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<b>Title:</b>	<i>CORRUPTION WITHIN THE ROMANIAN BUSINESS ENVIRONMENT- A "MORGANA FAIRY" OF JUDICIAL INVESTIGATION</i>
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## **CORRUPTION WITHIN THE ROMANIAN BUSINESS ENVIRONMENT- A “MORGANA FAIRY” OF JUDICIAL INVESTIGATION**

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### **ABSTRACT:**

*THE STUDY ANALYSES THE STATE OF CORRUPTION IN THE ROMANIAN PRIVATE SECTOR, BASED ON OFFICIAL REPORTS AND PUBLIC POLICIES DOCUMENTS. EVEN IF THE MAJORITY OF STUDY IS FOCUSED ON THE PUBLIC SECTOR AND CORRUPTION, PRIVATE SECTOR BEING INVESTIGATED MOSTLY IN THE CONJUNCTION OF BUSINESS WITH PUBLIC INSTITUTIONS OR AUTHORITIES, THE RESEARCHERS ALSO STUDIED THE FACTORS INVOLVED IN CORRUPT BEHAVIOUR WITHIN BUSINESS ENVIRONMENT. RESEARCHERS HAVE SHOWN THAT CORRUPTION NEVER HAS A BENEFICIAL INFLUENCE ON ENTREPRENEURSHIP WHEN BOTH DIRECT AND INDIRECT CONSEQUENCES ARE CONSIDERED. BASED ON THE DATA ANALYSED, WE EMPIRICALLY ASSUMED THAT THE BRIBERY IN THE PRIVATE SPHERE IS FOUNDED ON THE SAME PROCESSES AND WAYS OF THINKING AS BRIBERY IN THE PUBLIC SPHERE. SOME OF THIS HYPOTHESIS WERE PARTIALLY TESTED WITHIN SCIENTIFIC RESEARCHES, BUT STILL, THERE ARE A LOT OF MECHANISMS TO UNVEIL AND EXPLAIN, ALL THAT IN ORDER TO SET THE OPTIMAL STRATEGIES FOR PREVENTING AND COMBATING CORRUPTION ASLO IN THE BUSINESS ENVIRONMENT. DUE TO ITS “ETHERIC” NATURE, CORRUPTION WITHIN BUSINESS ENVIRONMENT BEING LESS PERCEIVED AND EVEN LESSER INVESTIGATED BY JUDICIALE BODIES, WE COMPARED THE PHENOMENON WITH “MORGANA FAIRY” EFFECT, SETTING NEW RESEARCH LINES FOR PREVENTING AND COMBATING CORRUPTION WITHIN ROMANIAN BUSINESS ENVIRONMENT.*

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**KEY WORDS:** CORRUPTION OFFENCES. BUSINESS CORRUPTION. ANTICORRUPTION POLICIES

### **1. GENERAL REMARKS**

The fight against corruption remains important for Romanian society evolution, even if The Cooperation and Verification Mechanism (CVM), applied in 2007 as a temporary assessment to help Romania's efforts to modernize its judicial system and to prevent and fight corruption, was lifted in 2022 [1]. As The Report From the Commission to the European Parliament and the Council on Progress in Romania Under The Cooperation And Verification Mechanism states, Romania has so far demonstrated a significant determination to work within the framework of the annual Rule of Law Report process, and it shall continue to collaborate constructively within that framework [1].

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The report is following four benchmarks: judicial independence and judicial reform, integrity framework and the National Integrity Agency, tackling high-level corruption, tackling corruption at all levels. Even if the corruption is not an exclusively public area phenomenon, none of the official reports' benchmarks addresses the corruption within the Romanian business environment. The fact that the corruption do not emerge in the official reports from the private and commercial domain of social life does not mean that corruption offences are absent within business environment, nor that it can be observed only in the conjunction of business with public institutions or authorities.

Beyond the legal definition, organizational corruption is defined in the scientific literature as the advancement of personal interests by one or more organizational actors through intentional misdirection of organizational resources or deviance of organizational routines, with the behaviour supposedly on behalf of the corporation rather than against it. We have to acknowledge that corruption has become a significant source of concern for private area also (profit, non-profit, and even religious groups) [2]. Also when reviewing existing corruption literature, it becomes clear that the majority of study is focused on the public sector [3]. The reasons mentioned for explaining this fact are gravitating around the idea that that the public sector have better measures to stop corruption or that there is less attention and information regarding the topic of corruption within the private companies [3].

A EU Parliament study, published in January 2023, shows that assuming that all anticorruption policy alternatives are adopted collectively, the EU could possibly earn €58.5 billion in GDP each year. Approximately 76% of these benefits may be linked to enhanced rule of law, with the remaining explained by increasing confidence in governmental institutions [4].

