

The social and institutional structure of corruption: some typical network configurations of corruption transactions in Hungary

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In the first part of the Chapter four ideal-typical corruption transactions are explicated in terms of the principal-agent-client model: bribery and extortion are described as two different types of agent-client relationship, while embezzlement and fraud as two different types of principal-agent relationship. The main idea is to describe these elementary corruption transactions as simple directed graphs. The next Section of the Chapter takes into consideration different kinds of possible motivations (such as the reduction of risks or transaction costs) of the principals, agents and clients, in order to embed their corruption transactions in various kinds of personal, business, political and other institutional networks.

In the second part of the Chapter some typical and stable network configurations are presented, based on a recent empirical corruption research carried out in Hungary. Certain corruption cases (such as party financing or granting of permit) are analyzed in details, and are described as complex and multiple networks. The Chapter concludes in showing some signs of the evolution of corruption networks in Hungary in terms of the number of actors, of the complexity of network configurations, of the level of personal or institutional embeddedness, and of the multiplicity of relationships.

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9.1 Introduction⁴

The study consists of two main parts. In the first one, the concept and ideal-types of corruption are defined. The various types of elemental corruption transactions are differentiated in terms of the principal-agent-client model, illustrating them through directed graphs. During the course of this process, we distinguish two subtypes of both the agent-client relationship and the principal-agent relationship: bribery and extortion in the former case, embezzlement and fraud in the latter case. To conclude part one, we attempt to delineate the motivational mechanisms that encourage participants in corruption scenarios to embed their transactions in various types of personal, business, political and other institutional networks. With the help of these networks, those involved are often able to decrease the transaction costs and risks associated with the corrupt dealings.

In the second part of this Chapter, the social and institutional embeddedness of a few typical Hungarian corruption transactions is discussed, also illustrating these through multiplayer, complicated, multiplex graphs. Here, we will supplement the ideal-typical models of corruption with the concepts of the hidden principal, the broker, and the hidden role. Through the latter, we wish to demonstrate that those involved in corrupt transaction may, in certain scenarios, behave differently than would be expected based on their roles. Our previous research⁵ has shown that, in corruption transactions, the most common corruption risks are associated with permit/license acquisition and inspection, the acquisition and use of EU funds, public procurement, as well as the buying and selling of government- and local government-owned real estate (Alexa et al., 2008; Szántó et al., 2011). Thus, we present networks of this type in the form of case studies. Our discussion is concluded with a short summary.

9.2 The concept and ideal-types of corruption

International literature offers numerous definitions for the concept of corruption⁶. This is partly due to the fact that – because of its historical-

⁴ The study was done at the Corruption Research Center of the Institute of Sociology and Social Policy at Corvinus University Budapest. The research which served as the basis of the study was conducted by: university students Hilda Kinga Balázs, Kinga Bartis, Tünde Cserpes, Márk Tamás Fülöp, Gergely Lukácsházi, Annamária Márkus, Erna Miskolczi and Orsolya Vajda, as well as doctoral student Szabolcs Varga. The research was lead by university professor Zoltán Szántó and principal scientific contributor István János Tóth. The research was supported by TÁMOP 4.2.1.B-09/1/KMR-2010-0005 project.

⁵ Alexa et al. (2008), Szántó et al. (2011).

⁶ The word corruption (Latin: *corrumpo*) originally means to break, to destroy.

cultural nature and its versatile character – the phenomenon is a rather difficult one to describe in general terms. The situation is further complicated by continuously ongoing debates between experts in an effort to reach consensus on a general definition (see for example Lambsdorff, 2007, pp. 15-20). The creation and acceptance of a general definition is made difficult by a number of factors. For one thing, the term stands for a number of distinct, but related, phenomena. Moreover, differences become apparent even when examining the issue from the legal and cultural perspectives of a given country⁷, as well as when exploring the common concept of corruption and its effects on public interest. All this is further differentiated by the fact that the term can comprise the definitions of those with involvement and vested interest in corruption, as well as those who are actively fighting against it (Gardiner, 2009).

In spite of the debated questions, however, of the widely known definitions often referred to by social scientists, Nye's take certainly warrants mentioning. According to Nye (2008, p. 284), "corruption is behaviour which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence." In contrast, Klitgaard (1991) argues that we can only speak of corruption if the individual places her/his personal interest in an unpermitted manner above the causes (or persons) that s/he is otherwise meant to serve⁸. In the opinion of Rose-Ackerman (1978, 1999, 2006), corruption appears in the simultaneous presence of both wealth and the power of the state. It is markedly characterized by a willingness to employ forbidden (financial) means to influence the decision process. She regards the corruption transaction between a private person (or private company) and the government as its most common form, where the corruptor, in return for a bribe, obtains an unlawful (financial or other) advantage from the corrupted public officer. Similarly to the aforementioned examples, Lambsdorff stresses a number of important attributes in relation to corruption in the definition he utilizes in his research. In accordance with this, corruption – at first take – is "the misuse of public power for private benefit" (Lambsdorff, 2007, p. 1).

These various definitions seem to share some common attributes, which

⁷ Here, there is emphasis not only on the word legal, but also on the word country: as a result of historical, cultural and other differences, there is considerable variance between corruption phenomena and – following from this – the general concepts of corruption in the individual countries.

⁸ Klitgaard (1991) presents the various forms of this, drawing on examples from different sectors, in reference to the initiators of the corruption.

comprise the substantive factors in the innumerable manifestations of the phenomena. These characteristic features – with the inclusion of Lasswell's (1930) points – can be summed up as follows:

- a corrupt transaction can only take place if at least two parties are involved (be it a person, a community or an institution);
- the premeditated and conscious decision of the parties to participate in the transaction is also a basic condition;
- the intent to exert influence with the aim of obtaining a personal advantage is an integral element of corruption – in other words, there is a pursuit of self-interest, where personal objectives are placed, in case of political corruption, above public interest, and in case of economic corruption, above the owner's interest⁹;
- and, finally, breaking the rules (forbidden, illegal, unauthorized activities) is also a significant feature.

