ANTI-CORRUPTION EDUCATION AT SCHOOL

Methodical material for general and higher education schools
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This book consists of two parts which include methodological publications for teachers of general education schools and lecturers of higher education schools. They were written and published in Lithuanian in 2005.

The first part, *Anti-Corruption Studies in General Education Schools*, is meant for teachers willing and able to integrate anti-corruption education into the programme of the disciplines they teach. The most appropriate disciplines in that respect are history, civic education, ethics and religion. Anti-corruption education can be also included into literature and language teaching lessons. The first part of the book provides recommendations to teachers explaining to them how they can integrate anti-corruption education into the disciplines they teach without requiring additional hours for education and using the existing programmes, manuals and methodological tools.

The second part, *Corruption Studies in Higher Education Schools: Views, Problems and Possible Solutions*, is meant for lecturers of higher education schools and universities when study programmes or topics of disciplines are favourable to accommodate spread of information about corruption and anti-corruption education, form anti-corruption attitudes and values of a civicly active and society-minded person. This part provides examples of how anti-corruption education can be integrated into certain study modules and programmes and how a separate course of anti-corruption education can be developed.

In addition, this book provides theoretical material which will help understand the matters discussed and the key concepts used. It also contains findings of social surveys and some additional sources and references.

The book was developed by teachers practitioners. All the examples presented were tested with pupils and students.

The inspiration to translate the book came from great interest of our foreign partners and colleagues in anti-corruption education and Lithuania’s experience in that area.

The compilers of the book would like to thank the sponsors: United Nations Development Programme in Lithuania, the Special Investigation Service of the Republic of Lithuania, Open Society Institute RE:FINE programme and everybody who has contributed to the development and publication of the book.

We hope that teachers of other countries will find new ideas and useful examples in this book which they could use in their practice and further anti-corruption education in their respective countries.

DAIVA PENKAUSKIENĖ
Anti-corruption Studies in General Education Schools

Methodological material
This methodological material was developed using the works provided by the projects “Education against Corruption” (2002-2003) and “Improvement and Dissemination of Anti-Corruption Education Programmes” (2004)

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INTRODUCTION

Why was this methodological material created?

This methodological material was created on the basis of the projects “Education against Corruption” and “Improvement and Dissemination of Anti-Corruption Education Programmes”. The projects were carried out within the framework of the National Anti-Corruption Programme, which is to be implemented over the period of 2002-2006. The Seimas of the Republic of Lithuania tasked the Government to organise, in conjunction with the Special Investigation Service, the implementation of the measures provided for in the National Anti-Corruption Programme. The stakeholders of the education programme include most of the Ministries of Republic of Lithuania, the Lithuanian Crime Prevention Centre, and Phare experts. The main purpose of this programme is public education and dissemination of information about anti-corruption activities and corruption prevention.

Corruption is seen as a more urgent problem in post-communist countries than Western states. The communist systems were based on corruption as a consolidating force where kleptocracy and clientelism had become the norm. Such behavioural and thinking patterns obstructed creation of democratic states and private economy based on open competition. To tackle the sophisticated and specific nature crimes of corruption in Lithuania, a special agency was set up in autumn of 1997, the Special Investigation Service (STT).

The National Anti-Corruption Programme (hereinafter referred to as the NACP) adopted by the Seimas had a wider objective than just detection of crimes of corruption. A major emphasis is placed on corruption prevention and public education. The NACP provides for one of the key tasks, which reads as follows:

*By various means promoting intolerance to the manifestation of corruption; in view of this, establishing close co-operation with non-governmental organisations and mass media, developing and incorporating anti-corruption programmes into the education system.*

The Action Plan of the NACP provides for the development and implementation of methodological recommendations for anti-corruption education.

Furthermore, Article 10 of the 2002 Law on Corruption Prevention stipulates inclusion of anti-corruption education in the curricula of general education schools, as follows:

1. Anti-corruption education is an integral part of raising public awareness with a view to promoting personal integrity, civic responsibility, understanding of human rights and duties to society and the State of Lithuania, and ensuring the implementation of the aims of corruption prevention.
2. Anti-corruption education of the public shall be carried out at all types and levels of educational institutions in accordance with the appropriate educational programmes, through media and by other means.

General education schools took an active part in developing the methodological material. When a tender was launched to participate in the pilot project, 70 schools responded. As a result, 11 school teams were selected comprising teachers of psychology, ethics, history, political science and civic education. They gained knowledge and techniques during workshops to apply during their own lessons and other educational activities. In 2004, in-service training was performed for other teachers who did not take part in the projects.

**How can this methodological material be used?**

Developers of this material hope that this publication will help teachers willing to be involved in anti-corruption education to gain more knowledge about the concept of corruption and the possibilities of integrating anti-corruption training into the main disciplines and extra-curricular activities. They also believe that it will encourage pupils to have greater interest in public life and be more active and show their strength of reasoning while expressing their civic positions concerning issues that are important to all of us. Practical examples of lessons and extra-curricular activities will help better understand the content of anti-corruption training and the possibilities of applying the methods presented.

For those who need more information, additional material is presented and references are given to the information sources, including internet websites. For further information about the in-service training programme “Possibilities of Anti-Corruption Education at General Education Schools”, please contact the Modern Didactics Centre at the following address: Studentų 39-401, LT-08106 Vilnius; tel./fax (+370 5) 275 14 10; email: daiva.dc@vpu.lt; http://www.vpu.lt/sdc
CORRUPTION IN A NUTSHELL

There is much talk about corruption but not everything that is regarded as corruption by the public opinion or mass media is, indeed, corruption. On the other hand, corruption is not always recognised as a criminal act. Sometimes there is also a superficial perception of the reasons, preconditions, consequences of corruption and ways to fight it. Thus before we start anti-corruption training for teachers it is worth clarifying the meaning of corruption as a phenomenon.

What is corruption?

At some point in time, the word ‘corruption’ meant decay and moral deterioration. Today its short definition is abuse of public power for personal gain. The NACP defines corruption as “any behaviour of a civil servant or a person of an equivalent status that is non-compliant with the given powers or established standards of ethics or the promotion of such behaviour, seeking benefit for himself or other persons and thus undermining the interests of persons and the state.”

There are many definitions of corruption and they are constantly subject to change with the changing perception of this phenomenon. Therefore, it is easier to identify corruption by its characteristics, rather than by its definition. Comparison of various concepts of corruption shows that actions considered as corruption generally comprise the following elements:

1. a person with the authority (powers) to adopt decisions that are relevant to society;
2. legal norms regulating decision-making (legislation, principles, criteria, procedures);
3. a person or persons seeking a decision that is favourable to them;
4. mutually beneficial exchange between a decision-maker and a person or persons seeking this decision;
5. violated decision-making norms, damage caused to society [Van Duyne, 2001:74–76]

In other words, corruption is buying or selling of decisions in violation of justice. Justice can take either a legal form (when a written norm is violated) or a moral one (when there are no established standards of conduct yet common sense suggests unfairness of an act).

Following the definitions given above, corrupt decisions are only those that are ‘sold’ by civil servants and politicians, whereas corruption itself can be public or political. As a matter of fact, corruption may also occur in the non-governmental sector and is considered a crime when it violates public interests.
Forms of corruption

Decisions sold can have an impact upon many different matters (provision and facilitation of services, permissions and visas; recruitment and promotion of employees; adoption of laws; abolishment of punishment; concealment of crime; remuneration and other material benefits; grants; state orders; provision of secret information; exemption from taxes, etc.). In exchange for those decisions many different forms of reward can be offered, i.e. there are many forms of corruption and they are difficult to put into classification. What makes the task more difficult is that in different countries different crimes are considered corruption (bribery is probably an exception). Crimes of corruption included in the legislation of different countries are the following:

1. taking, extorting, or giving bribes;
2. mismanagement or embezzlement of state assets;
3. unlawful use of confidential state information;
4. trading in influence and using it for personal benefit;
5. election fraud and interference with elections;
6. dissemination of erroneous information or its provision seeking to mislead investigators;
7. illicit enrichment;
8. obstruction or interference with the market of state orders;
9. punishment of persons who inform about improper conduct of public officials;
10. non-feasance;
11. damage to the public service [Grosse, 2000].

In his attempt to make a classification of the chaotic range of opportunities for corruption, P. Van Duyne suggested a sector-based system [Van Duyne, 2001:76]. The system shows that corruption is possible in all three sectors (public, private and political) and also between them, as follows:

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On the basis of this classification, six groups of crime are possible. The same form of crime (for example, bribes) may occur in every group.
Arguments ‘for’ and ‘against’ corruption

The first systemic surveys of the consequences of corruption were conducted not very long time ago. In the past, some economists and politicians said that corruption was useful because it:

• facilitates decision-making by greasing the wheels of state machinery and hence increasing economic efficiency;
• saves time and since ‘time is money’, it also saves money;
• transfers the principles of free market competition into the area of state orders as the amount of bribes offered while competing for an order shows the capacity of the company;
• compensates for the small salaries of civil servants, hence saving budgetary funds.

Yet a closer look at the impact of corruption, its level in various countries and their economy shows the negative role that corruption has played in a number of areas of public life.

Impact on economy:

• in corrupt states, the business community has to allocate some of its funds to corruption, which cuts down on investment and the gross national product;
• corruption binds free competition, with the biggest damage done to small companies;
• with decreasing competition, the quality of goods and services becomes worse;
• state revenues decrease and the shadow economy grows;
• where corruption is tolerated, civil servants receive small salaries, yet with the saved budgetary expenses ordinary citizens have to pay them out of their pocket as bribes;
• foreign investors have less trust in the state and their contribution to the country’s economy decreases.

Impact on state governance:

• less state investment and smaller efficiency of state-ordered works;
• areas of governmental activities and structure of expenditure are subject to change – corrupt public officials “push” the projects which guarantee bigger gain;
• corrupt government is weak and constrained;
• selfishness of public officials overshadows strategic thinking in terms of the needs of the state, therefore, economic and social problems lack proper attention;
• the quality of public services deteriorates.

Socio-political consequences:

• having no trust in corrupt politicians and public officials, citizens lose trust in the state;
• there is less involvement in public activities and less interest in the work of democratic bodies;
• there is less political competition when autocratic ideologies become more popular;
• social tension grows and the political stability of the state diminishes.

What causes corruption?

The fundamental cause of corruption is human egoism. Thus we cannot consider corruption an exceptional or pathological form of behaviour: each and every one of us tend to care about ourselves. The temptation to act in a corrupt manner increases as consumption needs grow and as the pursuit of personal well-being becomes more important than public well-being: the latter almost slides into the oblivion. As a result, politicians and civil servants start abusing their positions to create personal well-being. Observing this, young people perceive civil service as a comfortable and attractive lifestyle. Consumption society resents corruption scandals, yet its resentment is somewhat double-edged: it is more discontent about someone having bigger gain than about the fact of corruption itself.

Yet despite this homogeneity of human nature, societies are not equally corrupt. The level of corruption may be related to the culture, mentality and traditions of a certain society. For example, it is thought that corruption as an evil is easier perceived by protestant societies because protestant ethics makes a clear distinction between public and individual values. In societies where corruption was almost legal such as, for instance, clientelism as a consolidating force in communist systems, it is far more difficult to change living and thinking habits. Corruption easier takes root in countries where people are less educated and public awareness is low.

