>	<p>1 2 3 4 5 6 7</p>
<p>30. Accepting a bribe would enhance one’s career.</p>	<p>1 2 3 4 5 6 7</p>
<p>31. Accepting a bribe would increase one’s influence.</p>	<p>1 2 3 4 5 6 7</p>

PART II.

1. How much do you agree with the following statements?

Please choose one answer for each line, by marking the number who best suits your option, from 1 (“strongly disagree”) to 7 (“strongly agree”):

1. I was happier prior to the conviction.	1 2 3 4 5 6 7
2. I had a better job prior to the conviction.	1 2 3 4 5 6 7 <input type="checkbox"/> non applicable
3. After the conviction, some of the people I considered to be my friends ceased to speak with me.	1 2 3 4 5 6 7
4. People look at me differently after the conviction.	1 2 3 4 5 6 7
5. People look at my family differently after my conviction.	1 2 3 4 5 6 7
6. My life has dramatically changed after the conviction.	1 2 3 4 5 6 7
7. I had all the support of my family during trial.	1 2 3 4 5 6 7
8. I have all the support of my family.	1 2 3 4 5 6 7
9. I think it would be hard for me to find a job which fits my qualification due to the conviction.	1 2 3 4 5 6 7
10. I think I will make less money than other people who have a similar job due to my conviction.	1 2 3 4 5 6 7
11. Once the sentence is served, all the negative consequences due to the conviction will end.	1 2 3 4 5 6 7
12. I have less confidence in justice in my country after the conviction.	1 2 3 4 5 6 7
13. I am a lot poorer than before the conviction.	1 2 3 4 5 6 7
14. I am less happy than people who are not convicted at all.	1 2 3 4 5 6 7

2. What would you change in your country to make things better (please circle one or more applicable answers):

- a) I would improve the legislation
- b) I would make the rules more accessible
- c) I would do more training with people
- d) I would strengthen the civic education, the education in schools
- e) I would sanction unethical behavior more harshly

PART III.

Instructions:

The following questions pertain to *demographic/background*. Please choose the answer that best characterizes you. Choose only one response per question, if not otherwise provided.

1. Current age:

- 16-18
- 19-21
- 22-30
- 31-40
- 41-50
- 51-60
- over 60

2. Gender: female male

3. Religion:

- orthodox
- catholic
- protestant
- muslim
- atheist
- other

4. Conviction for (*you may choose several answers*):

- offering bribery
- receiving bribery
- receiving undue benefits
- trading in influence
- buying influence
- other

5. Recidivist: yes no

6. Years of prison:

- less than 6 months

- 6 months – 1 year
- 1-2 years
- 2-5 years
- more than 5 years

7. Type of sanction:

- serving the sentence
- suspended sentence

<p>8. What was your family status before conviction?</p> <ul style="list-style-type: none"> <input type="radio"/> single <input type="radio"/> not married, but in a stable relationship <input type="radio"/> married <input type="radio"/> divorced <input type="radio"/> widowed 	<p>9. What is your currently family status?</p> <ul style="list-style-type: none"> <input type="radio"/> single <input type="radio"/> not married, but in a stable relationship <input type="radio"/> married <input type="radio"/> divorced <input type="radio"/> widowed
<p>10. Your parents' highest education</p> <ul style="list-style-type: none"> <input type="radio"/> primary school <input type="radio"/> vocational school <input type="radio"/> high school <input type="radio"/> university degree <input type="radio"/> postgraduate degree (PhD) 	<p>11. Your highest education:</p> <ul style="list-style-type: none"> <input type="radio"/> primary school <input type="radio"/> vocational school <input type="radio"/> high school <input type="radio"/> university degree <input type="radio"/> postgraduate degree (PhD)
<p>12. What was your economic/financial status before conviction?</p> <ul style="list-style-type: none"> <input type="radio"/> salary <input type="radio"/> income from liberal profession <input type="radio"/> scholarship <input type="radio"/> income from parents/relatives <input type="radio"/> a combination of the above <input type="radio"/> none of the above 	<p>13. What is your current economic/financial status?</p> <ul style="list-style-type: none"> <input type="radio"/> salary <input type="radio"/> income from liberal profession <input type="radio"/> scholarship <input type="radio"/> income from parents/relatives <input type="radio"/> a combination of the above <input type="radio"/> none of the above
<p>14. What was your workplace prior to offence?</p> <ul style="list-style-type: none"> <input type="radio"/> central administration <input type="radio"/> local administration <input type="radio"/> private sector (employed) 	<p>15. What is your current workplace?</p> <ul style="list-style-type: none"> <input type="radio"/> central administration <input type="radio"/> local administration <input type="radio"/> private sector (employed)

<input type="radio"/> self-employed <input type="radio"/> liberal profession <input type="radio"/> student <input type="radio"/> unemployed	<input type="radio"/> self-employed <input type="radio"/> liberal profession <input type="radio"/> student <input type="radio"/> unemployed
16. What is your family's social status? <input type="radio"/> Far above the average <input type="radio"/> Above average <input type="radio"/> Average <input type="radio"/> Below average <input type="radio"/> Far below average	

17. Number of children:

- none
- 1
- 2
- 3
- more than 3

THANK YOU FOR YOUR COOPERATION!

INTERVIEW GUIDE

1. Introduction

Acknowledgement of cooperation

- √ At the beginning of the project, you have signed a form, consenting to participate in this interview.
- √ Thank you for agreeing to volunteer to both phases of the project: the questionnaire and the interview.

Selection process

- √ Of over 200 interview consent forms, we programmed 51 interviews with inmates and we will also carry out interviews with persons under probation.
- √ We used scientific criteria aimed at ensuring a representative sample, such as: gender, age, education, sentence, offence, marital status.