As, in our research, Lambsdorff's definition seemed the most productive for our purposes, we will also rely on this in our present analysis. This definition is based on the principal-agent-client model of modern political and institutional economics¹⁰. The model is grounded in rational choice theory: its actors consider the expected benefits and cost of their options and choose the alternative which promises to yield the highest net benefit. In the model, the agent (*e.g.*, an official who issues construction permits) is entrusted with power by the principal (*e.g.*, local government). During this process, the principal (i) delegates certain tasks to the agent, (ii) determines the formal rules according to which the tasks are to be performed, and (iii) offers remuneration to the agent for completing the tasks, who, in return, (iv) remains loyal to the principal, which means s/he performs the tasks in accordance with the rules that have been laid out. The agent will respond to the client's needs within the specified framework (vi), for example, an application for a construction permit (v). These relationships are illustrated in Figure 9.1 by directed graphs, in accordance with the numbering in the text above.

Corruption takes place when one of these players (in most cases the agent) breaks the rules out of self-interest, thereby hurting the interest of the other players (in most cases the interest of the principal and/or the client). The objective of the principal is to motivate the agent to perform an

⁹ The meaning of "public interest" has been, and continues to be, a debated question, but we will not problematize this here.

¹⁰ See Lambsdorff (2007, pp. 62-65). For other applications of the principal-agent-client model to corruption see for example: Klitgaard (1991), Szántó (1999), Andvig and Fjeldstad (2000).

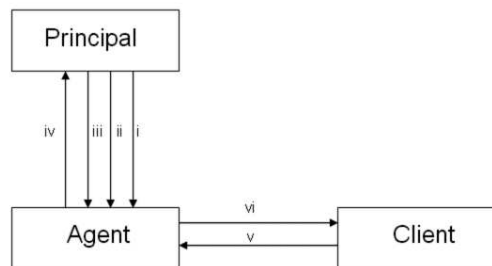


Figure 9.1 The principal-agent-client graph.

optimal amount of productive activity and an optimal amount of unproductive – in other words, corrupt – activity. The fundamental problem of the actors originates from the information asymmetry, which is an inherent characteristic of the relationships between those involved¹¹. This roughly means that, in the examined scenario, the level of awareness is considerably different for the individual parties. This produces a situation which those actors who are in possession of private information can opportunistically exploit to their advantage in an opportunistic manner. The agent, for example, is a lot better informed than the principal about the details of transactions involving the client.

Based on information asymmetry between actors, four ideal-types of corruption can be distinguished in the principal-agent-client model (Lambsdorff, 2007, pp. 18-19), which can be represented using directed graphs. It seems an obvious step to differentiate, within these four pure types, two subtypes of corruption relationships, between the principal and the agent on the one hand, and between the agent and the client on the other – and based on this, distinguish between bribery (A), extortion (B), embezzlement (C), and fraud (D). Klitgaard (1991, p. 50) refers to the former two types as external corruption and to the latter two as internal corruption.

(A) In the case of *bribery*, the client – as the initiator of the corruption transaction – acts as the briber and offers a bribe to the agent. In return, the client procures an advantage in an illicit manner (for example, obtains an unauthorized permit or avoids the disadvantageous consequences of a legal transgression), which s/he could not do otherwise. This type of interaction is shown in Figure 9.2, where the illustration of the original relationship is supplemented with the graphs representing the bribe and the procurement of an unlawful advantage.

¹¹ For the concept of information asymmetry see e.g., Rasmusen (1989, pp. 193-226). On the analysis of the negative political effects of informational asymmetry see Szántó (2009).

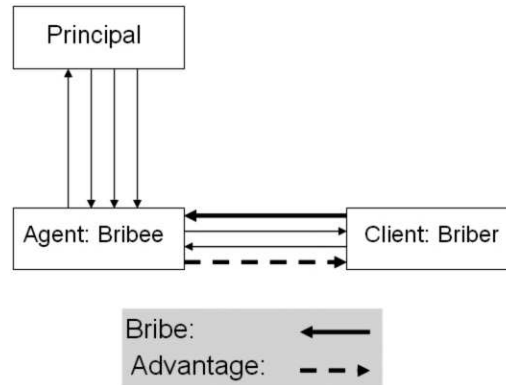


Figure 9.2 (A) Bribery graph.

(B) *Extortion* occurs when the agent (extorter) – as the initiator of the corruption transaction – uses his/her power to coerce money (or other benefit) out of the client (extortee). The client must pay for the service (or for speeding the procedure), for which s/he would otherwise be legally entitled to. The agent, however, exerts threats, coercion or even aggression in order to get the client to pay. This scenario is illustrated by Figure 9.3, where the threat and the path of the extorted sum are shown by directed graphs.

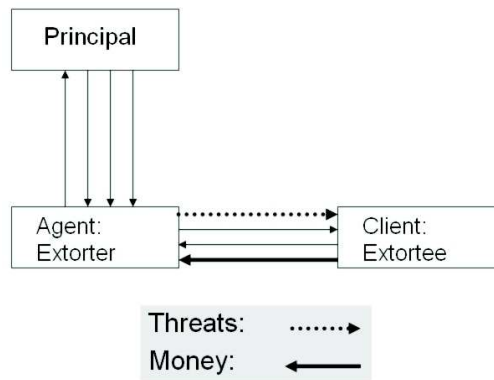


Figure 9.3 (B) Extortion graph.

(C) We examine two corruption scenarios within the framework of the principal-agent relationship. One of these is *embezzlement* or *misappropriation*. This is an action initiated by the agent (embezzler), whereby s/he (partially or wholly) appropriates the asset or the right of disposal entrusted to her/his care, and disposes of these as her/his own. In this transaction,

the agent (embezzler) inflicts a loss on the principal. Figure 9.4 shows the graph of embezzlement and financial advantages.