## **2. INTERNATIONAL AND NATIONAL FRAMEWORK OF CORRUPTION IN THE PRIVATE SECTOR**

The international community gravitates around quite similar accepted definition of corruption. The Council of Europe Criminal Law Convention on Corruption defines „active corruption” as being „the promise, offering or giving, directly or indirectly, by any individual, of any undue advantage to any of its public officials, for him or her to act or refrain from acting in the exercise of his or her functions” and „passive corruption” as being „the request or receipt by any of its public officials, directly or indirectly, of any undue advantage, for himself or herself or for anyone else, or the acceptance of an offer or a promise of such an advantage, in order to act or refrain from acting in the exercise of his or her functions” [5]. It covers different forms of corruption, also active and passive corruption in the private sector when committed intentionally in the course of business activity, within private sector entities, by any persons who direct or work for, in any capacity, private sector entities (to act, or refrain from acting, in breach of their duties; article 7 – active bribery in the private sector, article 8 – passive bribery in the private sector). As we previously emphasized, the incrimination of the private corruption has emerged as a necessary and innovative effort to avoid all the gaps of a global strategy of fighting against corruption. This form of corruption influences certain values, such as trust and loyalty, which are necessary for the conservation and development of social and economic relations, it also prejudices the society unit and it favours the disloyal competition [6].

The Council of Europe Civil Law Convention on Corruption is recognising the “adverse financial consequences of corruption to individuals, companies and States, as well as international institutions” [7] and is reaffirming the importance of civil law in helping the

fight against corruption, particularly by allowing people who have been harmed to get proper compensation.

United Nations Convention Against Corruption [8] aims to include not only civil, administrative or criminal penalties for corruption offences, but also the corruption prevention measures involving the private sector. Article 2 point.2 states six of this measures addressing the private sector corruption, all of them being related, more or less, to the activities of the organization regarding the contractual relations of businesses with the State. Nevertheless, the measures which aim to enhance integrity are beneficial for all company activities, not only for those in direct relation with the public sector. So, “promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest“ (article 12 point 2 letter b) [8] could prevent any type of miss-behaviour which could let to financial loses for the company. Article 21 of the Convention clearly sanctions also bribery in the private sector (active and passive corruption), sanction much needed since according to the World Bank's Enterprise survey, which analyses the frequency of bribery in businesses, up to 51% of all enterprises in some countries get at least one bribe payment request every year [9].

Researchers have shown that although corruption clearly impacts less in a terrible economic climate, it never has a clear beneficial influence on entrepreneurship when both direct and indirect consequences are considered. While corruption may 'greese the wheels,' any gain is more than compensated by corruption's detrimental influence on the broader entrepreneurial engine [10]. This goes against earlier research that claimed corruption may encourage entrepreneurship in unfavourable economic conditions. This research proves that entrepreneurship is never improved by corruption [10].

Romanian regulation on corruption are aligned with the international conventions, this documents being ratified by national laws. Therefore, the sanctioning of the corruption offences (taking bribe, giving bribe, trafficking of influence, buying of influence) is similar with the those stated within international conventions, focusing on ”public officials” as active or passive subject of the offence, based on Criminal Law Convention on Corruption provisions. So, taking bribe is sanctioned by art. 289, Criminal Code, as being ”the action of the public official who, directly or indirectly, for themselves or on behalf of others, solicits or receives money or other undue benefits or accepts a promise of money or benefits, in exchange for performing, not performing, speeding up or delaying the performance of an action which falls under purview of their professional duties or with respect to the performance of an action contrary to their professional duties [11]”. The object of the deed can be money or other patrimonial or non-patrimonial advantages which the perpetrator is not legally entitled to, advantages which must be claimed, received or accepted for himself or for others.

A few observations need to be emphasized: the money or advantages which are claimed or accepted are not legally owed to that person; the act for which the money or advantages are claimed, received or accepted represents a professional duty for the public officer, thus it must be an act regarding his duties or an act contrary to those duties; the money or advantages are claimed, received or accepted for himself or for others. The other corruption offences are sanctioned in a similar manner by the Criminal Code (Articles 289 – 292), all being focused on the professional duty for the public officer. Therefore, we cannot be surprized if corruption offences in private area seemed to be under the radar of society perception on corruption, based on empirical observations. From a legal perspective, the

corruption within business environment is covered by the provisions of article 308, Criminal Code which states that the previous articles regarding civil servants shall apply accordingly to acts committed by or in connection with the persons who carry out, on a permanent or on a temporary basis, with or without a remuneration, a duty irrespective of its nature in the service of any legal entity. In this cases, the special limits of the punishment shall be decreased by one-third.

