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Promotion of Participation

ALACs

and Citizenship in Europe

Promotion of Participation and Citizenship in Europe through the "Advocacy and Legal Advice Centres (ALACs)" of Transparency International. Analysis and Enhancement of an Anti-corruption Tool to Enable Better Informed and Effective Citizen Participation in Europe

Ben Elers, Angelos Giannakopoulos, Dirk Tänzler
**Citizens' Participation and Anti-corruption: The
Advocacy and Legal Advice Centres of Transparency
International and the EU-funded research project
ALACs**



Universität
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SEVENTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION



RESEARCH PROJECT: “ALACs”

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1. Introduction

The fight against corruption within member and candidate states of the European Union (EU) to date has made obvious that there is a gap between centrally designed anti-corruption measures and public perceptions of corruption.¹ Especially regarding South East European countries like Romania and Bulgaria but also EU-member states like Greece or candidate states like Turkey, widespread corruption in terms of both petty and grand corruption still remains a serious problem jeopardising institutional change and citizens' trust to state. In turn, in central European countries -- especially in Germany -- recent cases of "white collar" corruption (Siemens, Volkswagen) reveal that, while national and international regimes in the fight against corruption have changed by setting a more rigorous anti-corruption frame, perceptions of what "deviant behaviour" is do not simply fit with the new situation. "Wrongdoing" and corrupt conduct are still perceived by private business and political elites either as a necessary evil or in the best case as a "peccadillo".

Against this background informing the public, i.e. raising public awareness about the problem has increasingly become over the recent years one of the most important aspects in the anti-corruption field in Europe. Important anti-corruption EU-institutions like the European Anti-Fraud Office (OLAF) underline that the fight against corruption requires the involvement of civil society, including the media, universities, and the public (OLAF 2009). In order to enhance public participation in the fight against corruption, the internationally leading coalition against corruption, Transparency International (TI), has launched since some years an anti-corruption tool entitled Advocacy and Legal Advice Centre (ALAC). The establishment of the ALACs within the frame of the already existing National Chapters of TI has started with three initial ALACs in Romania, Bosnia and Herzegovina and FYR Macedonia becoming within a few years a global anti-corruption tool spreading currently in all continents (see Table 1 below). The centres demonstrate that people do become actively involved in the fight against corruption when they are provided with simple, credible and viable citizen participation mechanisms to do so. The ALACs provide victims and/or witnesses of corruption with practical assistance to pursue complaints and address their grievances. The ALAC is a citizen participation tool that links the public interest with private incentives for action on the part of the individual.

¹ About the relevance of perceptions of corruption to anti-corruption measures see the published results of the research project „Crime and Culture“ supported within the Sixth Framework Programme of the European Commission at: <http://www.uni-konstanz.de/crimeandculture/index.htm>. In the project perceptions of corruption have been comparatively analysed in the countries Bulgaria, Romania, Turkey, Croatia, Greece, Germany and the United Kingdom. See especially the final report of the project available at: http://www.uni-konstanz.de/crimeandculture/docs/STREP_Crime_and_Culture_Final_Project_Report.pdf

Directly linked to the Advocacy and Legal Advice Centres of TI is the research project “Promotion of Participation and Citizenship in Europe through the ‘Advocacy and Legal Advice Centres (ALACs)’ of TI. Analysis and Enhancement of an Anti-corruption Tool to Enable Better Informed and Effective Citizen Participation in Europe” (short title “ALACs”) supported within the Seventh Framework Programme of the European Commission. The research project is funded in the frame of a new innovative support instrument of the European Commission called “Research for the Benefit of Specific Groups-Civil Society Organisations” launched for the first time two years ago demonstrating the increasing interest of the EU-institutions towards scientific support of public engagement in a variety of action fields within society. The ALACs-project is a unique joint venture founded by three types of social actors with different but corresponding interests, competencies and objectives: 1. The civil society activists from the National Chapters of TI, who seek democratic development in their societies through enhanced citizen participation; 2. The TI-Secretariat, which is interested in improving its organisational structure by implementing new techniques of knowledge management (including a database) in its ALAC network Europe- and worldwide; 3. The research performers, who aim at enhancing knowledge about the cultural conditions necessary for the implementation of anti-corruption policies by establishing an innovative action research approach. Conducted by practitioners, professionals and academics, this approach will result in the formulation of a pioneering and empirically-grounded theory of the practice of the Advocacy and Legal Advice Centres. The main objectives of the ALACs research project are therefore: 1. to understand the nature of interaction between loose coupled network practitioners and professionals from TI, and 2. to analyse the cultural conditions necessary for implementing a specific management method and a mechanism to increase citizen participation in the countries participating in the project. The consortium of the ALACs-project is composed of eight National Chapters of TI in the countries Romania, Bosnia and Herzegovina, Czech Republic, Azerbaijan, Ireland, Finland, Lithuania, Hungary and the TI-Secretariat in Berlin on one side as well as of scholars based at the Universities of Konstanz (co-ordinator), Duisburg-Essen and Warwick on the other. The research project started in September 2009 and will run until August 2012.