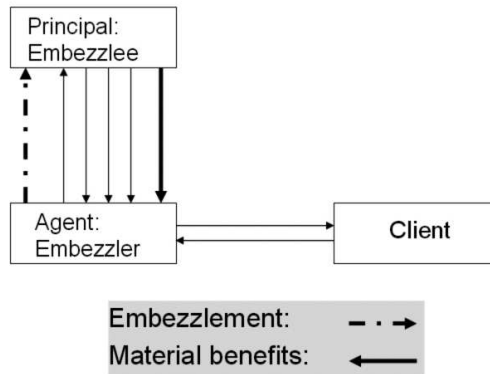


Figure 9.4 (C) Embezzlement graph.

(D) The fourth ideal-type of corruption is *fraud*, where the agent, by increasing the information asymmetry, employs hidden action to obtain an advantage. Alternatively, the agent can also actively conceal information from the principal (for example, by forging documents, manipulating information, or other methods). Figure 9.5 shows the graph of manipulating information and obtaining financial advantage.

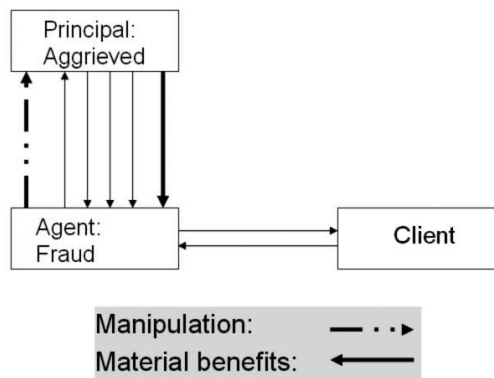


Figure 9.5 (D) Fraud graph.

Thus, these are the ideal-types of corruption that we accept and work with in our research. Naturally, there are numerous other possibilities for classification in relation to the phenomenon. One of these (Lambsdorff, 2007, p. 20) entails an examination of whether it is the briber or the bribee

that obtains a greater advantage during the transaction. This is largely dependent on which party has a stronger bargaining position. If the briber realizes a greater advantage, this is referred to as “clientelist” corruption. If, on the other hand, the corruption transaction results in greater advantage for the bribee, we speak of “patrimonial” corruption. Another possibility is to distinguish between petty and grand corruption, where the differentiation is based on the size of the bribe. Political and administrative corruption are differentiated based on whether the dominant actors are politicians or public officers.

Now let us take a look at the possible motivating factors that prompt actors to embed their corruption transactions in personal and institutional networks (Granovetter, 2007). Corruption transactions hide risks. Carrying them through successfully involves various types of costs. While in case of bribery and extortion, it is the client and the agent (and/or brokers) who bear the risk, in embezzlement and fraud scenarios, it is primarily the agent (and/or hidden principal). Monitoring and realizing corruption transactions, obtaining and processing the required information, as well as the bargaining, decisions and coercion associated with such undertakings carry substantial transaction costs. The more efficient the institutions are in detecting and sanctioning corruption and the more severe the expected punishment if caught, the greater the incurred costs¹². These two factors also considerably influence the amount of transactions cost. At the same time, the greater the expectable advantage, the more likely corruption will occur. As we have every reason to assume that the actors in corruption transactions are capable of gauging the risks and estimating the costs, we can likely expect that they will attempt to minimize these using all means at their disposal, thereby increasing the net profit produced by the transactions. Of these means, it would seem advisable to consider the establishment, maintenance and expansion of various types of networks. From this point on, we will differentiate between two basic network forms. We will regard cases where the participants of corruption transactions embed their corrupt dealings in *interpersonal* networks separately from those where the transactions are embedded in *institutional* (business, contractual, political, etc.) networks.

In the second half of the study, based on the above outlined four ideal-types, we make an attempt to sketch out typical corruption networks. We supplement the simple, three-actor graphs – as previously mentioned – with new actors (hidden principal, broker), hidden roles and new network

¹² These correlations in connection with corruption can be articulated based on the traditional microeconomic model of crime (Becker, 1968).

contents (personal and institutional relationships). The latter signify the social and institutional structure – and embeddedness – of corruption transactions (Granovetter, 2007). In our discussion, we first describe a specific case (based on media sources and interview experiences), then we use graphs to sketch out multiplayer, multiplex corruption networks.

9.3 A few typical corruption networks in Hungary

As we have seen when outlining the various ideal-types, corruption transactions, in the simplest scenarios, occur between two actors. Corruption transactions between the agent and the client are typically based on a personal relationship of an occasional (or regular) nature. The other subtype of transactions involving only a few actors is when an institutional relationship (also) develops between the two parties. In the second typical scenario, the corruption transaction is embedded in a multiplayer network where we can often assume the existence of various personal and institutional relationships between the agent and the client prior to the transaction. It is primarily these relationships that make the corruption transaction possible and pave the way for its repeated occurrence between the same actors. One of the upcoming examples (case number one) shows this situation: the parking inspectors, in a corruption scenario initiated by parking car owners, share in the resulting corruption fee with their superiors. The other type is when the corruptive, or corrupt, agent uses a broker company for both transferring and withdrawing the corruption fee. We will be taking a closer look at such a scenario in the second case study, in which, when a company requests permission from the authorities, it is “advisable” for it to contract the expert recommended by the authorities, for instance, in order to prepare a specific impact assessment.

In light of all of this, it seems wise to draw a line between the various types of corruption transactions, based on the number of actors and the type of embeddedness. In the process, we make our way from simpler transactions with fewer actors and interpersonal embeddedness to more complex affairs, connecting many actors with embeddedness at the institutional level. Two intermediate possibilities between these scenarios are corruption transactions involving a few players at the institutional level and multiple players at the personal level. These pure types are summarized and illustrated through examples in Table 9.1. Personal and institutional embeddedness appear side by side in the majority of real-life situations, and, thus, in empirical research, it makes sense to consider them together.