Goal of the research

Explain the general goal of the study.

- √ *The goal of this study is to better understand corruption: what are people's motivations for engaging in corruption, in which situations is it more likely to occur, and what does it mean for someone to be convicted for corruption? Therefore we approach people who have personal experiences with corruption, to hear their part of the story.*

If respondents want to know more about the reason for this study, you can explain:

- √ *The goal of this study is to get a better understanding of the social reality of corruption. In the European Union,*

Romania is perceived to have a high level of corruption and limiting corruption is an important priority of the Romanian government as well as the EU. This study was therefore supported by government of the Netherlands. Previous studies however are based on general perceptions on corruption and less on actual experiences. To this end, this study approaches people who, according to the Romanian judiciary, have personal experience with corruption.

Goal of the interview

- √ *The goal of the interview is to get an insider view in the situation that has led to a conviction for corruption, how to better understand causes/reasons that have led to this situation, and to understand the consequences of being convicted of corruption. So we would really like to learn from your experiences.*

- √ *We guarantee anonymity. Only general findings from the interviews will be published and these cannot be related to individual respondents. This study has scientific purposes and the answers given by you nor the transcripts will be used for any other purposes (such as criminal investigation).*

We explain the role of the two interviewers: one will (mainly) ask the questions, the other will take notes for making a transcription of the interview.

2. Background of the respondent

Can you tell something about your life prior to the conviction: (previous) job, career, education, how long detained, personal life (married, children, parents, brothers/sisters)?

3. The case

Can you please tell us what you are convicted for?

Only for corruption offences or also for other offences? Is the first time you were convicted? If not, for what offences were you previously convicted? For what have you been convicted in the last case? What were the actions and incidents that have led to being prosecuted?

Were you convicted within the general procedure or following the shortened procedure based on acknowledgement of guilt?

Make the respondent explain the case like it is a story/movie that he has heard/watched: what was the setting, who were involved, where did they know each other from, who took the initiative, what was his/her role, where did they meet, what was the exchange, what happened, was this a single or repeated transaction? How was the case discovered? How was it dealt with within the organization and by external actors? etc.

4. Motivations

Why have you committed the acts for which you were convicted?

You can only ask this question when the respondent does not totally deny the facts of the case. You can ask this question when he/she acknowledges (most of) the facts, but does not perceive these actions being corruption.

Motivation can relate to: financial difficulties, temptation, feelings of deserving the benefits, necessity to achieve certain goals, frustration, excitement, status, power.

5. Moral evaluation and rationalization

Looking back to your actions, how would you describe them? Would you say that you did something wrong? Would you now say that that was an act of corruption?

If the respondent does not see his/her actions as being wrong or being corruption, ask why not?

If yes, does the respondent in any way justify his/her actions, by neutralizing the seriousness or the reprehensibility of the actions? (E.g. 'Everybody does it', denying harm, appealing to higher loyalties, condemning the government or others)

6. Social norms

When you compare the actions for which you have been convicted to the action of others, do you see your actions as deviant? Or are most/many people in the same position doing the same? Or would they do the same if they were in the same situation as you have been?

What were the responses of relevant others (colleagues, family, friends) when these actions became known? Were you criticized or supported? Did that response change over time? (just after you were arrested, during the investigation, during trial, when in prison)?

7. Opportunities

What was the nature of the contacts of the people with whom you had (alleged) corrupt transactions/relations?

E.g. Colleagues, business relation, political relation, family members

Where these contacts close?

How were the actions for which you were convicted related to your work or professional life? Did your job/position give any special authority/access to the opportunity for corruption?

E.g. Access to confidential information, a position of trust.

Do you perceive the actions as being hard to prevent? Do you find integrity-standards or rules regarding corruption hard to comply with? Or easy to violate?

Were any measures taken in your working environment to prevent such actions?

Such as rules or codes of conduct issued by the employer/organization, monitoring for preventing corruption, etc.

8. Costs and benefits

What type of benefits of the actions for you have been convicted did you expect before you executed these actions? Did these expected benefits materialize?

Such benefits could be: receiving money, receiving preferential treatment, receiving gratitude, receiving appreciation, receiving status, receiving contracts, getting contacts, excitement.

Did you consider the chance of getting caught and if so, how did you perceive this chance?

What type of costs of the actions for you have been convicted did you expect before you executed these actions? Did these costs materialize?

These could be: financial loss, fine, jail sentence, loss of reputation, public shame and humiliation, losing job/position, losing clients.

How do you perceive the consequences of your actions? Can you share with us what impact does the prosecution and conviction have on your personal and professional life? Do you enjoy retirement benefits?

9. Evaluation of criminal justice response

Do you perceive the prosecution and the conviction as being fair?

How do you assess your interaction with the police officers, prosecutors and judges?

Were you defended by a lawyer? If yes, was that a lawyer you paid/the State paid/the family paid? Did you have one or several lawyers? How do you assess the cost of defense? What was your perception about the lawyer and the defense he provided?

How long did it take from the date of the fact you (allegedly) committed and until the final decision was given (i.e. state the date of the offence, the starting phase of the criminal investigation, the starting date of the judgment phase and the date of the, decision, appeals)? Were you arrested during this time?

Do you think the punishment has a deterrent effect? Do you think it was a fair punishment for the offence allegedly perpetrated? Would it prevent you from committing corruption in the future?

10. End of the interview

We are now at the end of the interview.

Are there any further remarks you would like to make for our study?

Do you have any further questions?

Should you wish to receive the final version of this study please provide us with an address for sending the report.

We thank you very much for taking the time to talk to us and to tell your story. We thank you for the sincerity by which you answered our questions.

And we thank you for contributing to this first study on the social reality of corruption in Romania.