Regarding enhancement of citizens’ participation against corruption related to the worldwide anti-corruption efforts of the Advocacy and Legal Advice Centres on the one hand as well as regards the ALACs EU-project on the other, this article contains the following: In the second chapter a detailed description of the ALAC-tool of TI as an innovative anti-corruption mechanism will be provided. In the third chapter core aspects of the co-operation between academics and anti-corruption activists in the frame of the ALACs-project will be highlighted, against the background of which in the fourth and last chapter fundamental dimensions of this unique co-operation in improving citizens’ participation in the anti-corruption field will be underlined.

2. Overall framework und characteristics of the ALAC-tool

2.1 The overall framework

Compared, for example, with Greenpeace, a strong, hierarchical NGO with a dominant management represented by the headquarters and a large number of directed and financially-bound “foot troops,” TI represents the ideal type of network for a social movement: a collection of autonomous and independent single and corporate actors unified by a common anti-corruption goal (De Sousa 2005). There is no large bureaucracy or headquarters (with big overhead), but only a handful of charismatic leaders and a secretariat that loosely bind widespread and spontaneous activities into a grassroots organisation.

Moral integrity, not formal hierarchical status or position of power, is the linchpin of integration in such a movement. The moral integrity of TI has been the secret of the movement’s success in the last 15 years, especially in countries undergoing large-scale socio-political transitions. In the post-socialist, but also in the post-colonial countries (in Africa, for example), people see the state institutions as the source and motor of corruption, rife with functional deficiencies, structural inequality, poverty and lack of personal and political liberty – in short, the ground zero of cultural and societal underdevelopment. After 1990, the state institutions of the Western developed countries came under similar suspicion because they were perceived as responsible for the corruption and crisis in the countries of the so-called “third world” and for the contemporary state of the political and economic world order. Against this backdrop, TI represented an alternative of unpolitical politics, i.e. politics of non(-professional)- politicians. TI became a model for activists all over the world to enforce citizen participation and civil society. As a morally-grounded institution, TI gained strong legitimation and was thus able to greatly impact political agenda-setting worldwide (Keck/Sikkink 1998, Marschall 2002, Eigen 2003).

Since the times of German sociologist Max Weber, organisational theory assumes that social institutions begin as charismatic organisations and must be transformed into formalised structures if they are to endure (Weber 1964). Looking back, one sees that TI began to do just that, professionalising and formalising the anti-corruption movement by inventing and implementing effective management and citizen participation tools, which did and will continue to optimise the work of the activists and the organisation as a whole. In consequence of the specific character of TI as a global informal network, one can expect that this transformation from a personalised to a formalised structure will generate a new type of organisation typical for global politics in the post-modern knowledge society.

It should be assumed that not so much power (or law) but practical knowledge will be the crucial media of communication in this new type of formalised network. This knowledge will

take the form of a management system (“tool”). The risk of this organisational transformation, however, is that moral integrity will be substituted by a kind of formal procedure, and civil society by technocracy (“best practice”). Because the ALAC concept is twofold, conceived as a management tool *and* as a citizen participation tool, as a professional procedure (“best practice”) and as a mode of civil empowerment (“political culture”), the risk that such substitution will occur must be empirically explored and assessed.

2.2 The ALAC state-of-the-art

A plethora of citizen participation mechanisms exist in a variety of countries (Alemann 1975, Klein/Koopmans/Geiling 2001, Donath 2001, Wallace/Pichler 2009, Salamon/Anheier 1994, Salamon/Sokolowski/List 2003). However, the ALAC citizen participation mechanism, which consists of a combination of direct and representative participation, remains unique. While an ALAC is essentially a grass-roots approach to fighting corruption, it also generates a unique and precious profile about the actual workings of direct citizen participation and how it impacts the lives of ordinary citizens. Analysis of direct citizen complaints helps identify “soft points” in the system that allow corruption to flourish (e.g. particular legal or administrative loopholes that are common to a number of cases). Identification of these “soft points” provides the ALACs with an opportunity to engage in representative citizen participation by developing clear and specific advocacy targets grounded in reality, meaning that the concerns of ordinary citizens can be translated into systematic changes.