Corruption may be prompted and maintained by a number of social and economic factors: weak economy, unemployment, poorly administered state budget, interference of stronger states and corporations. Civil servants may be demoralised by small salaries, promotion which is not linked with the quality of work, unclear purpose of the organisation, and established clientelism between superiors and subordinates. Such relations are formed as a result of low management culture, lengthy time of service enjoyed by managers, weak control and accountability, and lack of decision-making procedures. Besides that, the possibility of acting corruptly is greater, the greater the number of goods controlled by the officials and the more secret and monopolised their distribution.

Another factor determining the level of corruption is the maturity of the legal system. Corruption is fostered by unclear, ambiguous and constantly changing legislation, poorly qualified courts, lack of witness protection programmes and the related mistrust in law enforcement. Therefore, the level of corruption is smaller in the countries with old traditions of statehood, law and democracy.
Anti-corruption strategies

In recent years, democratic states have developed more and more political and public initiatives to counter corruption. With that purpose in mind, the international organisation Transparency International (TI) was established. It conducts corruption surveys at different levels in various countries, and develops and disseminates anti-corruption standards. Actions against corruption have been supported by the World Bank, the International Monetary Fund, the Organisation for Economic Co-operation and Development, the European Union, and the United Nations. In the Republic of Lithuania, the main body co-ordinating the fight against corruption is the Special Investigation Service, established in late 1997.

Reduction of the level of corruption is neither an easy nor a quick process. Since the causes of corruption may comprise various direct and indirect factors (including improper economic policy, low public awareness, weak civic society, lack of accountability of state institutions, and national traditions), the fight against corruption should take a holistic approach encompassing a variety of measures. As long as corruption is a systemic crime, punishment of officials remains a show of 'scapegoats on trial' with the public aware of a number of others who are equally guilty but managed to escape.

Bearing in mind the reasons facilitating the presence and growth of corruption in a certain country, anti-corruption strategies may comprise a variety of measures, for instance:

- adopting clear criteria and procedures for recruiting and promoting civil servants;
- setting clear (transparent) procedures for making decisions relevant to the public and the state that are based on impartiality and seeking the well-being of all citizens;
- separation of political and state posts; prohibition imposed on municipal public servants to represent political parties;
- prohibition imposed on civil servants to take part in commercial activities;
- demanding transparency and lawfulness of income and expenditure by political parties;
- monitoring and declaration of income of politicians;
- registration of gifts received by politicians;
- development of codes of conduct for civil servants and politicians to complement the legal system;
- supplementation of legislation with clear definitions of acts of corruption;
- authorisation of decisions adopted by civil servants and setting a requirement to have particularly important decisions taken by joint approval;
- improving procedures for public procurement and privatisation of state property.

Anti-corruption measures targeted in Lithuania have been provided for in the National Anti-Corruption Programme. In an attempt to raise public and build civic awareness, education plays a key role.
POSSIBLE OPTIONS OF ANTI-CORRUPTION EDUCATION AT SCHOOL

Anti-corruption education at school could be both formal and informal. At the formal level, the elements of anti-corruption education could be included into the curricula of general education. At the informal level, initiatives of extra-curricula activities could be promoted: civil campaigns, pupil conferences and other events.

Since the key target of anti-corruption education is moulding civic awareness, the most favourable environment for that is social disciplines, including civic education, history, political science and ethics. The link with those disciplines is unavoidable because the problem of corruption is discussed using legal, political, historical and economic terms.

The integration of anti-corruption education into the course of general education is impossible without putting it into a certain context. For example, it is very difficult to understand the problem of corruption without first discussing the purpose of the civil service, ethical and legal requirements for civil servants. If these topics are not examined during the lessons of civic education or political science, it may be difficult to integrate anti-corruption education in general. On the other hand, anti-corruption education is not just about teaching, it is about providing information. Important concepts and values may be transmitted while discussing other topics as well.

Every time a suggestion is made to include new topics into the curriculum of general education, there is always a concern that there are too many programmes already and too little time to cover them. The suggestion to start anti-corruption education is not an exception. However, this concern can be soothed as there are many ways of integrating the subject matter. One way of dealing with the issue is clearly formulating and stating the problems of anti-corruption education and creating a separate module of several lessons. Another way of presenting the subject is to discuss it as a part of other topics and problems, presenting it as an illustration or specification of a certain case. Further we will present both examples: that of an integrated module and of an integrated programme. What is important is that anti-corruption education should not be taught separately from other disciplines.

A special problem of anti-corruption education is how to prevent it from becoming a course of teaching corrupt behaviour. As in many other cases when the school endeavours to teach norms that are contrary to “comfortable” conduct, anti-corruption education requires that teachers exercise their wisdom, psychological insight and methodical skills while presenting the topic.

The purpose of anti-corruption education is to build values and develop capacities necessary to form the civic position of pupils against corruption.
Tasks of anti-corruption education:
1. Introduction of the corruption phenomenon: its essence, reasons and consequences.
2. Promotion of intolerance towards corruption.
3. Demonstration of corruption fighting possibilities.
4. Contribution to the standards that are already included in the curriculum of general education, i.e.:
   - values (respect for democratic values; interest in everything that is taking place; honesty, responsibility for one’s actions and behaviour; constant self-improvement as well as improvement of social and cultural competence and knowledge, etc.),
   - strengthening capacities (to communicate, find, process and transmit information; think critically and solve issues; plan rationally and organise activities; manage time, financial and other kind of resources; act creatively, with meaning, take initiative, be independent, take responsibility for one’s actions; communicate and co-operate, solve disagreements and conflicts in a constructive manner; take part in the social life of school, the local community, and society; if necessary, exercise leadership in implementing the plans, etc).

The ultimate result is to mould a personality who is aware of the threats posed by corruption to the public well-being and state security, intolerant towards the manifestation of corruption, able and seeking to eliminate the latter.
KEY CONCEPTS USED IN ANTI-CORRUPTION EDUCATION

**Corruption** is a direct or indirect pursuit, demand or acceptance of a material or other benefit (a gift, service, promise or privilege) by a civil servant or a person of an equivalent status for himself or another person for the performance or non-performance of due functions, also actions or omission of actions of a civil servant or a person of an equivalent status in pursuit or demand of material or other benefit for himself or another person or acceptance of such benefit, also a direct or indirect offer or provision of a material or other benefit (a gift, service, promise or privilege) to a civil servant or a person of an equivalent status for the performance or non-performance of due functions, also intermediary activities in committing the acts specified in the paragraph. [2000 Law on the Special Investigation Service]

**Corruption prevention** means detection and elimination of the causes and conditions of corruption through the development and implementation of a system of appropriate measures as well as deterrence of persons from the commission of crimes of corruption.

**Crimes of corruption** include taking bribes, receiving bribes via an intermediary, offering bribes, other crimes committed in the public sector or while providing public services for personal benefit or the benefit of others, including exceeding or abusing one's authority, abuse of office, counterfeiting of documents or measuring devices, misappropriation or embezzlement of property, disclosure of an official or commercial secret, a false statement about income, profit or property, legitimisation of the proceeds of crime, interfering with the actions of a civil servant or a person discharging public functions or other criminal acts, the purpose of which is seeking, extorting or giving a bribe or attempting to conceal the act of bribe-giving or taking.

**Taking bribes** [Art. 225 of the Criminal Code of the Republic of Lithuania, 2000]
A civil servant, an official or a person of equivalent status who directly or indirectly in his own interest or in the interests of others accepts, promises or makes an agreement to accept a bribe, requires or provokes to give it in exchange for lawful or unlawful acts or omissions in the discharge of his authority. (This is the simplest form of its manifestation.)

- Grand scale is 250 MMWs (at present, 1 MMW is LTL 125).
- Criminal offence is up to 1 MMW.
- Liability for taking bribes lies not only with a natural person but also with a legal entity (a legal entity is subject to major monetary fines, restriction of activities, etc.). [Art 20 of the Criminal Code of the Republic of Lithuania, 2000]
Giving a bribe [Art 227 of the Criminal Code of the Republic of Lithuania, 2000]

Any person who either directly or indirectly offers, promises to give or has given a bribe to a civil servant, official or a person of equivalent status in exchange for pursued lawful or unlawful acts or omissions in the discharge of his authority or to an intermediary seeking the same results.

A person shall be released from criminal liability for suborning, if he has been required or provoked to give it and if he has offered, promised or given a bribe, law enforcement institutions being aware thereof.

Liability lies both with the bribe-giver as well as the bribe-taker.

Abuse of office [Art 228 of the Criminal Code of the Republic of Lithuania, 2000]

A civil servant or a person of equivalent status who abuses his position or exceeds his authority if such activities cause substantial damage to the state, an international public body, a legal entity or natural person.


A civil servant or a person of equivalent status who due to his negligence fails to perform his official duties or performs them improperly and such actions cause substantial damage to the state, an international public body, a legal entity or a natural person.

Punishment for committing those crimes includes:

- prohibition to do certain work or engage in certain activities;
- deprivation of freedom for up to three years (if grand scale, from two to eight years).

A public official is a person who when working at state or municipal authorities or institutions, judicial law enforcement, state control and supervision institutions or at institutions equivalent to them, performs the functions of a representative of the state or has administrative powers [Art 290 of the Criminal Code of the Republic of Lithuania, 2000].

Public officials are considered to be the following persons: the President of the Republic of Lithuania, members of the Seimas, the Prime Minister, the Chairman of the Board of the Bank of Lithuania, the State Controller, ministers, the Seimas Ombudsmen, Government’s Representative in the Country, county governors, municipal councillors, mayors, wardens, judges, notaries public, prosecutors, investigators, interrogators, employees of the Ministry of National Defence, the Ministry of the Interior, the State Security Department, the Customs Department under the Ministry of Finance, police officers, heads of bodies performing the functions of control and supervision, heads of inspectorates, deputies thereof, inspectors, etc.

Public officials are statutory civil servants. This means that apart from the Law on Civil Service they should also abide by their respective statutes. For example, an official
of the Special Investigation Service shall also comply with the Statute on the Special Investigation Service. The same applies to the other law enforcement agencies.

**A civil servant** is a person working in the civil service, a state politician, a civil servant of the public administration pursuant to the Law on Civil Service, as well as other persons who when working at state or municipal authorities or institutions, judicial law enforcement, state control and supervision institutions or at institutions equivalent to them, perform the functions of representatives of the state or have administrative powers, as well as official candidates to the duties mentioned. [Art. 230 of the Criminal Code of the Republic of Lithuania, 2000]

Persons having respective powers at foreign state institutions, international public organisations or international judicial authorities, as well as official candidates to the duties mentioned shall be considered as equivalent to a civil servant.

Moreover, persons working at any state, non-governmental or private institution or engaging in professional activities and having the relevant powers of public administration, except persons who provide economic or technical functions shall also be considered as equivalent to a civil servant.

