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**Antonio SANDU**

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## Critical Perspectives on Evaluating the Corruption in the Republic of Moldova

Review on the doctoral thesis of Iurie Gațcan  
“Corruption as a social phenomenon and the anti-corruption mechanisms (the case of the Republic of Moldova)”

Antonio SANDU<sup>1</sup>

### Abstract

*This paper aims to bring critical opinions on the doctoral thesis of Mister Iurie Gațcan, entitled „Corruption as a social phenomenon and the anti-corruption mechanisms (the case of the Republic of Moldova)”.*

*The critical approach on the abovementioned paper was done from the perspective of an ethicist, fact which created a moment of reflection, referring to corruption, that Iurie Gațcan sees both in a historical way, as a phenomenon of moral degradation of the society and the individuals, and in a sociological way, as a particular phenomenon “characteristic to the democratic organizations”.*

*The author places corruption in the area of social reasoning by calling for the theory of functional bureaucracy proposed by Max Weber. This approach on corruption indisputably places it as a part of the social action. The emergence and development of corruption is correlated with anomia, rather being a dysfunction of the social system as a reversal of the normative area of the society.*

**Keywords:** *review, corruption, social phenomenon, anti-corruption mechanisms.*

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<sup>1</sup> Professor PhD Hab., Director of the Department of Law and Public Administration, Faculty of Economic Sciences and Public Administration, Stefan cel Mare University from Suceava, Romania.

I have read, with great interest, the doctoral thesis “*Corruption as a social phenomenon and the anti-corruption mechanisms (the case of the Republic of Moldova)*”, written by Gațcan Iurie and coordinated by Professor PhD Habilitated in Philosophical Sciences, Mrs. Maria BULGARU.

I was pleasantly surprised to notice the complexity of the paper and the scientific complexity. The paper includes a theoretical and methodological perspective on the phenomenon of corruption with particular reference to the situation in the Republic of Moldova.

The historiographical perspective on the phenomenon allows the author to identify a common essence of the phenomenon associated to corruption, both in the societies with authoritarian regimes, as well as those based on democratic structures, namely “the abusive use of illegal levers for reaching personal or group interests” (p. 16).

Integrity can be seen as a constitutive value of the public sphere. The corruption involves a drift from the value of integrity in the public practices, for whose combat gains a great importance at the level of the public discourse, finding a sensitivity increasingly pronounced against this phenomenon at the level of the society.

It is noteworthy the historical excursus that the author conducts (pp. 16-17), starting from Plato – which proposes solutions for prevention and combat of corruption – aiming to combat the corruption in the Roman Empire, in modernity and contemporary age.

As an ethicist, I can’t help but have a moment of reflection on Iuri Gațcan’s approach on corruption, which is regarded both historically, as a phenomenon of society and individuals’ degradation, but also sociologically, as a particular phenomenon “characteristic to democratic organizations” (p. 18)

The author places corruption in the area of social rationality by appealing to the theory of functional bureaucracy proposed by Max Weber. This approach on corruption indisputably places it as a part of the social action. The emergence and development of corruption is correlated with anomia, rather being a dysfunction of the social system as a reversal of the normative sphere of society (pp. 18-19). Therefore, we have two directions of understanding corruption: as a *pathology of individual morality*, and as a *dysfunction of the society as a whole*. This second option places the studies on corruption in a sociological-rational perspective, the entire paper being further subsumed to a social epistemology based on the assumption of rationality of social action. The entire methodological approach will be based

on a design that starts from the premise of intrinsic rationality of social actions, corruption being basically an adaptive strategy of the society to the social and cultural contexts persistent in time (p. 45).

In substantiating its theoretical orientations, the author refers to various perspectives on delinquency among which we mention: “statistical-legal orientation”, “anthropological perspective”, “positivist direction”, “psychologist guidance”, “sociologist guidance” (p. 45)

Starting from these explanatory models, the author considers that the habitus taken from the pre-modernism culture and the socialist counter-modernism continue to influence the societies in transition from the post-socialist states in East Europe. In our opinion, this hypothesis can be generalized for other states also, in post-socialist transition, among which we can also include Romania.