The origin of the ALAC is a step-up evolution from a previous generation of anti-corruption resource centres. While ALACs retain some of the characteristics of resource centres, the type of work performed in the ALACs – case orientation, institutional engagement and leveraging, and systemic advocacy on behalf of citizens (a kind of class action) – is fundamentally different from that performed in a resource centre. The centres generally conform to the anti-corruption guidelines drafted by TI, namely, to enable direct engagement of citizens in the fight against corruption. The core of the ALACs as a mechanism for citizen engagement against corruption comprises three main interrelated goals: 1. Provide assistance to citizens who have been victims or witnesses of corruption and wish to articulate their complaints, 2. Improve the institutional efforts in order to more effectively perceive and act upon complaints of corruption, 3. Contribute to the systematic optimisation of the fight against corruption in legal, administrative, and institutional areas.

Table 1: Transparency International Advocacy and Legal Advice Centres Current and Planned			
Countries with operating ALACs			ALACs planned in new countries
Europe and Central Asia	Country	Existing ALACs	Funds secured Country
	Albania	1	Finland
	Armenia	1	Hungary
	Azerbaijan	5	Ireland
	Bosnia/Herzegov.	1	Lithuania
	Bulgaria	1	
	Czech Republic	1	
	Croatia	1	
	Georgia	1	
	Kazakhstan	2	
	Kosovo	1	
	Kyrgyzstan	1	
	FYR Macedonia	1	
	Moldova	1	
	Montenegro	4	
	Romania	1	
	Russia (online)	1	
	Serbia	1	
	Slovakia	1	
Africa and Middle East	Ghana	1	Cameroun
	Kenya	1	Madagaskar
	Lebanon	1	Mauritius
	Liberia	1	Niger
	Morocco	1	Nigeria
	Palestine	1	Senegal
	Rwanda	1	
	Zambia	1	
	Zimbabwe	1	
Americas	Haiti	1	Uruguay
	Guatemala	1	Dominican Republic
	Argentina	1	
			Bolivia
			Colombia
			Panama
			Peru
			Trinidad/Tobago
			Venezuela
Asia and Pacific	Fiji	1	Solomon Islands
	Pakistan	1	
	Papua N. Guinea	1	
	Nepal	1	
	Vanuatu	1	
Total number of ALACs		45	15
In countries	35		13
			14

Table made by A. Giannakopoulos on the basis of an internal TI-table constructed by Milena Marin.

Within the TI movement, reference is made to “the ALAC approach,” rather than to “ALAC as a fixed methodology.” This reflects two central facets of TI practice: first, that there exists a culture of cross-learning in the TI movement, a component of which is respect for diversity, and second, that there is an intent within the movement, expressed in the mandate of the TI Secretariat, to translate knowledge, learning and innovation into effective anti-corruption practice. At their core, ALACs represent a citizen participation mechanism with three objectives. The ALACs aim at: First, empowering citizens – as victims and witnesses of

corruption – to address their grievances. This is achieved by providing citizens with information and legal advice so as to enable them to file corruption-related complaints (as either victims or witnesses). Awareness among citizens and businesses is raised and services are provided to help combat corruption and file complaints with the appropriate authorities. Referral to and cooperation with other civil society organisations and media are other avenues of potential recourse depending on the case. Second, strengthening the citizen-responsiveness of institutions and their ability to receive and act upon corruption-related complaints. This is achieved through constructive engagement with public institutions, focusing on helping them understand the need to process complaints effectively and develop the capacity to do so. The ultimate aim (which extends beyond the timeline of this action) is that public institutions are trusted by and responsive to citizens so that an intervention such as the ALAC will not be required. Third, bringing about systematic improvements (legal, administrative and institutional) in the fight against corruption. This is achieved through the analysis of corruption cases brought to the ALAC, which is used to identify “soft points” in the system that allow corruption to flourish (e.g. particular legal or administrative loopholes common to a number of cases). This provides the ALACs with clear and specific advocacy targets, meaning that the concerns of ordinary citizens can be translated into representative actions for systemic changes.