**Persons working in the Civil Service** are state politicians, civil servants of public administration pursuant to the Law on Civil Service, other persons who when working at state or municipal authorities or institutions, judicial law enforcement, state control and supervision institutions or at institutions equivalent to them, perform the functions of representatives of the state or have administrative powers, as well as persons who work in public bodies receiving funds from the State and municipal budget and foundations and having administrative powers. [1997 Law on the Adjustment of Public and Private Interests in the Public Service].

**Anti-corruption standards** are a set of behavioural and legal norms that help to reduce corrupt conduct.

**Public interests** mean the public’s expectations with regard to impartial and just decision-making of the persons in the civil service. [1997 Law on the Adjustment of Public and Private Interests in the Public Service]

**Private interests** mean private economic or non-economic interest of a candidate or a person in the civil service (or his close relative or family member) which may effect his decision-making in the discharge of his official duties. [1997 Law on the Adjustment of Public and Private Interests in the Public Service]

**Conflict of interests** means a situation where a person in the civil service, when discharging his duties or carrying out instructions, is obliged to make a decision or par-
ticipate in decision-making or carry out instructions relating to his private interests. [1997 Law on the Adjustment of Public and Private Interests in the Public Service]

**Lobbying** means a process whereby information is exchanged and the opinion of a group, organisation or a part thereof is transmitted to public officials (the elected and the appointed), with a view to influence decision-making for their benefit.

**Clientelism** is a system of relations based on mutually beneficial commitments and connections of a guardian and another person or persons (clients).

**Nepotism** is recruitment of relatives, friends and close acquaintances without competitions while violating the principle of *the most appropriate person for the proper place*. This creates a system of subordinates and colleagues that are indebted to each other; this system is used in taking decisions.
CONTENT OF ANTI-CORRUPTION EDUCATION AT SCHOOL

Narrow and wide (contextual) views

Anti-corruption education at school can take on at least two forms. The first one is a supplement of curricula and extra-curricular activities with corruption related topics. It would be easy to organise, would not last very long, yet it would look like ‘insertions’ in the curricula and a one-off event. The second form is integration of analysis of fundamental values and concepts related to the phenomenon of corruption into the disciplines that are already taught, paying special attention to the aspects which did not receive much attention before.

The first form of anti-corruption education is not just easier to organise but also easier to control: simply making sure that all the schools and class groups take part in the anti-corruption events. The second form requires several years of social training. Thus, while making the choice one should make sure that the teachers of social disciplines are familiar with the objectives of anti-corruption education, its content and possibilities. Certainly, there is a third way: involvement of pupils into public anti-corruption movements and awareness raising campaigns, yet those movements may be only partially initiated by schools, therefore, our programme will not discuss all of their variations.

This publication is based on two possible ways of conducting anti-corruption education: narrow and wide (integrated). The purpose of the narrow programme is to introduce corruption as a phenomenon to pupils. Whereas the wide programme includes a group of topics into which anti-corruption education may be integrated. In addition, we give an example of an integrated programme which has been implemented, i.e. a table showing corruption related topics integrated in the textbooks of various grades and classes.

Key topics of anti-corruption education

**Concept of corruption.** A variety of definitions. Criteria on the basis of which a distinction is made between corruption and other types of crimes. Subjects of crimes of corruption and a variety of forms.

**Consequences of corruption.** Economic, social, political, and moral consequences of corruption. Obvious and hidden damage. Victims of crimes of corruption.
Origin of corruption. Spread of corruption in different periods of time, societies, and regimes. Psychological, cultural, social, economic, and political causes of corruption. Corruption possibilities in democratic bodies (political parties, elections, parliament, government, courts, and local authorities). Public and private interests.

Possibilities of combating corruption. The role of civic society (self-examination, intolerance, awareness). The role of the mass media (openness). Strengthening the legal framework: legislation, codes of ethics, and rules. Ways of eliminating the causes and preconditions of corruption provided for in strategies and programmes.

Problems of combating corruption. The level of corruption in Lithuania (survey findings). The role of survey findings and mass media scandals in forming the attitude towards one’s country. Grand and petty, punishable and non-punishable crimes of corruption. Difficulties of disclosing crimes of corruption. The fight against corruption: an endless fight.

Integrated Programme of Anti-Corruption Education

Personality and behaviour
- Self-portrait: who am I and what do I want to be?
- Personal values and principles
- Essence and purpose of life
- External influencing factors: examples, authorities, social roles, situation
- Criteria for distinguishing good from evil, proper behaviour from improper
- Decisions and choices, causes and effects
- Responsibility

Behaviour regulating norms
- Concept of a moral norm, moral good and evil
- Morality and convention
- Habits, customs and traditions and social norms
- Legal and illegal behaviour
- Relation between morality and law
- Problem of imperfection of laws
- Relation between social regulating norms and personal freedom

Justice
- Justice as honesty
- Human rights, equality and impartiality
- Social justice (equal distribution)
- Justice as the rule of law
Guilt and crime
- Damage and harm as moral reasons of guilt
- Crime as a violation of law
- Causes of crime
- Punishment and other sanctions
- Punishment regulating laws (Criminal Code and other legislation)
- Restoration of justice

Civic society and the state
- Principles of democracy: participation, delegation and representation
- Three branches of the government
- Civil service: duties and powers
- Government control: accountability, obligation to provide information
- Mass media as the fourth branch of the government

Career planning
- What I can and what I want
- Criteria for the choice of profession
- Criteria for the choice of employment
- Employment criteria and procedures

Example of an Integrated Programme

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<th>PSYCHOLOGY</th>
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<th>CIVIC EDUCATION</th>
<th>HISTORY</th>
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<td>To have and to give (6th grade) Vices and virtues (5th grade) I think and I make a choice (7th grade)</td>
<td>“Behaviour is a mirror in which we see ourselves” (8th grade) “What’s inherent, what’s acquired” (10th grade)</td>
<td>The USSR during the years of stagnation (10th grade)</td>
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<td>Apparent and hidden authority (11th grade) Conflicts between citizens and the government (11th grade)</td>
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<td>Personal attitude and behaviour</td>
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<td>Interest groups (11th grade)</td>
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DIDACTIC ADVICE ON ANTI-CORRUPTION EDUCATION AT SCHOOL

Provision of information

An anti-corruption movement is heavily emotional. Emotions are not bad, although sometimes they mean that protestors have very superficial and vague knowledge about the phenomenon they disapprove of and, as a result, they fail to change anything in principle. Bearing this in mind, one of the key tasks of anti-corruption education at school is to provide knowledge in order to:

- teach how to recognise corruption (and separate it from other types of crime);
- provide arguments why corruption is evil;
- demonstrate means of reducing corruption.

Provision and obtaining of information for anti-corruption education may be carried out in the same way as for the other social disciplines which include lectures; analysis of various written sources of information (articles, survey reports, historical sources); discussions with various people (law enforcement officials, witnesses, politicians and civil servants); review of video material, etc. Yet when dealing with anti-corruption education, there is always a threat that mere provision of information can turn into a methodological material of training young people about the possibilities of corrupt conduct or contribute to tearing up the fabric of society we live in and its institutions. Therefore, provision of information should be done in a moderate and tasteful manner, bearing in mind that the key objective is not to gain the most knowledge but to make the best judgement.

Development of attitudes

Attitude is an evaluative disposition toward some object based upon cognitions, affective reactions, behavioural intentions and past behaviours [Zimbardo, Leippe, 1991]. For example:

**BEHAVIOUR**
“I paid the public official in order to...”

**COGNITIONS**
“I have to take care of bribes all the time to make it smooth and so do the people I know”

**ATTITUDE**
“The fight against corruption is a funny and senseless thing, though...”

**INTENTIONS**
“I should ‘grease the palm’ of Mr. Z to keep him quiet”

**AFFECTIVE REACTIONS**
“To tell you the truth, it is disgusting to ‘grease somebody’s palm’ every time I have to solve something”
All the five elements are interrelated and interchangeable. In our example, affective reactions are in dissonance with the common behavioural pattern and cognitions; therefore, pro-corruption attitude is not a categorical one. A change in one element may prompt a change in the others. For example, altered behavioural intentions and behaviour may change cognitions, affective reactions and attitudes.

While providing information about corruption teachers seek to develop attitude on the basis of cognitions. To achieve this goal, pupils should:

1. **Understand the information.** The harm of corruption is usually demonstrated using economic, social and political arguments. Young pupils may find them difficult to understand and to the majority of them it is hardly relevant. Therefore, these arguments should be ‘translated’ into the pupils’ language by showing how corruption threatens their interests and the interests of their family and friends.

2. **Remember.** Undoubtedly, “repetition is the mother of all learning”, yet if the same is repeated more than three times, one feels saturated and stripped of the right to make a free choice. Thus it is worthwhile changing the form of information provision to the most unexpected and impressive ways.

3. **Persuade themselves.** Attitude becomes particularly strong when it is not foisted on people but when they develop it by intensive reasoning. This means that it is sufficient to provide information without the “processed” evaluation of the phenomenon. The effect will be stronger if information analysis, interpretation, reasoning and summarising is left for pupils, in other words, using the method of active learning.

“The effect of self-persuasion” is bigger if notes (in the form of conclusions, statements, recommendations, etc.) are taken of the results of active reasoning and publicly presented. Besides that, people tend to believe the statements they ardently support. With this in mind, anti-corruption education should not employ the method of debates, where two opposite sides argue against each other, because the pro-corruption statements may stick in the mind of those who represented corrupt attitudes. In case you wish to have such debates, the provocative position favouring corruption may be taken by teachers only. However, in that case, ethical problems arise (what do teachers propagate?).

Another way of developing strong and permanent attitudes is involving pupils. People tend to think of themselves in terms of their field of activity (the law of self-attribution: “I am good because my friends and I take part in social aid activities”). Involvement of youth in anti-corruption projects and movements strengthens their anti-corruption attitudes.
Attitude change

What strikes teachers who are involved in values education is that pupils already possess attitudes contrary to the ones teachers defend. Confronted with denial and resistance, some of them feel powerless. Awareness of psychological patterns of attitude change could help them feel stronger. In fact, preconceptions block information that is contrary to what one knows (for example, “again this prattle about corruption”). To avoid such a situation, information should be presented unexpectedly (for instance, without introducing the topic or goal of the lesson) and in a non-conventional way (such as a game-experiment, a paradoxical story, etc.).

Another strategy of attitude change is based on the fact that knowledge and attitudes are stored in memory separately and that time is required to reach accord between them. Therefore, pro-corruption attitude should not be attacked by persuasion. In the long-run, it will change by itself if information discrediting corruption can be presented in a sound and convincing manner which provokes active thinking about this phenomenon. Due to the reaction called “postponement effect”, in the beginning information may be received in disbelief; however, in the long-run, cognitions will overshadow the affective reactions.

Moral and conventional perspectives

Anti-corruption education is based on the values education which does not always make a clear distinction between two forms of social regulation, morality and convention. As a result, reasoning and interpretation may not always be appropriate.