		Type of embeddedness	
		Personal	Institutional
Number of actors	Few	<i>e.g.</i> , At the border, a familiar customs officer turns a blind eye to customs offences in return for a bribe.	<i>e.g.</i> , A company files for a permit with a state office and is “required” to contract a specified expert for preparing an impact assessment.
	Many	<i>e.g.</i> , Familiar parking inspectors, in return for a bribe, turn a blind eye to regular customers’ failure to pay the parking fee.	<i>e.g.</i> , Real estate management by local government, where assets are regularly sold under market value.

Table 9.1 *Pure types of corruption transactions involving few actors and many actors with embeddedness at the interpersonal and institutional level.*

Based on our previous research¹³, it is safe to state that, in Hungary, between 2001 and 2009, the ratio of multiplayer, network-based corruption transactions showed a growing tendency (see Figure 9.6). The graph clearly demonstrates that reports by online news portals on cases of suspected corruption indicate that the ratio of transactions suggesting the existence of corruption networks doubled during the examined time period.

These studies make it possible to define typical corruption networks. Since the basic model of corruption gives a good description of two-actor, one-time corruption transactions, on the following pages, primarily multiplayer, chain-like corruption transactions will be analyzed from a perspective of interpersonal and institutional embeddedness. Four cases will be outlined, followed by a graph showing the various types of corruption networks implied by these concrete examples:

¹³ In the course of this research, in addition to interviewing company heads, we completed the content analysis of 8 Internet news portals for the time period between January 1, 2001 and December 31, 2009 (Szántó et al., 2011). Of the articles available through online sources, we gathered and analyzed in detail those that discussed cases of suspected of corruption. We collected cases of corruption in Hungary exclusively. The articles were systematized by arranging news of the same transactions into “corruption cases”. We noted the main characteristics of these cases and coded them in accordance with the various features of corruption transactions. In the examined time period, the topic of corruption comprised the subject of continuous public discourse. Over 3,500 articles made it into the database, based on which 548 different cases of suspected corruption were identified and analyzed during the examined time period.

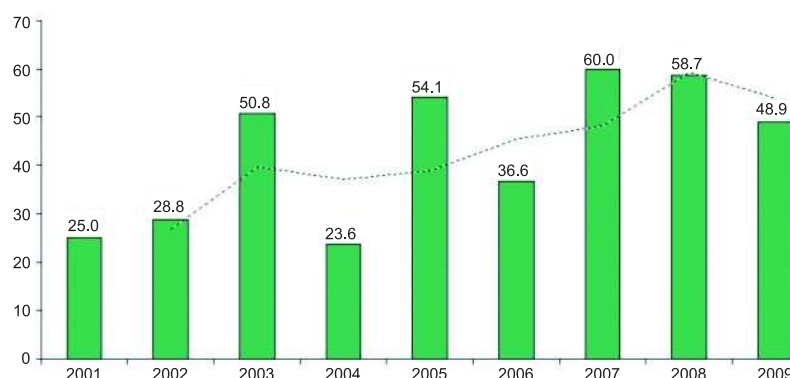


Figure 9.6 Ratio of occurrence of multiplayer, chain-like corruption cases in the media, 2001-2009, % (548 cases of suspected corruption).

1. Case number one: interpersonal embeddedness of inspection-related corruption;
2. Case number two: interpersonal and institutional embeddedness of corruption related to the acquisition of permits with broker;
3. Case number three: interpersonal and institutional embeddedness of hidden principal corruption related to local government real estate purchase;
4. Case number four: interpersonal and institutional embeddedness of corruption related to the use of EU funds.

9.3.1 Bribery and extortion network

*Case number one: personal embeddedness of corruption relating to inspections*¹⁴

In the center of Budapest, parking fees are charged *pro rata*. The maximum parking time is three hours. After this, a new parking ticket must be purchased. Alternatively, the parking time can also be extended by making a mobile phone call. The parking meters are operated, on the authority of the local governments, by a number of private companies per district, who also collect the parking fees. The collected sum is then shared by the parking company and the local government according to a given ratio. How much parking fee is to be paid and which areas should be reserved for paid parking is determined by the local government. While, prior to the introduction of parking fees, many who had business in the inner districts

¹⁴ Source: articles accessible through the internet.

chose to get there by car – thus using up all the free parking spaces – after the new measures took effect, there was a decreased demand for parking spaces, and it was more likely that one would find parking spaces, albeit for a relatively high fee. These regulations work well for vehicle owners who only occasionally need to access the inner districts by car for some odd errand, and manage to take care of their business in less than three hours. The initiators of these regulations, however, did not take into consideration that those entrepreneurs, business and restaurant owners who continue to drive to these areas provide a continuous stream of parking revenue. The employees of the parking company inspect the vehicles and, in case of exceeded parking time limit or failure to pay the parking fee, impose a fine five times the three-hour parking fee. As paying the parking fee every three hours would require close attention and a considerable loss of time on part of the entrepreneurs who regularly park in the inner districts, not to even mention that a monthly parking pass would be extremely costly, it was worth bribing the parking inspectors, so that they would not check the parking ticket and would not impose a fine. In exchange for this, payments were made to them in cash, weeks, even months, in advance. It sufficed to place a note on the windshield of the car to instruct inspectors as to which shop to pick up the parking fee – or bribe – in. In return, they did not document a failure to pay the parking fee. In time, this type of bribery became such a common and widespread practice that it made sense for parking inspectors to share in the corruption profit with the head of the parking company. Finally, an entire corruption network was created: from the clients to the parking inspectors, to their boss, who shared in the corruption profit. Corruption tariffs were determined for given areas and the head of the parking company regularly demanded a certain sum from the bribes collected by the inspectors, threatening to expose them if failing to do so.