ALACs are thus a mechanism for direct citizen participation and representative citizen participation. The current ALAC tool kit includes in detail the following: 1. For direct citizen participation and engagement: a) a publicised primary gateway for citizen engagement. In many cases, this is an advertised telephone hotline (toll-free, costs permitting). In other cases, direct-visit facilities in the ALAC office or mobile outreach activities into communities play the role of this primary citizen interface; b) a website explaining the role and purpose of the ALAC and providing some practical information about pursuing corruption cases; c) citizen’s guides, which are essentially “How To” manuals meant to assist ordinary people in understanding and defining corruption as well as providing them with practical information. The guides are intended to be user-friendly and non-legalistic, describing the various avenues available to citizens for seeking redress for alleged instances of corruption. Some of the ALACs have produced a generic guide, while others have produced sectoral guides in areas such as corruption in public procurement, land and property rights and judicial integrity. Typically, these sectoral guides correspond to the areas that have generated a high volume of ALAC complaints; d) a library. In each ALAC, publications related to corruption and certain legal texts have been assembled in the form of a small library, primarily for the use of ALAC legal experts and volunteers, but also available for client use; e) a database. As public complaints are received, the ALACs compile them into a consolidated database from which statistics can be drawn and trends identified. A common database is supported by Transparency International Secretariat TIS, and some technical support is offered to Chapters,

but in practice, a wide variety of databases are in use in the different Chapters. 2. For representative citizen participation: a) memoranda of Understanding (MOU) with responsible institutions; b) cooperation and Referral Agreements with other civil society institutions; c) press releases showing statistical breakdowns of complaints received and highlighting specific institutional and legal vulnerabilities; d) creation of dialogue and intermediation spaces with responsible institutions in order to provide recommendations; d) formal consultation and advocacy in various formats, varying from public petitions to specialised proposals to parliamentary committees for legislative changes.

TI recognises the need to continue strengthening knowledge management in the TI movement, including developing internal communications tools and technologies. Recent advances have been made in this regard through increased use of the “TI Chapter Zone,” TI’s intranet platform, but more work is required in terms of impact assessment and tracking of the ALACs’ performance. To date, no systematic monitoring and evaluation methodology exists for ALACs, and there are no agreed-upon benchmarks of good practice or performance indicators. The creation at TIS of an ALAC Programme Manager position represents an important move towards collecting standardized activity data, but it is only the first step on the road to comprehensive performance assessment. Successful cross-training between established and start-up ALACs has produced good effects. This approach is particularly significant because it offers the possibility of leveraging further action research, in that cross-trainings offer a fertile ground for the real-life application of academic, research-generated insights.

3. The ALACs-project as a contribution to advancement of ALAC-knowledge and enhancement of citizens’ participation

3.1 A brief description of the the ALACs-project objectives

In a knowledge-based society, there is generally a strong link between theory and practice (Castells 1996, 1997, 1998, Haas 1992). Efficiency and effectiveness of practical action are increasingly the result of a profound management of knowledge. In addition to their professional competence, practitioners also need the ability to reflect the conditions under which they operate. Therefore, a co-operation between social scientists and nationally and globally operating civil society organisations is a practical necessity in today’s knowledge-based society and global world. ALAC is a management tool that facilitates a wider engagement of a given population in the fight against corruption and for enhanced transparency and accountability. In consequence of the ethical intentions and “open” organisational structure of TI ALAC was designed as a combination of an anti-corruption management tool and a citizen participation tool. In addition to maintaining a structural