The investigation bodies for corruption in the private sector (committed by employees or within the organizational structure, with no relation to the public authorities roles or civil servants) can be identified by analysing the legal competence for investigating corruption offences of different prosecutors' offices, as stated by the law. National Anticorruption Directorate investigates corruption offences, offences assimilated to those of corruption and offences in direct connection with those of corruption which meet three alternative criteria. From the perspective of corruption within business environment, we have to look at two criteria: the value of the bribe or of the undue advantages exceeds 10,000 euro or the prejudice caused in the case exceeds 200,000 euro. If the corruption offence in the private sector does not meet one of these criteria, it will be investigated by other prosecutors body (based on the Criminal Procedure Code provisions). We clarified this topic in order to establish which reports can we take into consideration if we are interested in finding the amplitude of corruption actually discovered and investigated by judicial bodies within private sector, topic addressed in the following sections.

### **3. PUBLIC POLICIES AND NATIONAL REPORTS DISCUSSIONS REGARDING CORRUPTION WITHIN THE ROMANIAN BUSINESS ENVIRONMENT**

The National Anticorruption Strategy (NAS) 2021-2025, the main public policy document regarding prevention and fighting corruption in all areas of social life, states the importance of public-private partnership principle, which recognizes the necessity of including civil society and the corporate environment in the effective action of anticorruption implementation [12].

The Strategy acknowledges that from the Romanian private business environment perspective, some progress has been accomplished in terms of encouraging integrity in the corporate sector, particularly within public enterprises. Also, it emphasizes that significant improvement might be achieved through close collaboration with public bodies and organizations, which would contribute to initiatives to enhance integrity inside the private sector [12]. The main perspective of the public policy document is focused on the relation between public sector and business area, corruption being identified mainly in the area of the intersection of this two domain of social life, or within the activity of public companies, based on the observation regarding "the entrepreneurs' misconception according to which corruption is allegedly needed in Romania in order to implement some contracts [12]".

Based on a study regarding corruption, mentioned within the strategy, there are some significant measures identified for enhancing the effectiveness of corruption prevention measures, including clearer legislation (78% of respondents), encouraging the business community and civil society to report corruption (65% of respondents), civic education (76% of respondents), the digitization of public services (63% of respondents) and training sessions on workplace integrity (53% of respondents) [12]. The strategy evaluates how the private sector might promote and assume business integrity efforts on a broader scale, since integrity is not a basic principle considered by company management [12].

It is crucial to mention that the strategy has specific provisions regarding the corruption within the private sector, namely the specific objective no. 4.5. – “Increasing integrity, reducing vulnerabilities and the risk of corruption in the business environment [12]”. Surprisingly, the majority of this objectives actions are focused on the public companies activity or on the partnership between public and private domain, only two actions can be considered specific and exclusive applicable within the private business affairs, with no reference to public institutions or companies: the one of them is suggesting doing a research on integrity issues and remedial action in the Romanian corporate environment and the other one encourages companies to include anti-corruption clauses in contracts and to apply due diligence questionnaires to evaluate the integrity of business partners across the supply and distribution chain, the performance indicators of this objective being projects/activities for integrity promotion in the business environment, number of awareness campaigns organized and number of activities to disseminate best practices [12].

The annual activity reports of National Anticorruption Directorate show the dynamic of “big corruption” within public authorities and also within private sector (based on the criteria explained above). The most recent reports (2020-2022) described a few categories of personnel working within private area which committed corruption offences: personnel with management positions within an autonomous non-governmental organization, driving instructors, associate and/or administrator in certain business enterprises, sports club administrator and secretary, lawyer etc.

The offences have been committed, generally, in the public-private relationship [13]- most often by providing supporting documents necessary to defraud public procurement, by using false documents/declarations to obtain some non-reimbursable funds, by supporting each other for the purpose of evading the payment of duties and taxes to the state budget, but also for the purpose of obtaining some patrimonial benefits, to the detriment of the entity that represent or manage [14]. In 2022, most of the defendants sent to court come from the urban environment, are men and are aged between 18-65 years. Also, in the year 2022, the courts definitively condemned a number of 439 defendants. Interestingly, from the perspective of the field in which they were active, 306 convicts (69.70%) came from the private sector. Nevertheless, the majority of offences have been committed, generally, in the public-private relationship [15], not within the business day-to-day organization activities.

This tendency, to identify corruption related to business environment mostly at the intersection of private domain with public authorities or public companies is also confirmed by the data of Eurobarometer Survey on corruption [16]. The 2022 perceived corruption within Romanian private companies (13%), the giving and taking of bribes and the abuse of power for personal gain, is lower that the perceived corruption in 2019 (19%), while the European citizens perception remains at the same level. The 2022 Eurobarometer on corruption reports that 13% of Romanians believe that bribery is widespread in private companies, compared to 37% of EU citizens.

We may assume that the perceived similarity between the bribe and the stimulation or motivation of the business partner is one of the reasons for the low interest in corruption offences. To outperform their competition, some businesses resort to providing favours, presents, or even money to the staff of the firm with whom they wish to do business. Also, we assume that the bribery in the private sphere is founded on and promotes the same processes and ways of thinking as bribery in the public sphere. Some of this hypothesis were partially tested within scientific researches, but still, there are a lot of mechanisms to unveil and explain, all that in order to set the optimal strategies for preventing and combating corruption. Some of the researchers conclusions are being discuss in the following chapter.