In this example, corruption developed through personal relationships¹⁵: since the driver of the vehicle frequently parked in the same area, which constituted the inspection zone of a few parking inspectors, personal relationships unavoidably developed between the parties during the inspection and fining process. Consequently, corruption resulted from a kind of individual “bargaining”. Those involved found a mutually beneficial solution

¹⁵ In this example, corruption was brought about by the incorrect pricing of paid parking. If the rule makers had differentiated between the two groups of consumers – regular parkers and irregular parkers – and made possible the purchasing of a yearly parking pass with some sort of a discount for the latter, a situation conducive to corruption would have had less of a (or no) chance of developing.

for avoiding the payment of fines. In our interpretation, this is bribery: the transaction was initiated by the client, or the driver of the parking vehicle. Through personal relationships, the corruption transaction became a general and predictable practice. During repeated transactions, the inspectors recognized the given entrepreneur’s vehicle, for which, in the absence of a valid parking ticket, they did not impose a fine. Instead, once a week (or month), they sought the driver out for the bribe. A different type of personal relationship came into play when the head of the parking company became aware of this phenomenon. After a while, the company head also demanded a share of the bribe, in return for not exposing the already existing corruption network. In this scenario, the original principal (the company head) abandons his/her primary role for that of the hidden agent, while the inspectors suddenly find themselves in the role of the hidden client, as their boss, in the role of the hidden agent, applies extortion in coercing them to provide him with a share of the bribe¹⁶.

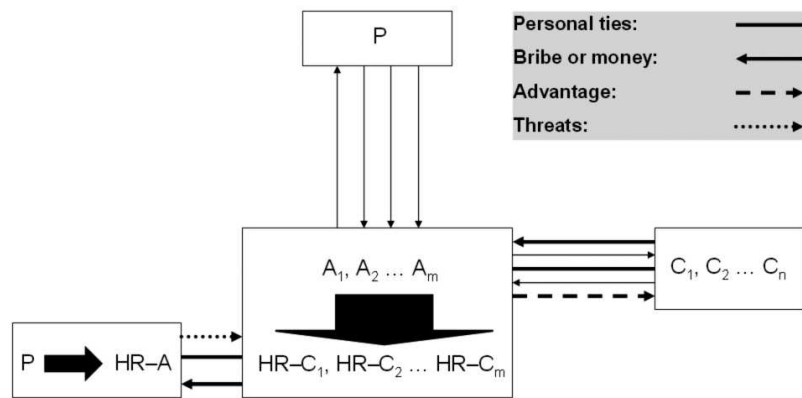


Figure 9.7 Graph of networked bribery and extortion. Notation: P = principal (head of parking company); A_1, A_2, \dots, A_m = agents (parking inspectors); C_1, C_2, \dots, C_n = clients (vehicle drivers frequently parking in the same place); the box at the bottom left illustrates the principal switches roles = practices extortion upon the agents in a hidden agent role ($HR-A$: hidden role – agent); the largest box shows the agents switch roles = in a hidden client role, in response to the extortion, they pay a share of the bribe ($HR-C$: hidden role – client).

Figure 9.7 outlines the above situation with the help of graphs. It simultaneously illustrates the bribery between the parking inspectors and the

¹⁶ The entire transaction was uncovered because an extorted inspector was unwilling to cooperate with his superior. He refused to hand over a certain amount of the corruption money, and was consequently fired. Afterwards, he reported the incident to the police and made a disclosing statement exposing the entire operation.

vehicle drivers, and the extortion between the company head and the parking inspectors. The presence of a personal relationship between the agents and the clients, as well as between actors that transform from principal to hidden agent and from agent to hidden client, is an important condition for the development of this type of corruption network¹⁷.

9.3.2 Extortion network

*Case number two: personal and institutional embeddedness of corruption related to obtaining permits with broker*¹⁸

In Hungary the construction of wind power plants requires 15 to 30 different permits and/or licenses. This number changes depending on the number of partner authorities whose collaboration is required by the environmental protection authority in order to issue a so called environmental license. Investors need to obtain this license in order to submit a request to the Hungarian Energy Office in response to a tender for expanding wind power plants capacities (Tóth, 2010). The time required to obtain this license can be 1 to 2 years, depending on the amount of money and energy the investor is willing to devote to expediting the process. The path of the submitted requests can be tracked between the various offices and expedited through a series of corruption transactions. Our interviews have shown that, in this type of corruption transaction, the license issuing body is usually the initiator, which makes this extortion. The submitted request arrives on the desk of a representative of the issuing authority. When the investor enquires about the status of the case, the agent initiates a meeting with the client – a representative of the investor – to take place in the office. The objective of this meeting is to clarify the details of the proposed project, the formal and contentual errors in the license application and the scheduling of the necessary modifications. During the discussion, the official suggests that an impact assessment should be conducted in order to obtain the license. The objective of the assessment would be to examine the effects of the project in question on the immediate natural environment – the surrounding animal and plant life. The investor is also informed that in the interest of expediting the license acquisition process, a certain Company X should be hired to prepare the assessment. Our interviewees gave accounts

¹⁷ A more complex corruption network can develop if there are additional employees in charge of monitoring the activities of the parking inspectors, thus wedged between the latter and the head of the company. Similarly to – or in cooperation with – the company head, they can also extort the corrupt parking inspectors, threatening to expose their practices.

¹⁸ Source: interviews conducted by the authors.

of various impact assessment topics: the effects of the wind power plant on flying invertebrates (*e.g.*, flies), the effects of the wind power plant on the migration paths of tree frogs, the effects of the wind power plant on the surrounding forest biota, etc. The client is put in a difficult situation: s/he would not like to miss the Hungarian Energy Office's application deadline, so it would be advisable to expedite the license acquisition process. The recommended company is thus commissioned to conduct the impact assessment study. General experience shows that once the completed impact assessment is attached to the license request, approval follows within a few days, enabling the investor to move on to the next phase of the process.