balance between these two complementary leitmotifs, the ALAC as an organisational unit must also grapple with different and changing societal and cultural contexts. The complex organisational and managerial challenges that this entails demand a co-operation between professional practical actors and researchers. The intention of the planned co-operative research between TI and a research group based at Konstanz University, Germany is to increase the understanding of citizen participation and how democratic “ownership” develops. The primary focus of the research is on Europe and citizens’ rights and responsibilities as they exist within the European legal framework; further thematic focuses are anti-corruption policy, citizen engagement and action. The heart of the research will be to analyse the citizen participation mechanism of TI in eight countries, some of which are EU member states, others of which are countries in the Western Balkans and Caucasus with strategic EU partnerships (see also above in 1. Introduction). Pursued in the mode of action research, the project will also produce policy and institutional recommendations at European and national levels. The success of this main goal, that is, the articulation of a research-based policy recommendation, depends on the realisation of the three mediating and interconnected objectives of the ALACs research project. Each mediating objective refers to the research interests of one of the consortium members: (a) through application of knowledge, the national chapters seek to enhance legal advice and the democratic capital of citizens. From the layman perspective of these activists at the front, the project aims at increasing people’s understanding of citizen participation and how democratic “ownership” develops, with a focus on Europe; (b) as a global civil society organisation, TI intends to encourage the processes of professionalisation and diffusion of knowledge. From the standpoint of the professionals of a worldwide operating organisation, it was important that the research strategy devised foresees the continued involvement of the leading anti-corruption civil society practitioner; c) the research performers are interested in improving and applying knowledge, i.e. in better understanding of how to integrate research and practice in the form of action research. Normally, research is related to practice only after certain events have occurred, and scientific knowledge is applied to practice only when research has been completed. The ALAC research project is designed as a simultaneous and reciprocal process of social learning between researchers and practitioners. The three collaborating partners will not give up their roles and interests as laymen, professionals and scholars, but will attain their goals by widening their scopes of knowledge, i.e. by taking one another’s perspectives into account. During the project, scientists and TI practitioners will collaborate to analyse and reflect upon citizenship and citizen participation.

The ALACs-project is a pilot project for the establishment of a professional management system in a grassroots organisation that began as a more or less spontaneous movement without strict organisational structure and leadership. The implementation of the ALAC as a professional management tool will have a strong impact on the style of action and the

structure of organisation in the national TI chapters. Accordingly, the research project will explore both how to implement the management tool and what the intended and unexpected consequences of the tool will be. Furthermore, the project itself is an innovative action approach. It combines scientific research and practical work in a holistic way so that scientific examination and analysis will not be delayed until after the professional practice has already been established, but instead be involved right from the start. Science, in other words, will be used to reflect on the process of establishing a distinguished form of action precisely while that process is taking place. The final objective of the research project is twofold: the presentation of the advanced ALAC methodology as a new model for co-operation between citizens, NGOs and researchers on the one hand, and the derivation/deduction of policy recommendations on the national and EU level on the other.

3.2 Operationalisation of the objectives

The ALACs-project is a necessary preliminary step for the implementation of a new management and citizen participation tool. The results of the project will increase the probability of a successful adaptation and efficient application of the ALAC approach in different European and non-European countries. The admission of a non-European country in the project (Azerbaijan) has the methodical function of a comparative and control case. The ALACs have had significant impact in the four countries included in this project, that is in Romania, Azerbaijan, in Bosnia and Herzegovina and in the Czech Republic. Evaluated comparatively on a cross-country basis, these ALACs will provide important gains in knowledge in terms of understanding how, when and why citizen participation works in the context of Europe and transitional democratic countries. It will deepen understanding of how governments react to citizen participation and what role civil society plays in ensuring that democratic “ownership” works at national and EU levels. It will further elaborate on the role of EU anti-corruption policy and legislation as it relates to citizenship and citizen participation at national levels. Measuring the impact of an ALAC has been very difficult, as it is not easy to attribute events such as changes in laws, resignations, prosecution and so on to specific causes. There is, however, compelling evidence to suggest that the centres have played a critical role in encouraging ordinary citizens to become engaged in the fight against corruption (e.g. in Bosnia and Herzegovina, it is estimated that 0.5% of households contacted the ALAC), in strengthening laws (e.g. protections of whistleblowers in Romania), and in bringing about resignations and terminations of employment.

The collaborative research project seeks to execute content analysis in order to supplement the quantitative knowledge stock the ALACs have so far accumulated with a qualitative approach. The project has been drawn up under the premise that the extensive dimension of

corruption awareness – i.e. how widespread corrupt behaviour is in a society – must be supported by research on its intensive dimension – that is, the socio-cultural bearings of corrupt conduct. Under these auspices, the project aims at setting up a scientific public attitudes survey that explores levels of civil awareness, attitudes toward corruption and levels of TI/ALAC recognition. This qualitative research is intended mainly to help develop the database system of the ALACs. In the past, as public complaints were received, the ALACs compiled them into a consolidated database from which statistics have been drawn and trends identified. Statistics supported by the database have consequently been used in press releases and to launch public advocacy campaigns. Where the database was more sophisticated (for example, in Romania), the information was used as a means of targeting new areas of concern and developing specific advocacy initiatives. The content-analytical approach of the research team purports to provide qualitative data that will on the one hand uphold the statistical material gathered thus far and on the other hand be used to design and develop the database system of the new ALACs. On the basis of a computerised qualitative content analysis (content analysis software Atlas-ti) of documents and interviews according to the principles of grounded theory (Strauss/Corbin 1990, 1998), the research team will reconstruct the intensity with which corruption is perceived, i.e. the phenomenon's socio-cultural basis. The results will immediately flow into the data management system of the ALACs both as a) improvements/extensions of the variables deployed in processing and systematising incoming information, and as b) basic components of the design of the input information management system of the new ALACs.

