

*Josip Kregar*

## Foreword

*Crime does not pay.* This statement is not quite true. Crime does not pay if there are sanctions against its perpetration, if there are people who are ready to prevent it, if society condemns it and if quick and firm convictions are followed by convincing sentences. When crime spreads and develops into a system of defrauding the public good, honesty becomes irrational.

In order to effectively prevent crime many preconditions must be fulfilled. If only one of them remains unfulfilled, crime can pay and may even become a profitable business. Large amounts of money can be involved<sup>1</sup>, thousands of millions of US dollars, indirectly causing grave and systemic damage: economic logic and entrepreneurial motives cease to mean anything, profitable investments cease to exist, leaving merely exuberant and improvised undertakings aimed at personal gain and profit; morals are destroyed and political trust destabilised; human rights and the legal system are jeopardised and social justice is at risk (“Bribery is a direct transfer of money from the poor to the rich.”<sup>2</sup>).

Corruption is a social aberration and as such, conscious action is needed in order to eliminate it from society and to restore normalcy. Corruption pays only if it remains undiscovered. It pays if it remains unpunished and if society puts up with it without raising any questions.

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<sup>1</sup> <http://www.u4.no/pdf/?file=/helpdesk/helpdesk/queries/query138.pdf>

<sup>2</sup> Hansard 25/2/98, p. 374.

What pays the most is political corruption. Its victims are all citizens. In terms of a dialectic equilibrium, where everybody is affected, nobody is. Some research has shown that the perception of corruption as widespread usually absorbs possible mass resistance to it. Those who live in a system where corruption is one of its main determinants feel embarrassed and also to some extent guilty, incapable of condemning corruption without reservation. On the contrary, the problem of corruption is seen in relative terms suitable excuses for it are sought.

Corruption should not be considered to be an isolated phenomenon, that confirms people are not perfect. Nor is it the consequence of genetic predisposition, a lack of values or personal ethics. Corruption, by virtue of its causes and effects, is a systemic phenomenon. A passive political society or political culture, inefficient institutions, and the non-existence of just and fair political leadership, give corruption the impression of omnipotence.

In this book, the authors have tried to show how difficult it is to measure and determine the scope of corruption and to draw the reader's attention to some recorded changes. Although the research instruments were neither uniform nor perfect, the conclusions of the research converge. Various experiments and research activities reach to the same conclusion: corruption is a serious and a current problem in Croatia.

Nevertheless, in the last few years some positive changes have taken place, but these have not always been either visible or fast enough. The perception of corruption has significantly changed in the last fifteen years, but the improvements seem to be too slow and on too small a scale. Statistics comparing Croatia with other countries confirm that corruption has been an endemic phenomenon in all transitional countries. It is obvious that much more should be done and that no one should be exempt from the law and from conviction. Achieving this goal involves the constant observance of rights and the proper functioning of institutions. The authors propose some improvements and changes but generally agree that, the development of effective institutions is the common denominator in all major preventive measures for combating corruption.

It is encouraging that corruption in Croatia is not the worst in Europe and that Croatia and some countries are ranked quite closely. It would be a mistake, however, to find consolation in the fact that corruption in other countries is also very bad and that the problem is a global and a universal one.

The authors also draw the reader's attention to a potentially dangerous phenomenon. Citizens increasingly perceive corruption as something less and less acceptable and unjustifiable. It is no longer an inherited problem. The gap between political rhetoric and real achievements is becoming more and more disappointing. There is also an increased gap between the existing perception and moral abhorrence and resentment. These are the evident consequences of recent events characterised by a large number of exposed scandals in the highest political circles. The authors have also established that such a perception of corruption is not identical among all categories of citizens, regardless of the fact that all categories of citizens perceive corruption as expanding. The perception of corruption is related to trust in institutions. When corruption increases, the correlation between public trust in institutions becomes even more evident.

Perception of corruption is an important barometer of social trends and is connected with a number of other phenomena, such as trust in institutions and voting at elections. Just as a high temperature indicates the onset of a disease, corruption is an indicator of deep social problems and individual life strategies.

Contrary to the authors' expectations, the research shows that trust in institutions is not determined by social position but is strongly determined by value orientations. For example, a high level of trust in the European Union reflects a democratic and modern attitude, whereas trust in domestic institutions is much more determined by conservative and traditionalist views. People who are more inclined to traditionalism and conservatism tend to trust domestic institutions more than the European Union. In contrast, individuals of a more progressive orientation express a higher level of trust in the European Union. Trust in the (domestic) media is somewhere between these two extremes.

The contributions to this book are the result of work on projects developed by the Ministry of Science, Education and Sports 66-0661428-2518 *Izgradnja institucija: Etika i korupcija* (Development of Institutions-Ethic and Corruption), (project-leader: Josip Kregar) and 1001001172-1068 *Stratifikacija i vrijednosti u hrvatskom društvu* (Stratification and Values in Croatian Society).

In 2007, the Faculty of Law of the University of Zagreb was awarded a grant in the amount of 1.8 million HRK by the government of the Republic of Croatia<sup>3</sup> for the planned programme and project called *Istraživanje stvarnog stanja korupcije u Republici Hrvatskoj* (Research into the Status Quo of Corruption in the Republic of Croatia). Despite the decision and the signed contracts, however, for unknown reasons, the Ministry of Justice neither remitted the funds nor supported the research.<sup>4</sup>

This book is being published in cooperation with the Faculty of Law of the University of Zagreb and the Centre for Democracy and Law Miko Tripalo as one of a growing series of books that carefully analyse the phenomena of Croatia's constitutional order, its social state, culture, identity and economy.

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This book, unlike any other books, is published in the hope that it will soon become dated; that corruption in Croatia will cease to

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<sup>3</sup> [http://www.vlada.hr/hr/naslovnica/novosti\\_i\\_najave/2007/siječanj/vlada\\_uskok\\_u\\_1\\_8\\_kuna\\_za\\_istrazivanje\\_o\\_stanju\\_korupcije/\(back\)/temu](http://www.vlada.hr/hr/naslovnica/novosti_i_najave/2007/siječanj/vlada_uskok_u_1_8_kuna_za_istrazivanje_o_stanju_korupcije/(back)/temu)

<sup>4</sup> The stated reason for not funding the grant was that public procurement proceedings needed to be initiated. Given that the funds were allocated to Faculty of Law (!?). and USKOK, it is difficult to understand the need for public procurement for this project. This is even more surprising because for the subsequent anti-corruption campaign, no such conditions were made (<http://dnevnik.hr/vijesti/hrvatska/na-kampanju-protiv-korupcije-vecina-novca-potrosena-bez-javnog-natjecaja.html>).

exist and that trust in institutions will open the door to reforms and progress, making corruption merely an image of a past point in time. The development of institutions based on the trust of citizens and an honest and good government cannot remain only a hope. It must become a choice and a necessity.

There is an understanding in the sociological tradition that deviance is relative and that it depends on changeable views of what is dangerous for a society (Durkheim). Corruption, as a phenomenon resulting from certain particular social conditions, would, according to such views, be a call to society to act in self-defence.

In criminology, there is a theory that deviant behaviour and vandalism should be suppressed while the problems are minor and can be contained. A broken window must be fixed immediately (the following day or week), because then vandals are less likely to continue breaking windows or causing more damage. Pavements must be cleaned every day for litter not to accumulate. Society should be alarmed by corruption and the alarm must be sounded every day so that minor issues do not become big problems. Big problems must not wait for better times or someone else to solve them. With this book, we are sounding the alarm.