In the above mentioned corruption scenario, Company X appears between the agent and the client as the agent's broker, who facilitates the concealment of the corruption transaction in two different ways. On the one hand, no direct financial transaction takes place between the agent and the client, on the other, the payment of the corruption fee (in the form of payment for the completed impact assessment) and the provision of the corruption gain take place at different times. It is possible, that the agent only receives the corruption fee long after the provision of the corruption gain (issuing the license). While, in case of personal affiliation, this means a payment into the pocket, in an institutional relationship, this transfer takes place based on a contract signed between the agent and the broker. These two factors serve to conceal the corruption transaction and considerably decrease the risk of getting caught. All this is made possible by the utilization of a broker. The defining momentum here is the presence of a pre-existent relationship between the agent and the broker, which precedes the establishment of a connection with the client. This relationship is usually personal, but it can also become institutionalized: for instance, the agent may have partial ownership of the company that conducts the impact assessment. If, however, a personal connection exists between the agent and the broker, the broker can be a close friend or acquaintance of the agent. It is also possible that the agent has a relative as partial owner of Company X. Thus, this type of corruption is embedded in personal and institutional relationships. In the absence of these, the corruption transaction cannot take place. The personal or institutional relationships which exist between the agent and the broker can, of course, be established independently from the corruption, for other reasons. It is also possible, however, that they were formed in order to facilitate extortion transactions. In this case, the agent (or a family member, acquaintance, etc.) may set up a company expressly to use it to receive the corruption fee. This, in turn, can result in a solidifi-

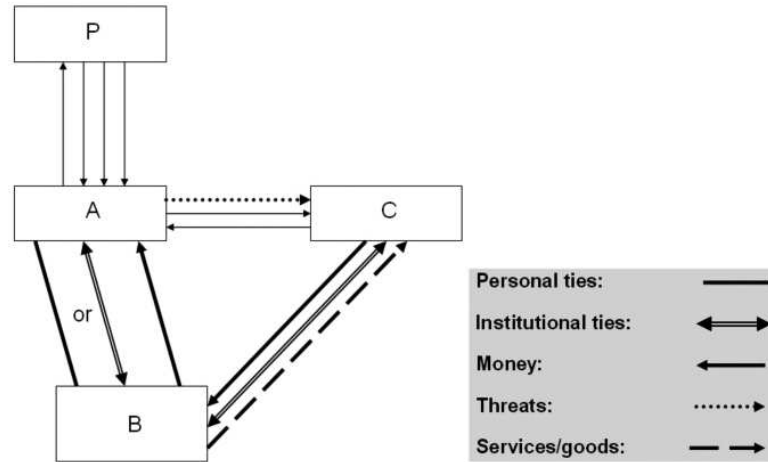


Figure 9.8 Graph of networked extortion. Notation: *P* = principal (license/permit issuing body); *A* = agent (official of license/permit issuing body); *C* = client (investor applying for a license/permit); *B* = broker (Company X hired to prepare an impact assessment report).

cation of the corruption network, as embedded in institutional and/or personal relationships. The agent can also extort a corruption fee from the next client in a similar manner, with a low risk of getting caught. In the course of this activity, the transaction costs that arise with the establishment of the network are recovered. The corruption network that is sketched out by this specific example (Figure 9.8) can, according to what we have gathered from our interviews, be considered as typical, often coming into existence in other areas of economic life in connection with the acquisition of other types of permits and licenses. Thus, in this situation, the network of connections, in comparison to the ideal-typical scenario of extortion, extends to a broker, while also becoming embedded in personal and institutional relationships. Another possible interpretation of this situation is that the role of the broker is aimed at bridging the “structural hole” of corruption between the agent and the client (Burt, 2005).

9.3.3 Embezzlement network

*Case number three: personal and institutional embeddedness of hidden principal corruption in connection with real estate purchase by the local government*¹⁹

¹⁹ Source: interviews conducted by the authors.

An internationally owned company group in Hungary wanted to sell one of its office buildings, but they could not find a buyer. Someone at the company came up with the idea that the local government may be interested. A representative from the company contacted the local government and offered to sell them the aforementioned property for X amount of money. The leader of the financial committee of the local government responded: "Why do not you sell it for 10% more? Then we will buy it." The company representative did not understand the question at first. Later, it became clear to him that he was to get 10% of the increased purchase price to the head of the financial committee in cash. It also became apparent later that this was no simple corruption transaction: the head of the financial committee was backed by the treasurers of the two (competing) parties, which constituted the majority of the municipality, who had agreed that, if the seller brought the 10% to the local government office in cash, the body of representatives of the local government would vote in favor of signing the purchase agreement. And this is exactly what happened. The company representative withdrew the money from a foreign account opened expressly for this purpose and delivered the agreed upon sum to the local government office at the specified time. The financial representatives of the two parties counted the money, after which the body of representatives approved the purchase. In order to complete the payment transaction, the company had to have funds set aside for the so called "below the line" expenses. In reference to this, the company representative explained: "corruption requires the existence of a certain infrastructure".

In the above case, the role of the principal, agent, and client can be illustrated by introducing – next to the principal (the person in charge at the local government: the mayor), the agent (the person in charge of the financial committee by designation of a party), and the client (the representative of the company selling the real estate) – the treasurers of the two political parties, or the hidden principals, into the Equation (see Figure 9.9). Although, here, the corruption appears to consist of a two-actor, one-time transaction, it is not. Firstly, the transfer of the corruption fee in cash already presumes that the corruptive company has the required background: a foreign bank account is opened in order to make the payment of the corruption money. Secondly, it is not really the number one leader of the local government that stands behind the agent as principal, but the hidden principals, in the person of the political party representatives. Thus, the transaction presupposes unique relationships on both sides. In the case of the client, in response to the corrupt proposition, "below the line" funds are set aside.

