

Corruption and Civil Society in Romania: Striving for an Answer, or at Least a Clear Picture

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There is a widespread belief that the increasing number of non-governmental organisations (NGOs) helps diminish corruption. In this article, I question the assumption that civil society organisations *per se*, by virtue of their existence, numbers, and social activities, can be sufficient to diminish corruption and its causes.

Many believe that civil society is a positive force, growing in a “natural,” “spontaneous” way, and covering various aspects of social life in its activities. They say that NGOs compete among themselves for the same (limited) resources, and that often they also compete with the state for influence and prestige. [\[1\]](#) As a result, citizens have more options, a more open society, more freedom from the discretionary power of bureaucrats, civil or public. Moreover, NGOs are believed to have a direct interest in bringing to light and eliminating any malfunctioning in the system that interferes with their activities.

This is a plausible theory. However, there are at least two problems with it. First, there is little empirical evidence supporting it. Second, it appears that this theory applies more to larger and stronger NGOs with sufficient resources that can sustain themselves; small NGOs may often fall prey to corruption, rather than succeed in containing it. Indeed, sociological studies as to what extent NGOs have impact on the issues for which they stand are still scarce. Information comes primarily from the news, as NGOs are under relatively constant scrutiny from the media. One would then expect a continuous flow of data showing the impact of NGOs on, *inter alia*, combating corruption. But this is not the case; on the contrary, the role and impact of NGOs (and in general “civil society”) has not yet become widely acknowledged.

The defenders of civil society may answer that, though empirical data (news) are available, there are reasons to question the quality of such data. Indeed, media sources do not seem to have a clear picture of what civil society is or should be. Rather, in the media there is a sum of recurrent images, almost myths. There is a positive image (or myth) of the “lone fighter” – a small NGO fighting the bad system and challenging the indifferent bureaucracy in the name of citizens. There is a negative image (myth) of the “deceiver” – a bad NGO obtaining undeserved gains using gaps in the system. Finally, there is a modern image or myth of the “embodiment” – NGOs are as a symbol and piece of “Western life,” with its mysterious, seductive and “contagious” affluence.

What is distinctive about these images is that they are uncritical. Until not very long ago, it was difficult even to see different media sources on the same issue. Now different perspectives are offered on most conflicts involving civil society. Still, there is rarely any follow up on issues in the news in order for the public to draw an informed conclusion. This does not mean that available data are plainly unreliable. Rather, available information ought to be treated with caution.

This brings us to the second problem: does this theory of “the more NGOs -- the less corruption” apply to all and any NGOs? Or are some NGOs better equipped to fulfil their role as a counter-force to corruption than others? What would be the factors distinguishing civil society organisations that work for the public good, combating corruption, from those that only perpetuate the evil or are simply irrelevant? Since the theory of spontaneous growth of civil society tends to see all NGOs as similar, I will try to refer to those who fail to meet this criterion, although not necessarily out of bad intentions. NGOs?)

Here I would like to use an example of an NGO that was “bad.” The NGO pursued ostensibly good aims and even obtained recognition for its efforts. It aimed at helping people with specific problems, and indeed it was a considerable service to its target group, even though its actual activities diverged somewhat from what was stated in its reports. The NGO was partly sponsored by the local authorities and was in close cooperation with at least two highly respected international NGOs, and so it had no lack of financial resources to expand its activities. However, instead of expanding its operations in proportion to growing resources, substantial amounts of the resources allegedly landed in the pockets of the staff, and many resources were simply wasted. Yet the authorities never called this NGO to account; as to the international partners, at least one suspected mismanagement (if not fraud) but still continued cooperation, for the lack of another eligible associate. As to the media, the NGO has managed to maintain positive image.

I do not claim this example has statistical relevance, but through it we can see what can happen whenever proper conditions (that is, proper people) appear. It shows, first of all, how power – in this case money, on the one hand,

and lack of public accountability on the other, can corrupt even well-meaning NGOs. It also shows that complicity of the government and fellow NGOs allow corruption to go uninterrupted and unpunished. Finally, it shows that merely multiplying NGOs in the corruption-generating system, capable of “infiltrating,” assimilating and subduing them, seeing them not as a danger but as an opportunity to expand and reproduce itself, leads to more corruption, not less. What is worse, civil society loses confidence – if not legitimacy – in the public eye.

Corruption and bureaucracy anger and frustrate the public – NGOs should provide a framework for the public to manifest their dissatisfaction and promote change. Yet, this is not happening. Another eloquent example of a “insufficient” civil society in Romania was the reaction to the new law on free access to public information. The law suggests a strategy for greater transparency -- public interest litigation. [2] The more lawsuits are brought, challenging the denial of public access to information, the more judicial decisions are handed down, ordering access, the greater would be transparency. However, there have been only a few cases against public authorities that deny access to information. [3]

In this instance, it is not “bad” NGOs that actively perpetuate corruption, but civil society that is passive and indifferent to corruption that is the problem. And, as in the previous case of an openly corrupt NGO, it appears that any sheer number of “clean” but useless NGOs does nothing to diminish corruption.

In conclusion

I tried to challenge in this article some assumptions that civil society is *per se* a safeguard against corruption, and that the greater quantity of NGOs automatically diminishes the incidence of corruption. At least in Romania this is not the case.

Corruption appears strong and dynamic. Civil society appears weaker and slower, regardless of numbers of registered NGOs, because it often shows itself unable to resist the pressures of the corruption-generating system. This may be well worth a thought for those who measure democracy or transparency by a number of registered, albeit shady or useless NGOs, and prescribe more NGOs as a remedy to cure the malaise of corruption.

It may also be well worth a thought for civil society actors themselves to start forming a strong and coherent “tissue”: active, coordinated, open self-critical – and thus resistant to corruption. This should not be interpreted as proposal for simply creating an(other) umbrella association or league. There need be not only new structures but also an alliance between NGOs and public opinion. If this internal strengthening does not happen – and I believe in Romania it is not yet happening – many of the NGOs would have to face a crucial dilemma: to adapt and be absorbed into the corrupt system, or perish.

Footnotes

[1] “The Civil Society Index” (issued in Romania by FDSC -Foundation for the Development of Civil Society), which is a study made on a sample containing mostly representatives of NGOs documents that (a) they believe that there is not enough cooperation between NGOs but rather competition, which they perceive as negative and sometimes unfair and (b) the opinion on whether NGOs cooperates or not with the public and private sectors are quite split, though most of them agree that the reverse (the cooperation of the public and private sector with the NGOs) is not satisfactory. The attitude towards cooperation/competition is favours rather the latter, unlike in the type of discourse that I criticise; we can explain this both by the fact that I refer to apologetic discourse and by the structure of the questions. Still, in the comments the authors have quoted (which need not be representative), the statements I have mentioned were argued by various persons. For a simplistic, but in its own way relevant, account of the state vs. civil society competition, see here: <http://www.geocities.com/muntealb/SocietateaCivila.htm>.

[2] Law 544/ 2001 of October 2001.

[3] Romanian NGOs seem to have focused on “show” trials that can be “important steps” and “signals [my underlining] given by the judicial power” (official press release, APADOR-CH, 20 April 2003) or on monitoring the way in which the law is applied, without judicial follow-up.