#### **4. DISCUSSION ON THE FACTORS INVOLVED IN CORRUPT BEHAVIOUR WITHIN BUSINESS ENVIRONMENT**

Corruption within business environment, which results in greater expenses or lower profits, can also result in poor resource allocation inside the firm, in contrast to public corruption, which has social, political, and distributional repercussions. More precisely, it affects the firm's growth, raises operational risk, and reduces its competitive advantage, which has a number of organizational effects [17]. Organizational corruption, in particular, weakens an organization's ability to operate and dispose of its property in accordance with the legitimate purposes and objectives of its owners or management [18].

A well-known scientist described corruption using the following formula:  $C = M + D - A$ . Corruption is defined as monopoly plus discretion minus accountability. Whether the activity is public, private, or non-profit, and no matter where it takes place, Robert Klitgaard argues for the universality of corruption mechanisms: corruption is likely to occur when an organization or person has monopoly power over a good or service, has discretion over who obtains it and how much that person receives, and is not accountable [19]. As a result, another study [20] affirm that corruption is mostly the result of poor monitoring, and anti-corruption initiatives should include an organizational design based on a relatively tight concept of transparency, responsibility, and compliance. Poorly performing firms are seen as being under greater pressure to perform better and thus more likely to behave illegally [21]. Scholars have claimed that the simple explanation for corruption is a conviction that the possible benefits of corruption outweigh the probable disadvantages [22].

Another opinion adds to the previous saying that complex firm structures clearly facilitated dubious practices, reaffirming the importance of auditors for preventing fraud seems to have been limited [23]. Moreover, some studies suggest that the expertise and motivation of internal auditors may make them resistant to the phenomena of physical appearance stereotyping and the attractiveness halo effect [24].

Results revealed that the important shared values among managers of private and public sectors are product quality and customer service. Congruence between personal and organizational values is found to be higher in the private sector compared to the public sector [25].

Some studies used concepts from social psychology and behavioural economics to show that, despite apparent impediments, even high-performing and prominent companies may have motives to participate in illicit activity. They contended that strong constraints to maintain high relative performance may encourage risk-seeking behaviour as a result of either loss aversion or risk aversion [26].

Drawing on past research and theory, there were also described four forms of employee silence, namely “quiescent, acquiescent, prosocial, and opportunistic silence [27]“.

Romanian researchers studied the entrepreneurial area and how corruption in the public sector is predicting large negative associations between the amount of corruption and business demography (business birth rate and business death rate). Nevertheless, the results did not confirm this hypothesis. One probable reason for this pattern was suggested to be the adaptability of Romanian entrepreneurs to the consequences of public-sector corruption on their businesses [28]. This hypothesis remains for the following studies to be tested. Another Romanian researcher expressed the hope that The Directive 2014/95/EU (and the internal/national rules enacted to implement it) may serve as the foundation for a "new" beginning for CSR in Romania. The new requirement for large companies to disclose non-financial and diversity information not only introduces a consistent reporting standard for these organizations, but also compels them to re-evaluate their policies - to be reported [29].

It is also shown that “setting rules and overseeing organizational activities is necessary but insufficient to promote sound business practices without adequate enforcement [30]”.

Another studies results about the connection between corruption and firm innovation in former soviet countries showed that the “grease-the-wheel effect“ of bribery on firm innovation strongly remains in countries with weak institutional quality [31]. One research demonstrated that “corruption perceptions are partially mediated by entrepreneurial attitudes and perceived control, but not by social norms [32]”.

The researchers agree that further analysis are needed to understand how people perceive their own corruption. The function of emotion and identity performances in the self-rationalization of corruption, in particular, has received little attention [33].

It was shown that the scientific literature has failed to adequately investigate the emotional motivations at work in the justification of corruption, the relationship between emotions and corruption rationalization and how corrupt persons interact with norms and spontaneously embrace, and even enjoy, corrupt behaviours [33]. Another view about corruption factors refers to the argument that moral disengagement processes contribute to the initiation, facilitation, and perpetuation of corruption in companies by their impact on moral awareness, unethical decision-making, and organizational growth [34]. It has been demonstrated that unethical pro-organizational activity, as a kind of prosocial behaviour, may cause harm to the organization and its stakeholders [35].

Governments have traditionally been held responsible for corruption approaches and policies. However, today's risk management concept lays a special focus on corporate self-regulation in order to prevent liabilities [36]. Results [37] revealed that the important shared values among managers of private and public sectors are product quality and customer service. Congruence between personal and organizational values is found to be higher in the private sector compared to the public sector. A significant study [38] analysed the multilayer theory of dishonesty to the test with 6382 managers from 31 geopolitical organizations spread over six continents. The results showed that the positive association between greed and dishonesty is mitigated by two distinct levels of subjective norm: corporate ethical values (CEV) at the micro-level and the Corruption Perceptions Index (CPI) at the macro-level. Also, some findings imply the existence of some type of corruption-dealing skill whereby “firms from countries with high corruption are less sensitive to host country corruption and in fact they are able to leverage their capability and invest more in corrupt hosts” [39].