Without getting too involved into the depths of moral philosophy, we will simply say that, from the moral point of view, good behaviour is considered to be good if it is seen as such universally and is obligatory to everyone, irrespective of what a single person might think. Further, from the moral perspective, an act is evaluated as good or bad by looking at its consequences: Does this act inflict pain on other people? Does it cause damage? Does it obstruct justice (equality, impartiality)? Moreover, the quality of an act may be determined, from the moral point of view, by looking at the person’s intentions: an act is despicable if the actor intentionally did bad (even if, due to certain circumstances, the outcome was not bad) and it is justifiable if good was intended but failed.

Conventions are norms based on common agreement that exist in a certain community at a given time, thus not obligatory to the other community members and not universal. In real life, morality and conventions may be related: general moral principles turn into concrete norms (like, for instance, “do not steal”, “do not lie” or “be equally fair with everyone”), whereas violation of conventions which the community considers very important (for example, the traditional ritual of honouring the dead)
could also be a moral violation because it may hurt people. Despite that, morality and convention are two different concepts lying in domains with different logic.

Anti-corruption education should bear in mind this distinction and the possible tension between moral and conventional attitudes. From the conventional point of view, “everything is permissible what is not prohibited”. Whereas from the moral perspective, acts are evaluated whether or not there is not a norm regulating them. The moral perspective is more sensitive about the damage inflicted on a person, whereas the conventional one is more concerned about violation of agreements, consistency, order and expectations of an authority. Violation of moral principles, as compared to a breach of convention, provokes a stronger affective reaction (outrage, anger, sadness, pain, guilt, shame and pity). Human behaviour also differs with regard to accusations of violation of morality or convention. Accused of being immoral, people apologise, try to repair or undo damage, or defend themselves seeking alternative interpretation of their action (saying that they did not intend for this to happen, that no damage was caused and that their action helped to restore justice because in this way the previously inflicted was covered). The moral principle itself or the norm specifying it is not questionable. Whereas a violator of convention justifies his or her action by criticising the norm or its source. The way of disciplining children who have violated the norm also differs: a violator of moral values is usually asked to imagine himself or herself in the position of a victim, whereas a violator of convention is accused of bringing disorder, breaking agreements, failing to meet expectations, being rude or disregarding the situation. Thus people know intuitively the difference between morality and convention.

Different degrees of being universal and mandatory required of morality and convention, and different reaction towards their violation is important in choosing anti-corruption education. Law enforcement considers corrupt behaviour as a violation of law, whereas society primarily seeks to find a breach of morality. This is particularly characteristic of children and teenagers who are more sensitive than adults about the violation of moral norms and pay very little attention, as compared with adults, to the violation of convention. An argument that “corruption is evil because it violates law” may be left unattended by pupils.

It seems that growing children have their moral and conventional reasoning mature on parallel lines, without reaching a common point. We have included a table showing how Nucci, on the basis of Kohlberg’s theory of moral development, structured the development of moral and conventional reasoning, as follows:
Levels of development of moral and conventional reasoning [Nucci, 2001]

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<thead>
<tr>
<th>Age</th>
<th>Moral Domain</th>
<th>Conventional Domain</th>
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<tr>
<td>5-7</td>
<td>Recognition of main duties (not to hurt others). However, good or right behaviour is understood in a self-seeking manner.</td>
<td>Conventions originate from the existing practice (women should wear skirts because women wear them whereas men should not).</td>
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<tr>
<td>8–10</td>
<td>The understanding of good or right behaviour broadens to ‘right reciprocity’, which is first of all perceived as a strict equality with certain elements of impartiality (where fairness considers the differences).</td>
<td>Negative understanding of convention as an empirically validated law. Exceptions to convention (some women wear pants and Scotsmen wear skirts) are perceived as proof that convention is imposed (conventional). The mere existence of the norm is no longer considered sufficient ground to abide by it.</td>
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<tr>
<td>10-12</td>
<td>Good and right behaviour is perceived as a requirement of more than strict equality. Fairness, considering such differences as special needs, situation and merits, is combined by reciprocity.</td>
<td>Specific understanding that social rules maintain order (for example, protection from drunk drivers). Social authorities are those who are superior since they create rules. Rules can be changed and they are contextual.</td>
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<tr>
<td>12-14</td>
<td>Attempts are made to match strict equality with the principles of fairness, which considers differences and creates the notion of social relations between people.</td>
<td>Conventions are considered not more than social expectations. This makes them less obligatory. Actions are evaluated irrespective of the rules.</td>
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<tr>
<td>14-17</td>
<td>Continued matching of the aforementioned principles.</td>
<td>The notion of systemic social structure is formed. Conventions are perceived as standardising and relating the social system, comprised of defined roles and a static hierarchical structure.</td>
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<tr>
<td>17-20</td>
<td>Transition towards adult moral reasoning (see below).</td>
<td>A negative attitude about the norms mandatory to all to preserve social systems. Conventions are no more than social standards established by common behaviour. Normative systems are conventional.</td>
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<tr>
<td>Adults</td>
<td>Utilisation of the concepts of fairness and goodness while thinking about the social system. Morality is perceived as independent from the norms of a concrete social system. Universal and mandatory features of morality are matched with the incomparable and natural value of every person.</td>
<td>Conventions are considered standards useful in co-ordinating social interaction. Uniform understanding of convention as a social group facilitates interaction between its members and operation of the system.</td>
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</table>

If the development of conventional reasoning presented above corresponds to reality, different arguments should be used while trying to convince pupils of different ages that corruption is evil. Children aged 10-12 will understand that laws prohibit corrupt behaviour, which is why it is inadmissible. Teenagers aged 12-14 will not understand arguments in favour of legal or social orders whilst they will be sensitive about moral fairness. Adolescents aged 14-17 can be explained that standards of anti-corruption beh-
haviour are mandatory for the people occupying different positions as they maintain the social system. The most senior pupils will be somewhat sceptical about such statements as they relate norms with the existing behavioural practice. As compared with younger pupils, senior students will pay more attention to the survey results showing a high rate of corruption in Lithuania and to the statement that “everybody is corrupt”. Therefore, it is worthwhile showing positive examples: for instance, presentation of codes of conduct for civil servants, transparent procedures, principles of equality and impartiality, etc. Undoubtedly, while working with pupils of different ages, the question will always arise: What is corruption, violation of order and conventions, and moral evil?

**Development of an individual anti-corruption programme**

The purpose of those recommendations is to make proposals concerning an individual programme of anti-corruption education, material and tasks related to crime prevention activities. In any case, prevention should be looked at not as a separate element but as a subject matter that is constantly integrated in the daily educational process that can also be used independently. The programme of anti-corruption education provides for various possibilities of developing projects linked to the disciplines already taught or implementing them during extra-curricular activities. What is important is that priority is given to those disciplines that promote the well-being of pupils and their understanding of each other. If kids and young children feel that they are respected by their parents, teachers, education specialists and other people, they develop a sense of self-respect and learn how to be tolerant towards others.

Anti-corruption education is not a set of rules of moral behaviour developed by someone. Corruption, like other criminal acts, is a question of choice. The task of grown-ups is to make conditions that would comply with the choice corresponding to public interests. We must inform our pupils about their rights, duties and the consequences of their actions, i.e. the impact upon other people, the implicit and explicit results. When discussing the matter of choice, pupils should be told about the other option, so that they could see the difference between what is right and what is wrong. Pupils should learn how to say “yes” and how to say “no”.

Anti-corruption education reveals the need for new working techniques and methods. First, because the anti-corruption education programme is a totally new discipline for teachers, in which they received no prior training, it is only natural that they have to learn, acquire knowledge and skills to cover the topic. Thus while playing the part they could easily change their position and shift from being the head of the class, or authority, to being a facilitator, a guide. The purpose of the guide is not to manage or govern, but to go along, accompany and assist in making the most of the opportunities. Therefore, the best teaching techniques of anti-corruption education are class discussions in debates in small groups, case analysis, interview of pupils, debates, and
role play exercises. In all the latter cases, a teacher should be a facilitator, stimulate pupils, and help them understand. Second, anti-corruption education is less focused on fact-finding, unlike other disciplines such as history, political science, or psychology. The purpose of such training is not just to find out the answers to factual questions (for example, “What percentage of civil servants is prone to corruption?” “What is the potential punishment for corrupt acts?” etc.). This is not enough. A teacher is more concerned about how to help pupils find access to information sources, i.e. how and from where the factual information could be collected, how its importance could be assessed, which knowledge is reliable, and which position could be chosen. Pupils are asked to analyse the positions taken, ground their choice and explain why the other position should be disposed of. Many of these questions could be answered using the technique of teaching critical thinking.

The technique of teaching critical thinking suggests a three-stage training organisation. During the preparatory stage the task of the teacher is to encourage pupils to find out more about everything that could be useful for their experience. This is a stage of awakening, and getting involved. The second stage is about perceiving the essence: new information and ideas are received, followed by the perception of their meaning. During the third stage – reflection – both pupils and teachers discuss what happened during the first two stages. Then they realise what they have learned and what knowledge is missing.\(^1\)

While compiling an individual programme of anti-corruption education, what is particularly important is to see a scheme of the key planning elements. It shows what has to be done, and what could have an impact upon the contents and form of its implementation. The scheme could look as follows:

\[
\begin{align*}
\text{WHAT STATEMENT MUST BE CONVEYED?} \\
\text{WHO IS THE TARGET GROUP OF THE EFFORTS TAKEN?} \\
\text{WHAT ARE THE EXPECTED CHANGES?} \\
\text{HOW IS IT ANTICIPATED TO REACH THE EXPECTED CHANGES?} \\
\text{HOW AND FROM WHAT SOURCES SHOULD INFORMATION BE COLLECTED?} \\
\text{HOW WILL INFORMATION BE CONVEYED?} \\
\text{IN WHAT WAYS WILL THE IMPACT OF THE INFORMATION CONVEYED BE TESTED?}
\end{align*}
\]

\(^1\) For a follow-up on the technique, see: Kritinio mąstymo ugdymas. Teorija ir praktika. – V.: Garnelis, 2001.
It is only natural that pupils are different. First, because they are of different ages. The *medium schooling age group* shows the tendency of trying areas that for many children relate to the adult way of life. At this age, the first steps towards “the adult style of life” are made which include cigarettes, alcohol and delinquency. Thus it is of paramount importance that these children have the opportunity to be oriented and find their own position and attitude before they get into a situation when their personal choice can have grave consequences. At this stage, it is important that pupils are taught to find their role and develop the ability to say “yes” or “no”.

The focus should be on the concepts of *responsibility* and *respect*, and most importantly, they should learn to share responsibility for the social environment they are in. Moreover, they should become involved in considering social initiatives.

It is common to think that *senior grade pupils* are mature enough to be taught more general and abstract subjects. This perception depends on whether preventive activities were previously taught at school. In other words, it depends on the degree of teaching pupils to act in the optimum way. Sometimes it is necessary to make work more intensively and repeat the work that had already been done with younger pupils while teaching them to understand and act.

Preventive anti-corruption education is very similar to ordinary training. While exposed to it, pupils receive information, for example, about legal aspects and specific conditions of crime. The knowledge about the consequences of such crimes and the ability to find arguments against such criminal behaviour is considered to be a special preventive work.