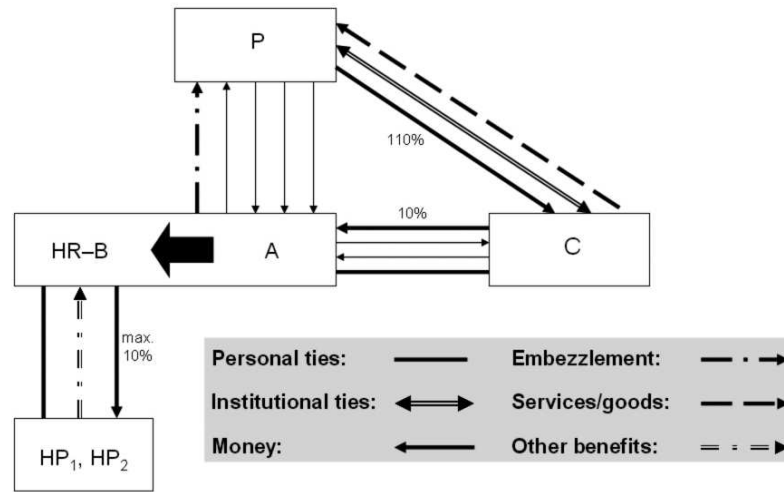


Figure 9.9 Graph of networked embezzlement. Notation: *P* = principal (mayor); *A* = agent (head of the financial committee of the local government); *C* = client (real estate seller); *A* – *HR* – *B* = the agent switches roles: in the role of a hidden broker gets max. 10% to the “hidden principals” (*HR* – *B*: hidden role – broker); *HP*₁, *HP*₂ = hidden principals (treasurers of the political parties).

In the case of the agent, belonging to a political party preceded the transaction. In fact, it was probably this very circumstance which prompted the corruption transaction²⁰. As, in the examined example, the client sells the real estate to the agent for 10% more; thus an institutional connection is established. The client, however, gets this 10% difference in the purchasing price through her/his personal connections to the agent, who, in the meantime, has switched roles, and passes the money on to the hidden principals (presumably in return for a brokerage commission or other advantage) as the hidden agent of the parties. All of this comprises the complex pattern of embezzlement, as generated by party financing²¹.

²⁰ In a more sophisticated model, the agent already has a broker through whom the money makes its way to the hidden principal. The broker is none other than a social organization or foundation with close ties to the hidden principal, or even a company owned by the hidden agent. In this scenario, the client is coerced by the principal to sell a service to the broker for less than the market rate. The corruption fee – profit from purchasing the service at a submarket price – is then collected by the hidden principal. This model presupposes a more complex network of institutional relationships. The broker, who plays a key role in minimizing the risk of getting caught for the transaction, is of equal importance to both the agent and the hidden principal.

²¹ Embezzlement often manifests in conjunction with bribery. This is also evidenced by the fact that, during criminal proceedings of this type, from a standpoint of investigation strategy, these two cases are usually handled together (Ibolya, 2010).

9.3.4 Fraud network

Case number four: personal and institutional embeddedness of corruption in connection with the use of EU funds²²

The ABC institution has won a grant of tens of millions of Euro for a project aimed at analyzing and monitoring different labor market processes. The system had to be set up in two years, and it was this amount of time that the institution had to spend the grant, which proved to be a great challenge in itself. This objective was accomplished by the leaders of the institution by purchasing and paying for studies which had already existed prior to the start of the project, but were only known in small professional circles. In addition, they employed hundreds of external experts without them doing any actual work and bought services (*e.g.*, research) that were not closely related to the original objectives of the project. The resulting background studies and analyses were mostly useless in terms of realizing the original goals. Nor did the project materialize in accordance with the initial aims. While the realization process could hardly be considered successful from a professional standpoint, from a financial perspective, everything progressed according to regulations. Partners, when needed, were selected through public procurement, contracts were signed, the performance was documented, performance certificates were issued prior to payment.

When it comes to the use of EU grants, it is in the interest of the agent (project implementer) from the beginning to exaggerate the budget as much as possible, in other words, to make as many investments and buy as many services – which are only loosely related to the initial objectives – as possible. This interest may perversely coincide with the interest of the authorities that make decisions about, and monitor, the project to not waste any funds granted by the EU. Rather, the objective is to “fill them with the appropriate professional content”, thereby increasing the country’s “absorption capacity”. For these authorities, it is easier – or it carries smaller specific transaction costs – to organize and manage a large-scale project than many smaller ones which, in total, requiring the same amount of funds as the latter. The agent then launches the project with his or her attention primarily focused on the scheduled spending of the allocated amount, with the realization of the original goals being only of secondary importance. The controlling authority chiefly monitors the observation of deadlines and scheduled spending. The effective use of funds demands that the agent

²² *Source:* interviews conducted by the authors.

(project implementer) has the appropriate personal and institutional relationships, in order to gain access to those quasi-performances that, to some extent, fit the announced objective, and make the spending of the project fund and, thus, the “successful” completion of the project possible. During the implementation process, it is not necessary to resort to bribery, but the system of mutual aid – logrolling – is a widespread phenomenon, and this is what facilitates the “successful” completion of the project. The experts and institutions (clients) selected by the agent aid the project implementer (the agent) in finding work and other sources of funding in other areas, for example, in other EU projects. To the controlling authority (or even to the EU), everything seems to be in order: the grant was spent, the project was realized, the expenses were conducted and the financial report was completed by the book – except that the original goal was not realized. In this respect, the act of fraud manifests in the relationship between the EU (and the taxpayers of the EU) and the project-launching and controlling authority, on the one hand, and between this authority and the implementing institution on the other. The agent (the implementer of the project), in this context, can also act in accordance with the interests of a hidden principal, when transferring a part of the handled EU funds to a colleague, an expert, or a subordinate organization, in return for some quasi-performance. The hidden principal can be a private company, a political party, or a state institution (see Figure 9.10). The establishment of this kind of fraud network is made possible by personal connections between the agent and the hidden principal, the relationship between the agent and the clients who act as the hidden broker, as well as the institutional (contractual) affiliation between the latter and the hidden principal. As a unique feature of the relationship between the agent and the brokers, it is in this context that the contractual arrangements are made for performances that are more or less irrelevant from the standpoint of the original project goals, whereby brokers are significantly overpaid in return for quasi-performances. At the same time, the brokers, during the process of fulfilling the conditions of the contractual agreement with the hidden principal, are satisfied with a smaller compensation. Thus, in case of hidden party financing, for instance, remuneration for the kind of expert work that is important to the party can come from the EU project.