With data on 76 203 individuals in 53 countries, a study investigates how corruption, an external factor, and risk aversion, a personal characteristic, may simultaneously affect individuals' entrepreneurial intentions. It was shown that risk aversion decreases the individual's probability of having an entrepreneurial intention by 6.67 percentage points [40].

Researchers have seldom explored the impact of the various governance technologies used in effective corruption control efforts in organizational contexts. These technologies include staff training, the development and implementation of codes of conduct, whistle-blower systems, indicators and statistics, and the implementation of various investigative approaches targeted at dealing with corruption issues [36]. Studies results show that internal anti-corruption policies, firms' internal code of ethics proved to be an effective deterrent [41].

One study described a few strategies effective at preventing pharmaceutical corruption: “offering employee assistance programs and revising performance goals tied to sales or stock prices; using transformational leadership; offering, monitoring and certifying employee training on key company policies [42]”.



In order to systematically diagnose and subsequently adopt measures for preventing corruption, a self-measurement tool, namely, Corporate Integrity Assessment Questionnaire was proposed. This tool can be used by public and private corporations “to benchmark their initiatives in promoting integrity in the workplace [43]”.

## 5. CONCLUSION

Due to its “etheric“ nature, corruption within business environment being less perceived and even lesser investigated by judicial bodies, we compared the phenomenon with “morgana fairy“ effect setting new lines for research for preventing and combating corruption within Romanian business environment.

The studies emphasize the benefits of employing anti-corruption tactics and engaging stakeholders in the disclosure of these strategies. Firms should provide sufficient information to stakeholders about their anti-corruption policies which should be supported by regulations and management systems, such as anti-corruption training for employees and business partners and monitoring systems for corruption infractions [44].

The data indicate that training is positively related to the chance of rejecting corruption justifications. However, one of the research shows that training approaches should become more explicit in order to address difficult issues about the grey zones of compliance and ethical behaviour [45]. The majority of the few current research on the efficacy of training focus on unethical or unlawful business practices in general rather than corruption in specific [45]. The research provides evidence that “anti-corruption training is an effective measure for curbing the psychological antecedents of corrupt behaviour among business professionals [45]“.

There are studies that demonstrate how proactive reporting of corruption activity may enhance a company's reputation and convince managers that this sort of reporting can be beneficial in this critical area [46].

A recent and comprehensive literature review showed that when developing methods to improve operational efficiency and performance, businesses must also address corruption and also question several key assumptions of existing management theories [47]. The author [47] recommended scholars to test and enhance current theories by focusing on corruption as a major issue in international business, based on reviewed literature on corruption in international business (137 articles) for 17 years between 1992 and 2019. The study identified seven research streams in this growing literature: ”(1) the legislation against corruption, (2) the determinants of corruption, (3) combating corruption, 4) the effect of corruption on firms, (5) the political environment and corruption, (6) corruption as a challenge to existing theories of management, and (7) the effect of corruption on foreign direct investment and trade [47]”.

Some of this strategies were partially tested within scientific researches, but still, there are a lot of mechanisms to unveil and explain, new lines of research, from the level of knowledge on corruption offences to the perception of managers and employees on corruption, all that in order to set the optimal strategies for preventing and combating corruption within business environment.