**Examples of tasks suggested for senior grade pupils:**

- Develop material for examination of the nature and scope of crime in the local environment or that surrounding the pupils.
- Collect, develop and compare examination data with press releases on crime and other statistical material.
- Plan and implement a project for younger pupils.
- Plan and implement the project dates.
- Examine which values are given priority by various age groups.
- Develop a local television or radio programme.
- Organise an exhibition of paintings.
- Make a slide show: “Modern youth: tempting opportunities”.
- Invite a representative from the Special Investigation Service to a class. Develop questions that could be discussed and asked.
- Review the court proceedings.
- Develop and conduct an event for parents: “Crime: Everyone’s Problem and Responsibility!”
EXAMPLES OF HOW THE ANTI-CORRUPTION EDUCATION PROGRAMME CAN BE IMPLEMENTED INTO VARIOUS DISCIPLINES AT SCHOOL

HISTORY

TOPIC: MANIFESTATION OF CORRUPTION DURING THE TIMES OF THE ANCIENT ROMAN REPUBLIC

AUTHOR: Daiva Tručinskienė, history teacher of Anykščiai Antanas Baranauskas secondary school.

TARGET GROUP: 7th grade.

TASKS AND OBJECTIVES:
1. Make pupils familiar with the aristocratic Roman Republic.
2. Show pupils that bribery of public officials, taking bribes and misappropriation of property existed back in those times.
3. Make pupils understand the concept of corruption.

MATERIAL AND SOURCES:

METHODS: textbook material, documents, role-play.

PROCESS
In the beginning of the lesson pupils get familiar with the government of the Roman Republic. It is emphasised that it was ruled by the aristocracy. The power belonged to rich citizens who were not paid for the functions they discharged.

The following questions and tasks are written on the blackboard:
1. Having examined the documents, prove that corruption existed in the Roman Republic. How did it manifest itself?
2. What was the damage caused to the citizens of the Roman Republic by the disregard for laws?
3. Compare the behaviour of Cicero and Verrus, who had high posts in the Roman state. What made them behave in this way?
Pupils are divided into three groups.

1. One group reads the documents searching for factual information of Cicero accusing Verrus.
2. The second group tries to find reasons explaining Verrus’ behaviour.
3. The third group thinks about the victims and the overall damage caused.

The pupils are suggested to do a role play of the judicial process.

**SUMMARY OF THE LESSON:** Having analysed the documents, the pupils identify crimes committed by Verrus. They conclude that the Roman Republic was not ruled by law. In this way, damage was done to the citizens. The pupils are told about the then rampant abuse of power, misappropriation of property, and bribe-taking.

**LINKS WITH ANTI-CORRUPTION EDUCATION:** It is highlighted that corruption existed back in Roman times. Its impact upon the life of public officials is shown along with its harm to society and the state.

**APPENDICES**

**Source A.** Plutarch on Cicero:

“His property, though sufficient to meet his expenses, was nevertheless small, and therefore men wondered why he would accept neither fees nor gifts for his services as advocate, and above all when he undertook the prosecution of Verres. This man, who had been praetor of Sicily, and whom the Sicilians prosecuted for many villainous acts, Cicero convicted, not by speaking, but, in a way, by actually not speaking. For the praetors favoured Verres, and by many obstacles and delays had put off the case until the very last day, since it was clear that a day’s time would not be enough for the speeches of the advocates and so the trial would not be finished. But Cicero rose and said there was no need for speeches, and then brought up and examined his witnesses and bade the jurors cast their votes. <...>”

*Plutarchas. Rinktinės biografijos. – Vilnius: Vyturys, 1996, p.140*

**Source B.** From Cicero’s oration against Verres:

“While this man was praetor the Sicilians enjoyed neither their own laws, nor the decrees of our senate, nor the common rights of every nation. Every one in Sicily has only so much left as either escaped notice or was disregarded by the satiety of that most avaricious and licentious man. For three years no legal decision was given on any other ground but his will; no property was secure to any man, even if it had descended to him from his father and grandfather, but he was deprived of it at his command<...>; the greatest criminals were acquitted in the courts of justice through bribery; the most upright and honourable men, being prosecuted while absent, were condemned and banished without being heard.”

*Plutarchas. Rinktinės biografijos. – Vilnius: Vyturys, 1996, p.300*
TOPIC: ROMAN REPUBLIC FORM OF GOVERNMENT

AUTHOR: Irena Lizdenienė, history teacher of Mažeikiai “Venta” secondary school.

TARGET GROUP: 11th grade.

TASKS AND OBJECTIVES:
1. On the basis of the scheme of government of the Roman Republic, explanation of the form of government of the Roman Republic, the role of the Senate and other officials in the state, the reasons for struggles between the plebeians and the patricians.
2. Arguments explaining why the Roman Republic was considered aristocratic.
3. With the situation presented, disclosure of methods used in becoming officials, description of the sort of people who would hold public office, the values they preferred, damage they inflicted to the state and society, and the fate of such officials.

MATERIAL AND SOURCES:
- The scheme of government of the Roman Republic, material on the activities of public officials
- Material prepared by the teacher about the life and activities of Gaius Valerius Busicum and his son Gaius Junior.
- Textbooks:

METHODS: explanation, analysis, short role-play of the situation, followed by a discussion.

PROCESS
1. Pupils are reminded of the circumstances and time when Rome became a republic.
2. Pupils are presented a government scheme and material about the activities of officials. On the basis of the scheme and material presented, the teacher and the pupils together analyse the form of government.
3. The discussion about the reasons for and results of the struggle between the plebeians and the patricians.
4. Pupils are asked the following questions:
   - What was the role of a consul and a tribune in the state?
• What did Gaius Junior aspire to in his career? How did he manage to become a consul?
• Why was Gaius Junior involved in corruption? How did it show? Find out how pupils understand corruption.
• What was the fate of this person? Why do you think so?
• What values were important to his farther and why did he undermine them?
• What damage was done when Gaius Junior was in power?

5. A group of pupils do a role-play of the situation (which they prepare at home).
6. Pupils discuss the tasks which they were given before the role-play.
7. Conclusions are made and it is stressed that the Roman Republic was aristocratic.

LINKS WITH ANTI-CORRUPTION EDUCATION: Evidence is presented that corruption existed back in ancient history. Its role in the life of officials and its damage to society and the state is disclosed.

ANNEX

Gaius Valerius Busicum was born in southern Italy, in a town which was famous for trade in olive oil. His family was also engaged in this business and was successfully developing it. After many years of being in power, his father Gaius Senior was elected a consul. Gaius Senior was an honourable and honest consul; at the time when he served as consul, Rome was a peaceful and quiet place and he concluded a number of peace agreements with states which he had previously considered enemies. He also wanted his son to hold an honourable office, but Gaius Junior was notorious for his aggressiveness and lack of restraint. After a few wasted years, Gaius Junior decided to come into politics and follow the steps of his father, but he did not want to wait as long as his father did. Therefore, he tried to use his father’s position to get a good position. He first ran for the tribunate, but with his absurd talk and various calls made a laughing stock of himself. At that time, tribunes could be called up during any part of the day or night, in the event of emergency. Tribunes had the right to suspend decisions of the highest authorities. They were also not allowed to leave Rome and this condition did not satisfy Gaius, who decided not to run for the tribunate. Several years passed and Gaius was tasked to govern a province of Italy, Sicily. Because of his silly talk and lack of competence he was soon removed from that position and came back to Rome. Then he decided to become a consul. Consuls had the right to convene meetings. When his father died, consul Gaius Senior, it was very difficult for Rome to find a replacement. Gaius Junior was adamant to obtain the post no matter what it took. Seeking public support, Gaius promised wealth and good life to people as soon as he was elected a consul. After three years Gaius Valerius Busicum finally became a consul and Roman citizens
waited for the promised support. Seeking to further strengthen his position, he married a senator’s daughter, Tiperia. After some time, together with questors who were in charge of the state treasury, Busicum became involved in corruption. They reduced funds for the military by one half and increased taxes for Roman citizens. Gaius was secretly selling lands of Rome to enemies, which Rome had conquered from them. He was against giving total freedom to Roman citizens. It had been for a long time intended in Rome to divide property equally among citizens and close the huge gap between the rich and the poor, but Gaius did not allow this to happen and in this way he gained huge support of the rich. Gaius Valerius Busicum gained wealth off corruption but he also lost the confidence of people. Finally, insurrections started in Roman provinces as people were claiming their rights. Soon Gaius was assassinated by the insurrectionists and a new consul was elected who restored the old laws and fought for the freedom of Roman citizens.


**TOPIC:** POWER OF THE ROMAN EMPIRE

**AUTHOR:** Edita Galinaitë, history teacher, a methodologist of Panevėžys 9th secondary school.

**TARGET GROUP:** 7th grade.

**OBJECTIVE:**
1. Explanation of the particularities and disadvantages of the power of the Roman Empire.

**TASKS:**
1. Analysis of changes in the Roman Empire during the ruling of Augustus Octavianus and his influence over the Senate.
2. Identification of the negative sides of the ruling of the Roman Empire, including procurement of positions, dishonourable people and lack of responsibility for the position taken.

**MATERIAL AND SOURCES:**
- Senovės istorijos chrestomatija. – Kaunas: Šviesa, 1983.

**METHODS:** comparison, analysis, group work, work with sources.
PROCESS
1. Pupils are reminded of the government of the Roman Republic.
2. The Roman Republic is compared with the Roman Empire, following the schemes presented in the textbook, pp. 187 and 203.
3. What was the role played by the Senate in the times of the Roman Republic?
4. Pupils are divided into groups of five.
5. Pupils read the source and answer the following questions:
   • How did the formation of the Senate in the times of the Roman Empire differ from the times of the Roman Republic?
   • Who was interested in this formation of the Senate and why?
   • Why did the role of the Senate diminish during the times of the Empire?
   • What was the attitude of Romans towards the formation of the Senate during the times of the Empire? Why?
   • What damage was done to the Roman public by this formation of the Senate?
   • How did Augustus Octavianus abuse his power?
6. On the basis of the information source, textbook and previously given responses, pupils make as many conclusions about the diminished role of the Senate and the expanded role of the Emperor during the times of the Roman Empire.

LINKS WITH ANTI-CORRUPTION EDUCATION: by making a comparison between the ruling in the Roman Republic and the Roman Empire, pupils identify negative sides of ruling the republic. By making conclusions they respond to the question about the negative effect of the ruling of “post-mortem” senators. Pupils form a negative attitude towards bribing of senators in the Roman Empire.

ANNEX
“The Senate increased and became a loose mass: it comprised more than one thousand members, including the most dishonourable people who gained the position after the death of Caesar by acquaintance or for a bribe and the people called them “post-mortem” senators.”

Senovės istorijos chrestomatija. – Kaunas: Šviesa, 1983

TOPIC: REFORMATION IN EUROPE

AUTHOR: Edita Galinaitytė, history teacher, a methodologist of Panevėžys 9th secondary school.

TARGET GROUP: 8th grade.

OBJECTIVE:
1. Increasing pupils’ skills to analyse sources and make conclusions.
TASKS:
1. Analysis of the influence of the Empire’s dukes over the power of the German emperor.
2. Explanation of the concept “simony”.
3. Analysis of the reasons for reformation in Europe.
4. Identification of reasons for the weak power of the emperor.