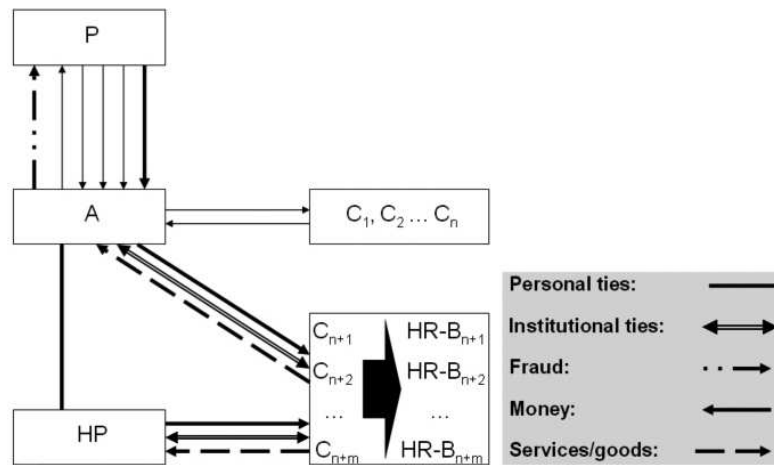


Figure 9.10 Graph of networked fraud. Notation: *P*: principal (authority announcing the call for projects); *A*: agent (implementer of the project); C_1, C_2, \dots, C_n : clients (experts and institutions realizing the original objectives of the project); $C_{n+1}, C_{n+2}, C_{n+m}$: quasi-clients (clients involved in the fraud); $HR-B_{n+1}, HR-B_{n+2}, HR-B_{n+m}$: the quasi-clients switch roles and cater to the needs of the hidden principal in the role of the hidden agent (*HR-B*: hidden role – broker); *HP*: hidden principal (*e.g.*, private company, political party, or state institution).

9.4 Conclusion

We examined the phenomenon of corruption by focusing on the relationship networks between the actors. In our analysis of corruption, we took the principal-agent-client model as our point of departure, and it was also based on this that the subtypes of corruption were identified: bribery, extortion, embezzlement, and fraud. Specific cases were discussed to supplement the models with the various types of relationships between the actors, as well as the new actors of corruption networks: the brokers and the hidden principals. Moreover, in a number of cases, we also took into account the hidden roles of those involved in the transaction. By this we meant that, as the corruption network develops, some of the actors abandon their original roles and assume new ones (hidden agent, hidden client, and hidden broker). We differentiated between two basic kinds of relationships: personal and institutional. On the other hand, we also made a distinction between two different subtypes based on the number of actors: few-actor and multi-actor relationships.

We demonstrated four possible corruption networks, based on data ob-

tained from interviews and internet news sources. These scenarios were analyzed according to the four basic corruption types. During this process, we took into account the interpersonal and institutional embeddedness of the different types of corruption networks, illustrating these in multiplex graphs. Based on our research experience, the formation and embedding of these typical network configurations can be expected to occur primarily due to a decrease in the transaction costs and risks associated with carrying through corruption transactions.

In light of all this, one of the important conclusions we can draw from our research is that, while corruption transactions can be traced back to a few well-defined, basic types, the presented cases, which can be considered typical, demonstrate the complexity of the manifesting corruption networks and the multiplicity of relationships between the involved players. In a more complicated corruption transaction, for example, both the agent and the client can have a broker; in other words, the payment of the bribe does not take place between the actual actors, but through the brokers. In some cases, the agents, following their own interests, may initiate extortion or fraud, or may accept the bribe offered by the client. In other cases, however, the hidden relationship network is shaped by the interests of the hidden principals, in which personal and institutional intertwinings also play a role.

What could explain the multiplicity and complexity as well as the growing number of players and roles, as demonstrated by these examples? In answering this question, we stress the influence of two factors:

1. Every corruption transaction comes into being when the given regulatory and institutional conditions are present. These regulatory and institutional frameworks – which already exist prior to the transaction – fundamentally influence how the concrete transaction manifests. In other words, it is the institutional embeddedness and regulatory environment of corruption that determines the framework of its realization. Brokers cannot be utilized, nor can the bribe be “transferred”, in bribery during a roadside check. It follows from the situation that this is a simple (didactic) relationship, where the bribe is slipped into the police officer’s pocket. If a business venture applies for a license, brokers can enter into the transaction, so that it can also be realized through institutional relationships (*e.g.*, selling and purchasing services or goods between ventures).
2. On the other hand, the realization of corruption is also influenced by the actors’ calculations in reference to the transaction: how big is the risk

of getting caught, what is the punishment if that happens, and what is the expected benefit (or profit) if the corruption is realized? In this regard, we can consider the formation of the various types of corruption networks as the result of these calculations. Multiplayer corruption scenarios that are grounded in institutional relationships carry higher transaction costs than simple setups involving only a few parties. At the same time, through the first mentioned type of transaction, the risk of getting caught can be reduced for all involved. Through the utilization of brokers, for example, collecting the bribe can separate in time from the provision of the service, and, in fact, by availing themselves to the broker(s)'s services, the original actors can conceal their corrupt transactions as legitimate dealings.

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