A series of economic-institutional, legal, political, social and moral causes are particularized as generating the phenomenon of corruption for the Republic of Moldova. All these causes can be, from our point of view, read in the key of social anomie as understood by the author.

We will not insist on the theoretical dimension of the paper, however appreciating how extremely well documented is the analysis of scientific literature referring to the national Moldavian context. There are references to the size of the phenomenon, particularities of the public perception on the phenomenon of corruption, also reviewing possible connections between the level of globalization in a society, and the risks of corruption behaviour in that society. This is the time to notice the socio-legal perspective that underlies the approach of corruption as a social phenomenon, with major implications in criminality proliferation. The legal perspective is given by the Moldavian framework in the broader international context of fight against corruption.

The methodological perspective of the paper is mainly quantitative, focused on consecrated methods in the scientific literature:

- *country risk assessment* – mentioning a corruption indicator constituted by the International Country Risk Guide, which establishes the possibility of officials in a certain country to ask for bribes, and the risk of offering it.
- *Subjective indicators of corruption perception and who would reflect the corruption perceived at the level of a country* (p. 54) – model formulated by Transparency International and partially adopted by the author.

- *The production of “cardinal indicators”* (p. 53) – that target questions such as the share of business numbers determined by the investors as bribe for different public servants. These methodologies underlie the author’s own methodology in developing this paper.

The research that supports this paper is based on both quantitative methodology such as sociological inquiry based on questionnaire, conducted among the active population, as well as qualitative, based on interviews with persons belonging to different economic and social Moldavian environments, including with experts in the field of fighting corruption.

Another category concerns the statistical analysis of corruption cases examined by the prosecution, and last but not least, the author had in mind a content analysis of the information available online on the phenomenon of corruption (p. 56).

The author of the thesis also participated in developing the methodology of measuring the perception of the phenomenon of corruption in the vulnerable fields in the Republic of Moldova, conducted on a sample of 739 people.

It is time to emphasize the methodological richness of the paper that, for example, includes the research of “the corruption phenomenon in the Republic of Moldova”, conducted on a sample of 632 people. Alongside this study, the paper also included 23 in-depth interviews with Directorate directors in CAN, prosecutors, representatives of the civil society etc., reunited under the title of “Evaluation of anti-corruption policies”, to which it added the statistical analysis on fighting the corruption phenomenon by prosecution, along with the analysis of 198 files in the “Study on corruption files”.

Last but not least, we must mention the content analysis of online publications on reflecting on the phenomenon of corruption, and the anti-corruption actions of mass-media in the Republic of Moldova, analysis which included 673 articles in the “Timpul” newspaper, “Sovereign Moldova” and “Newspaper on guard” (p. 57). The research objectives were very complex and targeted the analysis of the perception of population on spreading the phenomenon of corruption, determining its causes, estimating the value of the damage produced by corruption, estimating the institutional risk of corruption, highlighting the degree of satisfaction of the population on anti-corruption measures and the public perception on the necessary actions and punishments in order to reduce corruption (p. 57). The author responds to all these objectives documented, and the data resulting from the

research are systematically analysed. Without going into details on the results of different studies that are part of the research, we resume to quoting the fact that most of the population doesn't feel a decrease in corruption (p. 80), drawing the attention on the fact that the citizens are stronger critics of corruption in their own country than it is underscored by the foreign experts (p. 77).

We should welcome the methodological triangulation that the author conducted in order to develop a much complex investigation on the phenomenon of corruption in the Moldavian context. The methodological triangulation – studying the same social phenomenon using more methodological perspectives – has allowed the researcher to offer a more complex and accurate image on the phenomenon.