SOURCE AND MATERIAL:

METHODS: group work, work with information sources.

PROCESS
1. Division into groups.
2. Remembering the text in the textbook (p. 39) about how the power of the emperor is formed in the German Empire.
3. Pupils read the source and answer the following questions:
   • How did the German emperor gain power from the Roman emperor?
   • Who paid money to the Roman pope and why?
   • Why was the power of the German emperor weak?
   • What was the attitude of German residents towards this formation of power in the German Empire?
4. On the basis of the previously posed questions, pupils make as many conclusions as possible about negative phenomena in the German Empire.

LINKS WITH ANTI-CORRUPTION EDUCATION: pupils form a negative opinion about the rampant bribery in the officialdom and church in Germany.

ANNEX
“For you to have the Roman crown, we made commitments to certain dukes who trusted me and probably me only; we gave your commissioners a huge amount in cash which we had mostly received from our friends. Clearly, without my help Your Dignified Majesty could not have obtained the Roman Crown.”

Vidurinių amžių istorijos chrestomacija. – Kaunas: Šviesa, 1977
TOPIC: NOBILITY RULE IN THE REPUBLIC OF THE TWO NATIONS

AUTHOR: Irena Lizdenienė, history teacher of Mažeikiai “Venta” secondary school.

TARGET GROUP: 8th grade.

TASKS AND OBJECTIVES:
1. Explaining why the position of nobility strengthened in the Republic of the Two Nations, which documents form the grounds for that.
2. Use excerpts of Juozas Grušas’ “Requiem to Nobility” to explain a negative influence of the stronger rights of the nobility for state development.
3. Pupils should explain the damage done to the state by unrestricted exercise of freedom, violation of laws and entering into groupings.

MATERIAL AND SOURCES:

METHODS: explanation, work with the textbook, work with excerpts of fiction, group work.

PROCESS
1. Short recollection of when and under what circumstances the Union of Lublin was signed, its conditions and consequences.
2. Using the textbook material, analysis of the situation of the Republic of the Two Nations after the death of Žygimantas Augustas.
3. Analysis of promises made by Henri de Valois to the nobility, coming into effect of pacta conventa and liberum veto.
4. The class is divided into four groups. Each group is presented an excerpt of Juozas Grušas’ “Requiem to Nobility”.
   The following tasks are provided:
   - Did the rule of the nobility and liberum veto in particular strengthen the state?
   - Which methods were used by noblemen aspiring for power?
   - How did noblemen deal with their interpersonal relations?
   - What was the damage done to the state and the then society by the rule of nobility? What values did the nobility undermine?
   - What could you say about the authority of the King in a state like this?
5. After the discussion, the conclusion is made that the rule of the nobility was one of the reasons for the weakening of the Republic of the Two Nations.

LINKS WITH ANTI-CORRUPTION EDUCATION: different forms of corruption manifestation in the Republic of the Two Nations (18th century) are disclosed. It is stressed that it made the state collapse.
**TOPIC:** POLISH-LITHUANIAN COMMONWEALTH: DOWNFALL OF THE STATE, ANARCHY OF NOBILITY

**AUTHOR:** Daiva Tručinskienė, history teacher of Anykščiai Antanas Baranauskas secondary school.

**TARGET GROUP:** 8th grade. The whole lesson is dedicated to the topic.

**TASKS AND OBJECTIVES:**
1. Make pupils familiar with the reasons for the weakening of the Republic of the Two Nations.
2. Examination of specific examples to show that in the times of the Grand Duchy of Lithuania, back in the 17th-18th century, there was rampant corruption, abuses on the part of the nobility, drunkenness, which put the state in disorder and weakened the authority of the state.
3. Identify the negative role played by the rights of the nobility to state development.

**SOURCES:**

**METHOD:** brainstorming, work with documents, filling out a table.

**PROCESS**
1. Pupils remember the circumstances when the Union of Lublin was signed and what the Lithuanian statehood was like after the Union.
2. Using the textbook and documentary material, it is highlighted that one of the reasons for the troubles experienced by the Republic of the Two Nations was the weak authority of the king.
3. During brainstorming, pupils are asked the following questions: “What public maladies are related with the concept of corruption? Pupils’ ideas are put on the blackboard or a flipchart (Their ideas could include acceptance of bribes, abuse of office, lack of integrity, embezzlement, bribe-giving, etc.)
4. Pupils are reminded that the same maladies were present in the Grand Duchy of Lithuania, especially after the Union of Lublin.
5. Pupils are divided into groups of 4-5 and presented the following tasks:
   - facts which show the diminishing power of the king;
   - while analysing the information sources, choose maladies in the Grand Duchy of Lithuania related to the concept of corruption;
• try to identify the reasons for them;
• the damage that was done to the state by abuses of magnates and the existence of the right of veto;
• measures used by the nobility in dealing with each other.

6. While doing the work, pupils may fill out the table below (See Annex below).

CONCLUSION: abuses of the nobility and their rule were some of the reasons for the collapse of the Republic of the Two Nations.

LINKS WITH ANTI-CORRUPTION EDUCATION: identification of different manifestations of corruption in the Republic of the Two Nations in the 18th century, showing its impact upon the downfall of the state.

ANNEXES
Source A
“<...> The king of the Republic has no power. There was no central authority at all which anyone would consider. Theoretically, all the power was with the citizens, i.e. nobility, but in practice, it was good at nothing. The power belonged to the magnates at war with each other and with no party prevailing, the lower level dietines (councils of representatives) were disrupting and there was no authority in the country whatsoever; this cleared the way for bribery of aliens and abuses on the part of the magnates<...>

<...> Magnates, including the nobility, learned only how to wine and dine. <...> Among the nobility, the most famous were those who could drink the most without getting drunk. During every feast the duty of the host was to make sure that not a single guest left home without the support of servants.”

Lietuvos istorija. – Vilnius: Mokslas, 1989

Source B
...Dietines… All the political life was happening in dietines. They decided which magnate was more powerful and which one was to anticipate troubles from the Diet or a tribunal. Therefore, magnates tried to obtain the support of the nobility. This was possible only by offering protectionism and invitations to feasts. For that purpose, a mass of szlachta from the surroundings were brought to the dietines because, like the nobility, they enjoyed the right to vote and most importantly had a nobility symbol, a sword which they could use at any moment to support the opinion of their patron or anybody else who paid well.”

Lietuvos istorija. – Vilnius: Mokslas, 1989

Source C
Dietines… It is clear that only magnates could bring szlachta to dietines and influence the voting results. Thus mid-level nobility had to join the magnates, other-
wise, they might suffer. In this way the representatives chosen by the magnates were elected. The power of the magnates differed from place to place and when their representatives went to dietines, they could not find a common language. There was always someone to say veto, and the dietine was dissolved. Yet all of this order was called real freedom. The magnates cherished it and made sure that it was not changed because in an order like that, everyone felt valuable and able to profit.”

Lietuvos istorija. – Vilnius: Mokslas, 1989

**TABLE.** Manifestation of corruption in the Grand Duchy of Lithuania after the Lublin Union

<table>
<thead>
<tr>
<th>Manifestation of corruption</th>
<th>Reason for the manifestation of corruption</th>
<th>Consequences for the Grand Duchy of Lithuania</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bribe-giving and taking</td>
<td>Seeking to bend adoption of laws for one’s benefit</td>
<td>Laws were protecting the interests of only some of the citizens of the Republic</td>
</tr>
<tr>
<td>Etc.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOPIC:** UNLAWFUL CIRCULATION OF THE LITHUANIAN PRESS

**AUTHOR:** Irena Lizdenienė, a history teacher of Mažeikiai Venta secondary school.

**TARGET GROUP:** 9th grade.

**TASKS AND OBJECTIVES:**

1. Demonstrate the sacrifice of book-carriers (smugglers of books), their ingenuity, the position of Russian officials, ways of circulating the unlawful press, and present the activities of book-carrier societies.
2. Develop the ability of pupils to examine the facts independently and assess them critically.

**MATERIAL AND SOURCES:**

- A map of unlawful circulation of the Lithuanian press.
- Tables:
  - a) the number of smuggled books detained at the customs;
  - b) the nature of books circulated by the Garšviai Book-Carrier’s Society in 1887-97 (Tyla A. Garšvių knygnešių draugija. – V.: Mintis, 1991, p. 34);
- Documents about the activities of a book-carrier, Bielinis. (Knygnešys 1864-1904 m. – Vilnius: Valstybinis leidybos centras, 1992, p. 50-51);
- Documents about the activities of a book-carrier, Vaičekauskas.
• A picture of the sculpture “Lithuanian school in 1864-1904” (“Vargo mokykla” or “School of Hardship”)

METHODS: explanation, work of a map, tables, information sources and visual aid means.

PROCESS
1. Recollection of conditions of the prohibition of the Lithuanian press.
2. While looking at the map, pupils find out the centres of circulating the Lithuanian press in Prussia and ways of circulation in Lithuania.
4. Activities of the most famous book-carriers, their sacrifice for the benefit of the nation. Documents are presented about the activities of a book-carrier, Bielinis (which talk about the bribes given gendarmes). The following questions are asked:
   • Why did Bielinis give a bribe to the uriadnik and the pristav’s wife?
   • Was he seeking personal benefit?
   • What can you say about the then Russian officials? Why did they take bribes? (When pupils give their answers, the teacher explains that in the 19th century Russian officials thought that they could be remunerated only for service to the tsar, and if they made a decision for the benefit of ordinary citizens, they were entitled to extra pay).
   • Who was damage inflicted on and who inflicted it?
   • What values were important to Bielinis? Were they important to Russian officials?
5. Activities of book-carriers in the Mažeikiai region. (Presentations made by pupils using the material they had collected).

LINKS WITH ANTI-CORRUPTION EDUCATION: Identification of a bribe as a corruption element in the life of officials of the Russian empire. The focus is on the damage inflicted upon the authority of the state.

ANNEX
Please refer to the text about Bielinis on page 120.
TOPIC: THE USSR DURING THE COLD WAR

AUTHOR: Laima Maminskienė, history teacher and methodologist of Radviliškis Vaizgantas gymnasium.

TARGET GROUP: 12th grade pupils studying history extensively.

TASKS AND OBJECTIVES:
1. On the basis of the USSR, identify the key features of development of totalitarian countries in the second half of the 20th century.
2. While examining the jokes, apply knowledge about the development of the USSR gained in previous grades.
3. Develop pupils’ capacities to:
   - compare problems of different soviet periods;
   - make a classification on the basis of the criteria established by pupils;
   - evaluate the social, economic and political development of the USSR during the Cold War;
   - relate the then Soviet problems with the problems that presently exist in Lithuania.
4. Highlight the problem of corruption that is characteristic of all periods of history; mould an active personality with intolerance towards corruption.

SOURCES AND MATERIAL:

METHODS: group work, work with information sources (jokes), comparison, analysis, group discussions, group presentation.