## REFERENCES

- [1] European Commission, “Report From the Commission to the European Parliament and the Council on Progress in Romania Under The Cooperation And Verification Mechanism”, Strasbourg, 22.11.2022 COM(2022) 664 final 2022. [Online]. Available: [https://commission.europa.eu/system/files/2022-12/com\\_2022\\_664\\_1\\_en.pdf](https://commission.europa.eu/system/files/2022-12/com_2022_664_1_en.pdf), [Accessed: Nov. 30, 2022].
- [2] V. Janardhanan, R. Nambudiri, “Developing a corruption-vulnerability index for organizations: a study of indian state-owned enterprises”, *Public Administration Quarterly*, Southern Public Administration Education Foundation, Indian Institute of Management, Indore, pp.402-454, fall 2019.
- [3] G. De La Torre Campos, K. Radler, B.U. Saptoadi, “Fighting Greed with Money: How Wage Levels Impact Corruption in the Private Purchasing Sector”, *Management*, volume 12, number 4, pp. 355–374, 2017. Available: <https://doi.org/10.26493/1854-4231.12.355-374>. [Accessed: November 12, 2022].
- [4] European Added Value Unit of the Directorate for Impact Assessment and European Added Value, within the Directorate-General for Parliamentary Research Services (EPRS) of the Secretariat of the European Parliament, “Stepping up the EU’s efforts to tackle corruption - Study”, January, 2023. [Online]. Available: [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/734687/EPRS\\_STU\(2023\)734687\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/734687/EPRS_STU(2023)734687_EN.pdf). [Accessed: February 3, 2023].
- [5] The Council of Europe Criminal Law Convention on Corruption adopted at Strasbourg, 27 of January 1999, ratified by Law no. 72/2002, published in Monitorul Oficial no. 65/30 January 2002. [Online]. Available: <https://rm.coe.int/168007f3f5>, [Accessed: January 3, 2023].
- [6] A. A. Bora, “About corruption within the public-private partnership”, *Agora International Journal of Juridical Sciences*, Vol. 2, No. 1, pp.30-37, 2008. [Online]. Available: <https://univagora.ro/jour/index.php/aijs/issue/view/81/99>. [Accessed: Nov. 30, 2022].
- [7] The Council of Europe Civil Law Convention on Corruption, Strasbourg, 4.XI.1999, ratified by Law no. nr 147/2002, published in Monitorul Oficial no. 260/18, April 2002, [Online]. Available <https://rm.coe.int/168007f3f6>, [Accessed: Nov. 30, 2022].
- [8] The UN Convention against Corruption, adopted at New York, 31 of october 2003 ratified by Law no. 365 from 15 of september 2004, published in Monitorul Oficial no. 903/5th of October 2004.
- [9] United Nations Office on Drugs and Crime, “Consequences of private sector corruption, Knowledge tools for academics and professionals UNODC Module Series on Anti-Corruption, Module 5 Private Sector Corruption”. [Online]. Available: [https://grace.unodc.org/grace/uploads/documents/academics/Anti-Corruption\\_Module\\_5\\_Private\\_Sector\\_Corruption.pdf](https://grace.unodc.org/grace/uploads/documents/academics/Anti-Corruption_Module_5_Private_Sector_Corruption.pdf), [Accessed: February 2, 2023].
- [10] N. Dutta, R. Sobel, “Does corruption ever help entrepreneurship?”, *Small Bus Econ* 47, JEL Classifications D73 L26 O43, pp.179–199, 2016. Available: DOI <https://doi.org/10.1007/s11187-016-9728-7>. [Accessed: Nov. 30, 2022].
- [11] Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented published in Monitorul oficial (Official Gazette) no. 510 of July 24, 2009.
- [12] The National Anticorruption Strategy (NAS) 2021-2025, approved by The Government Decision no. 1.269/2021, published in the Official Gazette no. 1.218 and 1.218 bis from 22 of December 2021.
- [13] A. A. Bora, “Considerations on police officers' right to teach within the adult professional training system”, *Annals of the “Constantin Brâncuși” University of Târgu Jiu, Letter And Social Science*, series 2/2022. ISSN-p: 1844-6051 ~ ISSN-E: 2344-3677. [Online]. Available: <https://alss.utgjiu.ro/2-2022/>. [Accessed: February 10, 2023].
- [14] National Anticorruption Directorate, “Report on the activity” carried out in 2020, 2021, 2022. [Online]. Available: <https://www.pna.ro/results.xhtml>. [Accessed: February 10, 2023].
- [15] A. A. Bora, “Discussion on corruption offences committed by police officers by conducting financial transactions as commercial acts, incompatible with police officer’s role, attribution, or task”, *Annals of the “Constantin Brâncuși” University of Târgu Jiu, Letter And Social Science*, p.47-55, series 2/2022. ISSN-p: 1844-6051 ~ ISSN-E: 2344-3677, Available: <https://alss.utgjiu.ro/2-2022/>. [Accessed: February 10, 2023].
- [16] European Commission, “2022 Eurobarometer Survey on corruption”, 2022. [Online]. Available: <https://europa.eu/eurobarometer/surveys/detail/2658>. [Accessed: January 11, 2023].
- [17] C. Gopinath, “Recognizing and justifying private corruption”, *Journal of Business Ethics*, 82, pp.747–754, 2008. <https://doi.org/10.1007/s10551-007-9589-8>, [Accessed: Nov. 30, 2022].