Exploring the cultural underpinnings of corruption and putting the results at the immediate disposal of the ALACs, the qualitative research will further promote the process of ALACs becoming more than mere providers of legal advice and developing into initiatives that link civil education and legal reform with individual advocacy. By enriching the information pool of the ALACs with data concerning social dispositions and cultural stances, the project will be able to contribute to making the centres more attentive to accomplishing the task of devising policies that raise the level of citizens' education and empowerment. This development is all the more urgent when one considers the fact that in the absence of an educated and empowered citizenry, the mere existence of laws, regulations and complaint-resolution mechanisms cannot accomplish critical anti-corruption goals. This fact also holds true at the level of EU integration and harmonisation policies. Promoting the ALACs as management tools of a "bottom-up" anti-corruption initiative means that on the basis of the co-operation between researchers and civil society practitioners, sustainable grounds for improving and consolidating legal and institutional reforms can be established both at the EU level and the level of national policies. As they flow into the data processing system of the ALACs, the qualitative results of the project will enhance the capacity of the ALACs – and,

by extension, of the national chapters of TI – to put forth proposals and take a more active part in the formulation of anti-corruption policies.

3.3 The methodology of the research

Table 2: Structure of work plan of ALACs-project

Activity	Phase 1	Phase 2	Phase 3
1. Research on factors affecting citizen participation concepts in eight countries; research on practices and perceptions on the basis of existing ALAC mechanisms in four countries and creation of conditional framework of analysis on European citizen participation in the context of combating corruption.	■		
2. Situation analysis of four ALACs in operation; development of monitoring and quality assessment framework.	■		
3. Evaluation and recommendations to improve the methodology of ALAC citizen participation tool; joint validation by researchers and practitioners.	■		
4. Implementation, monitoring and assessment of improved ALAC methodology in four new ALACs in EU member states.		■	
5. Improvement of policy formulation and implementation at national and EU level through evidence-based recommendations from TIS and TI National Chapters.			■
6. Organisation of cross-fertilisation research meetings between researchers (Konstanz University research team) and practitioners (Transparency International); dissemination of knowledge.	■	■	■

Table constructed by Jana Mittermaier, Transparency International

3.3.1 The first project phase and its conceptual background

The first step will be to assess the concept of citizen participation underlying the ALACs mechanism and practices in Europe and in conjunction with European law (see Table 2). If ALACs are understood as mediating institutions between the citizen and the institutions of governance, then important conditioning factors influencing the optimal design of a particular ALAC arise from the specific national sociology of citizenship (encompassing historical, political and cultural factors) on the one hand, and the actual functioning of governing institutions responsible for preventing and sanctioning corrupt behaviour on the other. These conditioning factors will be identified in a framework of analysis of factors enabling or impinging on the exercise of citizenship in the context of combating corruption. Research in all eight project operational locations will also help identify the relative significance of the various conditioning factors in the respective countries. This very intention of the project

derives from the sociological point of view that corruption represents a solution to a social problem, regardless of how the effects it may have on a society's morals and effectiveness, as well as on many other areas, are evaluated. Thus, every anti-corruption effort has to first identify what motivates people to opt for corrupt and illegal conduct. The motives and causes that underlie corrupt conduct are rooted both in current conditions and in long-standing socio-cultural contexts, both of which are to be disclosed through sociological analysis. Generally speaking, corruption is an effect of modernity. According to Samuel Huntington corruption is an effect of a failed state or a society with weak institutions (Huntington 1969, 1991). The problem of Huntingtons functionalist argument is its normative impetus. Since the work of Shmuel Eisenstadt we are sensible for the diversity of the pathways to modernity (Eisenstadt 2000, Eisenstadt/Eliezer 2005). A second important "function" of corruption is also obvious if we consider the historical fact that the bourgeoisie came to political power by simony, that is, by buying political offices in the 19th century. Something similar happened in the post-socialist transition states after 1989. Considering all that the question that immediately arises is: why corruption still exists in modern states like the USA, Germany or in the United Kingdom (UK) if it really is only a prerequisite of the passage to modernity? The question itself provides us with an answer: Modern states are in transition too and corruption is one vehicle to take part in this process. According to our understanding corruption functions both as an elevator (structural corruption) for parvenus from the petty bourgeoisie but can also have the form of a closed circle of exclusive people of the *haute vollée*. In the first case corruption is an instrument to gain social capital, in the second case to secure the access to social chances and social capital.