PROCESS
1. Pupils are divided into five groups (by way of drawing cards of five different colours).
2. Each group is provided 9-10 jokes about various problems that existed in the Soviet Union (without specifying them) as follows:
   - Group I: economic problems (jokes about extensive economy, old technologies, irrational use of resources, bad quality, backward agriculture, etc.);
   - Group II: social problems (jokes about alcoholism, stealing, etc.);
   - Group III: excessive bureaucracy (jokes about outnumbered job positions, incompetent public officials, loads of paperwork, etc.);
• Group IV: corruption (jokes about bribery, privileges of the nomenclature, misappropriation of state property, etc.) (see the annex);
• Group V: a world of difference between propaganda and the reality (jokes about the implied achievements, praising the party and its leaders, etc.).

3. Task: after reading the jokes in a group and discussing them, identify a problem uniting all the jokes presented.

4. When groups identify problems, they receive a task list on the basis of which a discussion group should make a short presentation.

A TASK LIST FOR GROUP IV

• On the basis of the jokes, determine the manifestation of corruption in the Soviet Union.
• Which layers of the Soviet society could be related to corruption? List them in sequential order, starting from those who occupy the highest position.
• There is one mistake in the list of jokes about corruption in the Soviet Union: one joke was neither created in Soviet times, nor is it about it. Which one? Explain your choice.
• Which Soviet jokes would also be relevant to the current Lithuania? Why?

5. Groups make their presentations.

6. On the basis of those presentations, the whole class makes conclusions about the problems that existed in the Soviet Union in the 2nd part of the 20th century; they identify the problems that are still flourishing in the post-communist countries (on the basis of the Lithuanian example).

7. Home work:
   • Considering the class work, identify 2-3 Soviet problems that were not discussed in class.
   • Look for jokes about those topics.

LINKS WITH ANTI-CORRUPTION EDUCATION: the lesson discloses the mentality of the Soviet public officials and legitimisation of corruption in everyday practice. This helps them, on the one hand, to understand the post-Soviet heritage of reasoning and, on the other hand, determine big societal changes from Soviet times.

ANNEX

Jokes about corruption

The Secretary General of the Communist Party of the Soviet Union is visiting the USA. The guest is treated to a lavish dinner.
‘Where did you get the funds for such a lavish reception?’ asks the Secretary General.
The US president takes him to the window and asks:
‘Do you see that bridge?’
‘Yes, I do.’
'That’s the root of the matter. We saved some funds while constructing it.’

After one year, the US president pays a visit to the Soviet Union. Although he has seen much in his life, he is genuinely surprised at the luxury of the reception. This time the head of the Soviet Union takes him to the window and says:
‘Do you see a bridge?’
‘In fact, I don’t.’
‘Well, that’s the root of the matter.’

‘Why did you get four\(^1\) for the dictation last time and this time, you got five? The number of mistakes you made is the same.’
‘You see, last time my father was just a deputy director and now he is a director.’

‘I offered a bribe to the director and he showed me the door.’
‘Asked you to leave?’
‘No, he didn’t, he showed me the door. Probably worried that someone was overhearing or seeing through the keyhole.’

‘What should we start revision with?’
‘Cognac.’

A Member of the Parliament says to a businessman:
‘Give me 50 thousand and I will make you a millionaire…’

A fisherman decided to build a bridge across the river. He needed a wagon of cement. He sent a wolf but its howling failed, he sent a fox but its cunning gave no results. Finally, he sent an ass. After waiting for several weeks he saw it coming with an echelon of cement.
‘Why do we need so much?’
‘Don’t worry. I met quite a few people of my kind and proved to them that we will be constructing a bridge alongside the river.’

A citizen is standing at the door and reading: “The head accepts 10-15” Here comes Kindziulis\(^2\) and asks:
‘He does not accept less, does he?’

A person has offered a few banknotes to a public official.
‘What’s that? A bribe?’ asks the angry official.
The person gets frightened and is about to collect his money, while the official adds:
‘It’s your lucky day, comrade, I am a bribe-taker.’

\(^1\) The grading system for school work was from 1 to 5, where 1 was the lowest grade and 5 was the highest. (translator’s note)

\(^2\) A famous character in jokes who usually appears at the end with the punch-line. (translator’s note)
• Imagine that 50 people from our department were sentenced for bribery.'
  'Really? This cannot happen in our department.'
  'Why not? You are all honest?'
  'It’s not about that. There are only 40 people in our department.'

• Once upon a time a king was having dinner with members of the parliament. He said with great surprise that despite high taxes, the state treasury is empty. Then one senior parliamentarian took a piece of ice from the ice-bucket and passed it over to a neighbour asking him to forward it to his neighbour and so on. When the piece of ice reached the king, it had melted.
  'That is why, Your Majesty, the treasury is empty, said the parliamentarian.'

• At Sheremetyevo Airport³, a reporter asks Italian tourists:
  'What is the purpose of your visit of the USSR?'
  'We take over the agricultural experience.'
  'Agricultural?'
  'Yes. One can only dream about such organisation of work. Soviet farms are fantastic! Help of bosses is grandiose! Farmland is ploughed by soldiers, harrowed by workers, harvest is gathered in by students, sorted by post-graduate students, assistant professors and professors! And that is all for free. After the sale of production, the director of the Soviet farm reports about a loss of about 7 million. And he is given those millions. Mama mia! That's something to dream about!
  'Are you farmers?'
  'Well, no, we are mafia!'

• One woman was working in a factory of samovars⁴ and throughout her employment did not manage to buy one. With her hopes lost, she wrote a letter to the Central Committee of the Communist Party: “For 20 years I have been working in the factory of samovars but I do not have of my own.”
After a while she is surprised to get a response: “Dear comrade …, unfortunately, the Central Committee cannot help you acquire a samovar. However, bearing in mind the long years of your work in the factory and merits, we allow you to take one piece a day from the factory and construct a samovar yourself.”
After two years, the woman writes a letter to the Central Committee: “I lost any hope. I did everything that you told me to do. Every day I would take one piece. And what do I have? There are two rockets ‘zemlia-zemlia’ standing in my courtyard but I still do not have a samovar.”

³ The main international airport in the USSR.
⁴ A traditional Russian kettle.
CIVIC EDUCATION, POLITICAL SCIENCE

TOPIC: LAWFUL AND UNLAWFUL, FAIR AND UNFAIR

AUTHORS: Regina Petraitienė and Gintautas Petraitis, teachers of Šiauliai Stasys Šalkauskis secondary school.

TARGET GROUP: 8th grade.

DISCIPLINE: Basics of Civic Society.

OBJECTIVE: promote civic awareness and teach critical analytical thinking.

MATERIAL: A list of situations (see Annex below).

METHODS: work in small groups, analysis, conversation, discussion.

PROCESS
1. Pupils are divided into groups.
2. Each group gets a description of a situation(s).
3. The following questions are put on the blackboard:
   a) Are there any victims? If yes, who are they?
   b) Are there any offenders? If yes, who are they?
   c) Has any crime been committed?
   d) If yes, specify it: theft, fraud, or corruption?
4. Each group analyses the situation it receives and discusses it.
5. The groups present their situations to the other groups and make comments.
6. Discussions: “How are conditions favourable to the crime created?” “What should we change in society to have fewer crimes of the kind?”

EXPECTED RESULTS: By analysing the situations the pupils will understand the world surrounding them; discussions will make them look for truth, assess acts and make them active, develop their abilities to express their thoughts and defend them. Situations are presented on separate sheets of paper.

LINKS WITH ANTI-CORRUPTION EDUCATION: After theoretical explanations of corruption, in practice pupils find it difficult to make a distinction whether a certain phenomenon is corruption or not. Analysis of specific situations helps to understand it better. Situations taken from real life teach the pupils to have a critical assessment of reality and look for ways (even if they are Utopian) of living justly and fairly. In their mind, pupils create a model of society where everybody lives by the same laws and understands the essence of democracy.
ANNEX
Situations:

a. Jonas told the conductor in a train that he was too late to buy a train ticket in the station. The conductor offered Jonas a half price fare if he did not take the ticket.

b. The company “Bright Future” takes part in a school construction tender. It gave mobile telephones to the members of the selection commission to “facilitate the work of the commission,” as the representatives of the company put it.

c. When Ona R. failed her driving test, the instructor told her that for a small payment she could get her driver’s licence without taking the test a second time.

d. On the occasion of the end of the school year, the class gave its tutor an enormous bouquet of flowers.

e. Mykolas N. is stopped by the police for a traffic violation. The official fine is 200 litas. Mykolas does not have the money with him and he asks the policeman to write a ticket. ‘How much do you have?’ asks the policeman. Mykolas has 50 litas. The policeman takes it and says good-bye.

f. A high ministerial official is stopped by the police for a traffic violation. Asked to show his driver’s licence, an official also extends his credentials. The police officer looks at the documents and releases the official warning him against similar violations in the future.

g. The director of the regional museum in town X was appointed; he was a nephew of the chairman of the regional council.

h. There are family members in the Kalvelis family: a mother, a father, and a son. They follow certain agreements. For example, they take turns in doing the dishes, and Tomas is not allowed to watch television in the evening. Nobody likes doing the dishes, of course. But the father dislikes it most. Once when the mother was out and it was the father’s turn to do the dishes, Tomas said: ‘What if I do the dishes for you and you let me watch the thriller?’ The father agreed.

i. Beata S. agreed with the construction company “Care” that if the firm would fund her elections to the regional council, later she would help it get good construction contracts in the region.
j. Municipal officials agreed with the waiter that he would give them an invoice with an amount twice as big as the actual order.

k. Businessman Henrikas J. invited a judge to dinner at a luxury restaurant. The businessman is charged with serious tax crimes. The judge went to the dinner wearing dark glasses to disguise himself.

l. Ona Z. gave a doctor a huge box of chocolate and a bunch of roses from her garden in thanking him for curing her son’s serious illness.

m. The class is due to elect a monitor. All the girls want Rasa to be the monitor, whereas the boys want Dainius. The girls outnumber the boys by two; therefore, the voting results are clear in advance. The boys convene for a discussion and find a solution: they will invite two girls to become members of their bicycle team. The girls are fascinated by the idea and two days later Dainius is elected the monitor.

n. A Lithuanian teacher gives a lot of homework. To be well prepared for projects, pupils have to read a lot and work in the evenings and on weekends. Agnė’s mother goes to talk to the teacher. Nobody knows what they are talking about, but after this conversation Agnė gets the least and the easiest tasks.

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**TOPIC:** I AM A CITIZEN

**AUTHOR:** Elena Žukauskienė, senior teacher of Šiauliai Stasys Šalkauskis secondary school.

**DURATION:** 3 lessons.

**TARGET GROUP:** 10th grade.

**DISCIPLE:** Civic education.

**TASKS AND OBJECTIVES:**

1. Developing civic values and ethical attitudes.
2. Teaching to find information, assess it and use it creatively.
3. Teaching to create measures targeted at training others.

**MATERIAL:**

• LTV show material, publications of the local press, personal life experience and experience of relatives and friends.
• Special Investigation Service of the Republic of Lithuania. – www.stt.lt

METHODS: work in small groups, individual work, discussion.

PREPARATIONS FOR THE LESSON: This should not be the first lesson to talk about corruption. Pupils should already know what corruption is and be able to recognise it.