- [18] G. Hodgson, M.S. Jiang, “The Economics of Corruption and the Corruption of Economics: An Institutional Perspective”, *Journal Of Economic Issues*, Vol. XLI No. 4, pp.1043-1061, December 2007.
- [19] R. T. Klitgaard, “International Cooperation Against Corruption”, *Finance & Development*, pp.3-6, March, 1998. [Online]. Available: <https://www.imf.org/external/pubs/ft/fandd/1998/03/pdf/klitgaar.pdf>. [Accessed: Nov. 30, 2022].
- [20] F. Osrecki, “Fighting corruption with transparent organizations: Anti-corruption and functional deviance in organizational behaviour”, *Ephemera: Theory & Politics in Organization*, volume 15(2), pp. 337-364, 2015, ISSN (Online)1473-2866. [Online]. Available: [https://ephemerajournal.org/sites/default/files/2022-01/15-2osrecki\\_0.pdf](https://ephemerajournal.org/sites/default/files/2022-01/15-2osrecki_0.pdf), [Accessed: Dec. 15, 2022].
- [21] T.A. Burnham, H. J. Jeon, H. Zeng, “Illegal corporate bribery: the pressure to “make do” and achieve goals”, *Journal of Marketing Theory and Practice*, vol. 26, no. 3, Taylor and Francis Group, pp. 246-259, 2018. ISSN: 1069-6679 (print) / ISSN 1944-7175 (online). Available: <https://doi.org/10.1080/10696679.2018.1452616>. [Accessed: Dec. 15, 2022].
- [22] L. Orudzheva, M.S. Salimath, R. Pavur, “Vortex of Corruption: Longitudinal Analysis of Normative Pressures in Top Global Companies”, *Journal of Business Ethics*, 163, pp.529-551, 2020. Available DOI: <https://doi.org/10.1007/s10551-018-4022-z>. [Accessed: Nov. 30, 2022].
- [23] H. van Driel, “Financial fraud, scandals, and regulation: A conceptual framework and literature review”, *Business History* 2019, Vol. 61, No. 8, pp. 1259-1299. [Online]. Available:<https://www.tandfonline.com/doi/full/10.1080/00076791.2018.1519026>. [Accessed: Nov. 30, 2022].
- [24] M. Eulerich, J.C. Theis, J. Lao, M. Ramon, “Do fine feathers make a fine bird? The influence of attractiveness on fraud-risk judgments by internal auditors”, *International Journal of Auditing*. Special Issue Articles, Wiley-Blackwell, pp. 332-344, 2018. [Online]. Available: <https://doi.org/10.1111/ijau.12137>. [Accessed: Nov. 20, 2022].
- [25] D. Suar, R. Khuntia, “Influence of personal values and value congruence on unethical practices and work behaviour”, *Journal of Business Ethics*, 97, pp. 443-460, 2010. Available DOI: <https://doi.org/10.1007/s10551-010-0517-y>. [Accessed: Nov. 20, 2022].
- [26] Y. Mishina, B. J. Dykes, E. S. Block, T.G. Pollock, “Why “good” firms do bad things: the effects of high aspirations, high expectations, and prominence on the incidence of corporate illegality”, *Academy of Management Journal*, vol. 53, no. 4, pp.701-722, 2010.
- [27] M. Knoll, R. van Dick, “Do I Hear the Whistle...? A First Attempt to Measure Four Forms of Employee Silence and Their Correlates”, *Journal of Business Ethics*, 113, pp.349-362, 2013. Available DOI: <https://doi.org/10.1007/s10551-012-1308-4>. [Accessed: Nov. 30, 2022].
- [28] B. Avram, S. Brad, “How does corruption influence the entrepreneurial environment in Romania?”, *Young Economists Journal/Revista Tinerilor Economisti*, March, JEL classification: M13, M21, p.29-38, 2015.
- [29] C. Ogorean, “The Directive 2014/95/eu – is there a “new” beginning for CSR in Romania?”, *Studies in Business and Economics*, no. 12(1), pp.141 – 14, 2017. Available DOI: <https://doi.org/10.1515/sbe-2017-0011>, [Accessed: Nov. 14, 2022].
- [30] D. Motherway, F. Pazzaglia, K. Sonpar, “Failures in Regulator-Led Deinstitutionalization of Questionable Business Practices”, *Journal of Business Ethics*, volume 149, pp. 627-641, 2018. Available DOI: <https://doi.org/10.1007/s10551-016-3082-1> . [Accessed: Nov. 15, 2022].
- [31] E. Aghazad, G. Ashyrov, “Corruption and firm innovation: evidence from post-Soviet countries”, JEL classification numbers: O17, D73, O38, *Working Papers -- Business Administration*, University of Tartu-FEBA, pp.3-34, 2021.
- [32] D. Traikova, T.S. Manolova, J. Möllers, G. Buchenrieder, “Corruption perceptions and entrepreneurial intentions in a transitional context—the case of rural Bulgaria”, *Journal of Developmental Entrepreneurship*, Vol. 22, No. 3, pp. 1750018- (21 pages), 2017, Available DOI: <https://doi.org/10.1142/S1084946717500182>. [Accessed: Nov. 20, 2022].
- [33] E. Pignot, “Bringing down the house (of Goldman Sachs): Analyzing corrupt forms of trading with Lacan”, *Ephemera: Theory & Politics in Organization*, volume 15(2), pp. 387-409, 2005, ISSN 1473-2866. [Online]. Available: <https://ephemerajournal.org/sites/default/files/2022-01/15-2pignot.pdf>. [Accessed: Nov. 20, 2022].
- [34] C. Moore, “Moral Disengagement in Processes of Organizational Corruption”, *Journal of Business Ethics*, 80, pp. 129-139, 2008. Available DOI: <https://doi.org/10.1007/s10551-007-9447-8>. [Accessed: Nov. 17, 2022].