On the basis of evidenced provided by the "Crime and Culture"-project², for example, the perception of an all diffused and encompassing corruption strongly characterises all Balkan countries while in Germany and the UK the opposite occurs. Secondly, while in the Balkan countries corruption generally flourishes on the ground of a weak citizenship generated by a distorted relationship between state and the citizens, in Germany and in the UK it is feared that corruption can eventually produce exactly such an effect. Finally, the anti-corruption discourse in all countries is based on certain preconceptions that vary according to different fundamental understandings of *social norms*. Especially regarding common patterns it is interesting to consider that although perception patterns may be the same, they result from different conditions and lead to different modes of action, i.e. corrupt conduct. This is the case if we, for example, compare closer perceptions of corruption in Greece and Turkey. Although a common paternalistic pattern of governance and citizens' participation exists, this leads in Greece to a type of corrupt conduct resting upon a consuming mentality and an individualistic life-style, whereas in Turkey corruption is an instrument of social and economic communication, i.e. in terms of an "active" social interaction in a "bazaar mode". Focusing on

² See details about the project in footnote No 1.

the post-socialist countries' transition to free market democracy it is obvious that the process of privatisation has fostered corruption. Furthermore, there occurred a transformation of the former socialist re-distribution mechanisms into privileged networks of former and new nomenclature members. It seems that in all transition countries petty and grand corruption became somehow interchangeable. The term corruption functions in the public discourse as a *catch-all term* and a *metaphor* for the un-comprehensible causes of the transition crisis as well as for the increasing social differentiation, social inequality and redistribution of national wealth to the benefit of few. On the other hand, de-regulation of the state, the administration and the economy causes irritation in the self perception of social roles (administrative/entrepreneurial) and opens new chances of corruption in countries like Germany und the UK. Differences in the way corruption is perceived by the representatives of the target groups generally derive from varying pattern of rationality by the members of the target groups. Whereas politicians and businessmen are success oriented, policemen, judges and general attorneys view themselves as watchdogs of morality in a society which goes beyond their professional attitude as such. Finally, while adoption of new standards is a matter of fact leading to a different view of social reality, this, nevertheless, does not necessarily translate into behaviour that could reject corrupt conduct in practice. Generally speaking, on the Balkans the view of the "others" (that is, the view of the EU on anti-corruption) has without doubt been adopted, but patterns of behaviour remain the same thus jeopardising every anti-corruption effort. In Germany and the UK, on the contrary, the fact that petty corruption, which is perceived to be the "real" corruption, does not exist, functions as a justification for wrongdoings in the field of grand, structural corruption. Also in these countries new anti-corruption standards have been adopted, but the consciousness of a part of the elites of doing something illicit lags behind. Finally, anti-corruption has to be seen as a long-lasting learning process with regard both to transition and modern European states no matter whether in terms of petty or grand (structural) corruption. An increasing importance regarding this process is to be attested to two social actors that could indeed make the difference in the anti-corruption fight in the single countries as well as Europe wide: civil society and the media. Raising public awareness with regard to corruption through the media should, however, go hand in hand with an enhancement of the possibilities given for a direct citizens' participation in the fight against corruption.

3.3.2 The second and third project phases

Using research insights on citizenship, the analytical framework on exercise of citizenship in the context of corruption and the situation analyses on current ALAC operations as inputs, the research team will evaluate the current methodology in four existing ALACs, two operating in EU member states (e.g. Czech Republic, NCCR and Romania), one operating in a potential

EU candidate country (e.g. Bosnia and Herzegovina) and one operating in a country participating in the European Neighbourhood Policy (ENP) of the European Commission (e.g. Azerbaijan). The team will then develop recommendations for how to further advance the methodology of the ALAC citizen participation mechanism in order to strengthen that mechanism and the impact it makes (see Table 2).