Regarding the relevance of the theme, this is very high. The concern of the Moldavian society towards the phenomenon of corruption is at dominant levels, placing this phenomenon as one of the main resources of social dysfunction that endangers the liberal reforms in the Republic of Moldova (self-referencing, p. 3).

The novelty and originality of the paper resides in the author's opinion in the multidisciplinary analysis of the phenomenon of corruption, the highlight of manifestation forms and types of corruption of the factors generating corruption, and the tendencies of evolution of this phenomenon in the Republic of Moldova (self-reference, pp. 5-6).

In our opinion, the author's contribution can find an international dimension by offering a better understanding of corruption and the institutional rationality of this anomic society, such as the post-Soviet ones.

Corruption might mean a failure of the rational functioning of the social environment, which in different sociological and political contexts were described as phenomenon of captured state. The essence of the liberal state, based on functional institutions, functional bureaucracy, is a counter-intuitive one since the individual is placed in the situation of positioning the social rational (the ethical or legal normative) before his own reason of interest. Establishing the social reason before the individual one implies the existence of transparency resources at the level of the society, as well as the solidarity of democratic mechanisms. These can make the transition societies not adopt a model of social reason centred on the individual, but a model of ethics centred on values.

In our opinion, a greater attention should be on the analysis of the relationship between the declared rejection of corruption and the *de facto*

legitimation in the current practices. The research results show that the population of Moldova perceive corruption “as being injustice, power abuse, rights violation, nepotism (Q1, Q15)”. The issue of corruption is therefore seen as being a significant cause of diminishing the quality of life in Moldova, over half of the respondents showing that they were prejudiced by corruption (p. 78).

It is found that the corruption mechanism is vertical, from the center to the territory. It is also reported that the respondents state they have committed corruption themselves, by offering bribes and undue advantages in order to solve some problems (p. 79). Basically, corruption allows “getting higher grades in an exam”, “getting protection” (within the police), gaining favourable sentences in courts, also having answers that proved corruption would have an unwanted destination in the customs field and the public administration.

In our opinion, offering bribe is a form of social legitimacy of the phenomenon. Moreover, the respondents in the civil society draw the attention on the degree of incompatibility between the particular social worlds, such as the one in Moldova and the “type of (European) culture that made modernity possible”. The modernising of social worlds, the author shows, must be made following a process of social-autonomous education from the bottom up (p. 81). Although the author observes the need for a moral education, throughout the paper the focus is on establishing legal instruments of repressing any form of corruption (pp. 81-90).

Although the respondents – belonging to the civil society – are satisfied by the current legislation, they highlight the inefficiency and incapacity of the state to implement this legislation (p. 91). We must mention here that there is in fact a difference between the opinion of the respondents that qualify the current legislation as being satisfactory, and the one that shows “the state legislation proved to be confusing” (p. 91). The author focuses on the legal dimension of fighting corruption, being reviewed in a critical manner, the legal policies in the field.

In our opinion, there should be a wider emphasis on the ethical component, of which the paper only presents the codes of ethics (p. 121), the National Commission of Integrity (p. 126) and the intention of developing a national ethics commission (p. 126). This practice centred on ethics in public administration could really underlie the development of a institutional ethical culture in public administration, but we consider necessary to add similar measures of constructing an ethical institutional

environment by implementing the ethics management and the emergence of ethics policies at the level of institutions, which could be applied in fields such as justice, health, education etc.

In conclusion, we welcome the efforts of Mister Iurie Gațcan in the analysis of corruption as a social phenomenon and the mechanisms in the Republic of Moldova. Like we have previously mentioned, the paper is very wide, highly scientific, proving an excellent research and an exquisite capacity of synthesizing the empirical data which lead to the development of an explanatory model of corruption in the Republic of Moldova, but also of a model of intervention that could underlie the system of prevention and fight against corruption in this country. All these allow us to consider that Mister Iurie GAȚCAN deserves to be offered the title of PhD in sociology.

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## References

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