- [35] M. Mishra, K. Ghosh, D. Sharma, “Unethical Pro-organizational Behavior: A Systematic Review and Future Research Agenda”, *Journal of Business Ethics*, 179, pp. 63–87, 2022. [Online]. Available: <https://doi.org/10.1007/s10551-021-04764-w>. [Accessed: Nov. 18, 2022].
- [36] H. K. Hansen, M. Hove Tang-Jensen, “Making up corruption control: Conducting due diligence in a Danish law firm”, *Ephemera: Theory & Politics in Organization*, volume 15(2), pp. 365-385, 2005, ISSN 1473-2866. [Online]. Available: <https://ephemerajournal.org/contribution/making-corruption-control-conducting-due-diligence-danish-law-firm>. [Accessed: Nov. 18, 2022].
- [37] D. Suar, R. Khuntia, “Influence of personal values and value congruence on unethical practices and work behaviour”, *Journal of Business Ethics*, 97, pp. 443–460, 2010. Available DOI: <https://doi.org/10.1007/s10551-010-0517-y>. [Accessed: Nov. 18, 2022].
- [38] Th. Li-Ping Tang &all, “Monetary Intelligence and Behavioral Economics: The Enron Effect—Love of Money, Corporate Ethical Values, Corruption Perceptions Index (CPI), and Dishonesty Across 31 Geopolitical Entities”, *Journal of Business Ethics*, 148, pp. 919–937, 2018. Available DOI: <https://doi.org/10.1007/s10551-015-2942-4>. [Accessed: Nov. 18, 2022].
- [39] M. P. Ferreira, H. C. Carreira, D. Li, F. R. Serra, “The Moderating Effect of Home Country Corruption on the Host Country’s Ability to Attract FDI”, *Brazilian Business Review*, 13(4), pp. 94–117, 2016. Available DOI: <https://doi.org/10.15728/bbr.2016.13.4.5>. [Accessed: Nov. 18, 2022].
- [40] L. De Andrade Costa, E.W. Mainardes, “The role of corruption and risk aversion in entrepreneurial intentions”, *Applied Economics Letters*, 23:4, pp. 290-293, 2016. Available DOI: <https://doi.org/10.1080/13504851.2015.1071462>. [Accessed: Nov. 18, 2022].
- [41] K. G. Rajeev, J. Budak & E. Rajh, “Private sector bribery and effectiveness of anti-corruption policies”, *Applied Economics Letters*, 22:10, pp. 759-766, 2014. Available DOI: <https://doi.org/10.1080/13504851.2014.975326>. [Accessed: Nov. 20, 2022].
- [42] D. Peltier-Rivest, “The prevention and detection of corruption in pharmaceutical companies”, *Pharmaceuticals Policy and Law*, 19, pp.17–31, 2017. DOI 10.3233/PPL-170451. [Online]. Available: <https://content.iospress.com/articles/pharmaceuticals-policy-and-law/ppl451>. [Accessed: Nov. 23, 2022].
- [43] N. Omar, “Corporate integrity as an antidote to corruption and sustenance of organizational development: the renewed role of management accountants”, *Malaysian Accounting Review*, vol. 14, no. 2, Accounting Research Institute, Universiti Teknologi MARA, Malaysia, 2015. [Online]. Available: <https://mar.uitm.edu.my/images/Vol-14-2/06.pdf>. [Accessed: Nov. 23, 2022].
- [44] V. S. Sampath, N. A. Gardberg, N. Rahman, “Corporate Reputation’s Invisible Hand: Bribery, Rational Choice, and Market Penalties”, *Journal of Business Ethics*, vol.151, pp.743–760, 2018. Available DOI: <https://doi.org/10.1007/s10551-016-3242-3>. [Accessed: Nov. 25, 2022].
- [45] Ch. Hauser, “Fighting Against Corruption: Does Anti-corruption Training Make Any Difference?”, *Journal of Business Ethics*, 159, pp. 281–299, 2019. Available DOI: <https://doi.org/10.1007/s10551-018-3808-3>. [Accessed: Nov. 26, 2022].
- [46] I. Fálvarez Etxeberria, O. M. Aldaz, “The social reputation of European companies: Does anti-corruption disclosure affect stakeholders' perceptions?”, *Corporate Social Responsibility and Environmental Management*, vol. 25, issue 5, pp. 713-721, September/October 2018. Available DOI: <https://doi.org/10.1002/csr.1488>. [Accessed: Dec. 12, 2022].
- [47] S. Bahoo, I. Alon, A. Paltrinieri, “Corruption in international business: A review and research agenda”, *International Business Review*, vol. 29, issue 4, 101660, pp.1-24, August 2020. Available DOI: <https://doi.org/10.1016/j.ibusrev.2019.101660>. [Accessed: Febr. 12, 2023].