The implementation of the recommendations is meant to further enhance the ALAC citizen participation mechanism, keeping it fresh and state-of-the-art and to promote the creation of a new and innovative citizen participation tool (see Table 2). Recommendations for the new ALACs will include topics such as new methods of citizen outreach, more sophisticated interaction between ALACs and media/public institutions, more advanced legal advice to individuals and systemic advocacy on behalf of the citizens in specific policy areas, such as justice. Based on the analysis of the ALACs in operation, the research group will support and proactively monitor the implementation of the recommendations at the four new ALACs in EU member states. The new ALACs will also be encouraged to engage in dialogue, share perspectives with the research team and report on how sociological and institutional factors specific to national contexts affect the exercise of citizenship and are reflected in both local ALAC methodology and (early) results achieved. Researchers will also monitor the implementation of changes in the four operating ALACs, though on a more minimal basis. In this monitoring, the ALACs will, to a certain extent, be treated as a control group, and the primary objective of the monitoring will be to deepen understanding of the substantive recommendations for the strengthened ALAC methodology and to examine any barriers to implementation or points of “passive” resistance that emerge in practice.

The third and last project phase aims at enhancing TI’s contribution to anti-corruption policy formulation and its institutional recommendations at national and EU-level (see Table 2). Based on the corruption-related cases that citizens have presented to the centres, assessments will be made regarding necessary policy changes in the sectors and institutions that inspire the most complaints. Specific institutional and legal vulnerabilities will be highlighted and recommendations for improvement will be provided and advocated. Experience shows that the strengthening of government complaint mechanisms is central to the ALAC project. While remaining entirely independent, ALACs have been welcomed by government authorities in all countries of operation because the cases presented by ALACs are normally well-documented and well-articulated, which facilitates the work of government complaint mechanisms.³ Finally, understanding ALAC cases can help governments shape arguments on controversial topics. In addition to advocacy at the national level, it is essential to also advocate for systemic change at the EU level. During this phase of the project, the researchers

³ It is critical to realise that the primary role of government complaint mechanisms is normally to investigate the complaint, not help the complainant formulate a complaint.

will evaluate the EU's anti-corruption legal framework, highlighting those aspects that should be given special consideration. The evaluation will also take the national-level recommendations into consideration, paying close attention to areas of overlapping or confluent policy and institutional mandates. Where such areas exist "national" recommendations will then also be advocated at the EU level. Policy and institutional recommendations only become useful if they are effectively advocated; an interface between research and decision-making must, in other words, be created. TI will use its Brussels office as a base of project operations during the third project phase in order to increase the effectiveness of EU advocacy planning, dialogue and impact.

4. The impact of the co-operation between academics and activists in the anti-corruption field

Research on and enhancement of the ALAC as an anti-corruption tool aims at generating scientific knowledge designed to serve mainly three purposes: through targeted publicity campaigns and mechanisms, to raise public awareness on citizen rights related to corruption issues, thus promoting civil activism. Furthermore, to enhance the civil society role of the ALAC, developing it into a) a public interface, b) a direct and structured means of citizen empowerment, and c) a bottom-up driver of change as well as to provide impetus for policy advocacy and institutional reform by linking the work of ALACs with media, civil society and public pressure in order to achieve greater public accountability for anti-corruption policies and practices. In this way, the project's research and analysis of citizenship and citizen participation purports to assist and scientifically bolster the "grassroots" work of the ALACs in helping them to go beyond the narrowly-conceived mandate of advising citizens of their rights and advocating on their behalf. Exploring cultural mentalities and societal stances towards the legal framework and especially towards the anti-corruption legislation will help *link* the advisory and advocacy efforts for individual citizens to wider civil education, engagement and legal reform initiatives. This, in turn, means raising the degree and effectiveness of citizen participation and consequently promoting the anchoring of the values of dignity, integrity, accountability and transparency in civil society. In view of the objectives aimed at and the factors to be considered, the ALACs project is a pilot research undertaking for the establishment of a professional management system in a grassroots organisation that started as a more or less spontaneous movement without strict organisational structures and leadership. Therefore, it will have an immediate and far-reaching impact on the work of the ALACs and the national chapters of Transparency International.

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SEVENTH FRAMEWORK PROGRAMME OF THE EUROPEAN COMMISSION
Thematic Priority: Theme SSH-2007.5.1.1
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RESEARCH PROJECT: “ALACs”

Promotion of Participation and Citizenship in Europe through the “Advocacy and Legal Advice Centres (ALACs)” of Transparency International. Analysis and Enhancement of an Anti-corruption Tool to Enable Better Informed and Effective Citizen Participation in Europe

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