Process of the 1st lesson
1. The topic is written down on the blackboard.
2. Values which, according to pupils, are important for a citizen are discussed and written down on a flip-chart.
3. Pupils discuss table games they know, played when they were little or are playing now.
4. The goal of the lesson is discussed, which is to create a game reflecting real life situations: right and wrong, good and bad acts.
5. If the theme of the game has been narrowed, for example, “Corruption”, or “Violations of law”, pupils are provided references to expand their knowledge on the subject.
6. Work conditions and deadline are agreed upon. Usually lessons of civic education are once per week, thus plans should be made to finish the work in two lessons.
7. Pupils number off in fourths (depending on the number of pupils in the class) and sit in groups.
8. In a group discussion they decide on the game they will create, what information they need to find, and make their own action plan.
9. Home task: collect material for the game.

Process of the 2nd lesson
1. Experience is shared about the results in collecting and preparing material for the game.
2. Group work in creating a game.
3. Home task: finish up the game and format it.

Process of the 3rd lesson
1. Each group of pupils presents their game: they explain the rules of the games and tell the others about new experiences and challenges that they faced while creating the game.
2. The groups exchange their games, try playing them and clear up with the creators of the game anything they do not understand.
3. The lesson finishes with a discussion about new experiences and ethical and civic values. The list of values on the flip-chart (developed during the first lesson) is amended.

4. Games can be applied during the civic education lessons of pupils in the lower grades (8th grade, for example).

**LINKS WITH ANTI-CORRUPTION EDUCATION**: The work process itself educates pupils as they look for material and involve their friends and relatives into this creative work. If, due to technical reasons, they fail to create a game, pupils may still share their experiences and ideas.

**TOPIC**: PLAYING BY THE RULES

**AUTHOR**: Vaiva Vaicekauskienė, senior specialist of the Education Monitoring Division of the Education Development Centre.

**TARGET GROUP**: 8th-10th grade.

**DISCIPLINES**: Basics of Civic Society, ethics.

**OBJECTIVE**: promoting respect for the rights of others and developing critical analytical thinking.

**MATERIAL:**
For Game I:
- two identical packs of cards;
- sweets wrapped in paper, their number is about five times bigger than the number of players;
- a bowl for sweets;
- pieces of paper with copies of card game rules on them.

For Game II:
- several copies of the table game “Road” (the number depends on the number of players), the same number of dice and one unique counter (for example, taken from “Kinder Surprise” eggs) for each of the players;
- pieces of paper with copies of game rules on them and instructions for observers.

**METHODS**: games-experiments, critical analysis, conversation, discussion.

**EXPLANATIONS**: The actual name of the topic should be “An unfair game” because during the first game a teacher will create unfair conditions for the game, and in the second one the rules will be distorted by the players themselves. Yet these games are
experiments, imitating real life, therefore pupils should not know all of these circumstances beforehand.

The games could be applied as stimulating or making more relevant personal experience when talking about corruption in class. Playing two games one after another is probably too much: choose one.

**PROCESS**

**Game I**

1. One pack of cards is needed. Before the lesson, take all the spades from it, leaving just two. Without the pupils noticing, fill up the pack with various other cards from another identical pack.
2. Have the pupils seated at a huge round table. Give each of them five sweets and tell them not to eat them until the end of the game because they are required for the game.
3. Put several copies of the rules of the game on the table and read them out loud.
4. Agree on when you will finish the game: after some time has passed, when a certain number of players drop out, or when the pile of sweets in the middle of the table is growing.
5. Put the mixed pack of cards on the table face-down (the two remaining spades should be somewhere close to the top). Sit among the players and start the game.
6. At the end of the game declare that you are going to announce the best player, who will get all the sweets that are in the middle of the table. After a short pause say that winner is you and take all the sweets. Do not get tempted to share the sweets with the pupils.
7. Discuss the game: the way it was directed and the feelings of the players.

Discussion questions:

1. The game had clear rules. Were they fair?
2. Could we call the game fair? Explain your opinion.
3. How did you feel playing it? How did you feel after the game?
4. Does this game remind you of anything in life? If yes, what is it?
5. Has the game violated your rights? If yes, which ones?

**Game II**

1. Divide the class into several groups equal in number and appoint at least one observer per group.
2. Place one copy of the game, a die and counters (if the pupils were not tasked to bring them from home) on at each of the group tables.
3. Hand out the instructions of the game: half should get version A, and another half should get version B. The observers are handed the instructions.
4. Explain the rules and announce the start of the game.
5. Congratulate the group that is the first to finish the game and tell it that you are curious to know how long it will take for the other groups to finish. Wait until they finish the game.
6. When the last group finishes the game, ask the observers to comment on how they followed the rules. In the case of version A, violation of the rules is greater than in the case of B, because the former makes prohibition explicit.

Discussion questions:
1. Which group should be declared the winner? Why?
2. In real life, groups of people seek their aims, competing with each other. Which competition is fair and which is not?

LINKS WITH ANTI-CORRUPTION EDUCATION: Corruption is analogous to violation of transparent and fair rules of the game: it ignores the norms or established procedures or creates faulty norms and procedures. On the basis of an unfair game example it is easier to show the essence of corruption and illustrate how it violates human rights.

ANNEXES

Rules of Card Games

Each player, one after another, takes one card. What you have to do depends on the card you have drawn, as follows:

- **hearts** – you have to give one sweet to the person on your right;
- **clubs** – you have to give one sweet to the person on your left;
- **diamonds** – you have to put a sweet in a bowl in the middle of the table;
- **spades** – you can take two sweets from the bowl in the middle of the table; if it is empty, from any other player.

Those who run out of sweets drop out of the game.
The player who drops out of the game is allowed to sit at the table and wait until someone gives them a sweet pursuant to the above-mentioned rules. Having a sweet he or she may rejoin the game.

At the end of the game, the teacher announces the best player. The best player gets all the sweets from the bowl in the middle of the table.
The winner of the game is the player with the most sweets. All the sweets that remain in the hands of the players at the end of the game become their property.
Rules of the game “Road” (Version A)

An ordinary table game. Each player throws the die and pushes their counter as many steps forward as the number of points on the die. If the player hits the field instructing them to go back, they should follow the instructions. The player reaches the finish if the number of points on the die coincides with the number of steps left before the finish. If there are more points than steps left, the player should proceed to the finish and go back by as many steps as there are surplus points.

A team game. The winner of the game is the team which is the first to push all of its counters to the finish.

The members of the team throw the die by taking turns in the same order. It is not allowed to change the order if one team member’s counter is in a more favourable position (i.e. there is no need to go back from the finish).

Rules of the game “Road” (Version B)

An ordinary table game. Each player throws the die and pushes their counter as many steps forward as the number of points on the die. If the player hits the field instructing them to go back, they should follow the instructions. The player reaches the finish if the number of points on the die coincides with the number of steps left before the finish. If there are more points than steps left, the player should proceed to the finish and go back by as many steps as there are surplus points.

A team game. The winner of the game is the team which is the first to push all of its counters to the finish.

The members of the team throw the die by taking turns in the same order.

“Road”. Observer's instructions

An ordinary table game. Each player throws the die and pushes their counter as many steps forward as the number of points on the die. If the player hits the field instructing them to go back, they should follow the instructions. The player reaches the finish if the number of points on the die coincides with the number of steps left before the finish. If there are more points than steps left, the player should proceed to the finish and go back by as many steps as there are surplus points.

A team game. The winner of the game is the team which is the first to push all of its counters to the finish.

The members of the team throw the die by taking turns in the same order. It is not allowed to change the order if one team member’s counter is in a more favourable position (i.e. there is no need to go back from the finish). Your task is to make sure that the players meet this requirement. To do that, pay attention to the counters played by each of the players. Take notes of every violation, so that at the end of the game you know the number.

You are not allowed to interfere with the game, comment on it or discipline players, use gestures or facial expressions. Observe, but do not participate!
TOPIC: MASS MEDIA

AUTHOR: Elena Žukauskienė, senior teacher of Šiauliai Stasys Šalkauskis secondary school.

TARGET GROUP: 10th grade.

DURATION: two lessons.

DISCIPLINE: Civic education.

TASKS AND OBJECTIVES: introduce the concept of the media to the pupils, explain its information functions and develop their ability to find information, use and analyse it, and develop their critical attitude towards the information presented.

MATERIAL:
- Constitution of the Republic of Lithuania.
- LTV show material, publications of the local press.

METHODS: conversation, explanation, individual work of pupils with the press and documents, discussion.

Process of the 1st lesson
1. The theme of the lesson is announced and written down on the blackboard. The term “mass media” is also written down and explanations provided.
2. Discussion is held about the following:
   a) symbols of the media (a person with...) – pupils finish the phrase.
   b) purpose of the media (textbook material, Article 44 of the Constitution of the Republic of Lithuania)
   c) functions of the media: information, culture and entertainment.
3. Pupils work individually with the textbook material.
4. Pupils specify requirements for the media functions: information (objectivity), culture and entertainment (leisure, relaxation, provision of knowledge, building ideals and values, enriching spiritual world, raising common human values, demonstrating a positive example, etc.).
5. Types of the media are discussed, including the press, radio and television.
6. Pupils fill out the questionnaire (see Annex below).
7. Homework: every pupil should find one relevant article from the local press for the joint press dossier. They are given one week for the task.
Process of the 2nd lesson

1. Discussion of a mini-questionnaire and its results. The most important aspects of pupils’ attitudes towards mass media are highlighted and the most important requirements for the media are put down on the blackboard: objectivity, prevailing sort of the media, impact, creative form of presentation, etc.

2. Articles chosen by the pupils are filed into one dossier.

3. The dominating topics and publications are identified (“Šiaulių naujienos”, “Šiaulių kraštas”). A table of prevailing topics is made, including:
   - town policy
   - sports
   - school life
   - youth problems
   - criminality
   - culture and education
   - scandals
   - other information

4. Discussions are held about the greatest interests and concerns of today’s youth. This is followed by a mini-discussion “The Press of our Town”. Possible discussion questions:
   - What is my town like?
   - What is the main event of the week?
   - How is information presented?
   - Is there objectivity in the town press?
   - The press against corruption: What were the examples found?
   - Society: a town participant or an observer?
   - What do I opt for: the press, radio or television?

5. The pupils make their own conclusions: the public needs publicity as a precondition of the fight against corruption, abuses, etc.

LINKS WITH ANTI-CORRUPTION EDUCATION: Pupils learn to make assessments, compare the facts, analyse them, and anticipate possible results, on the basis of which mass media could combat corruption; anti-corruption is the keynote during the lessons.

ANNEX

Questionnaire “Mass Media”

Questions:
1. How much time do you dedicate for mass media?
2. What kind of mass media dominates?
3. How much time do you spend for the press, radio and television?
4. What newspapers do you read?
5. Which radio stations do you listen to?
6. Which TV channels do you watch?
7. Which kind of the media provides you the most information?
8. Which radio and TV broadcasts do you find the most interesting?
9. What information do you obtain from them?
10. Do you trust the information you receive?
11. What is your attitude towards the scenes of violence and coercion?
12. Which TV (radio) broadcasts do you miss?
13. Is all the information objective?
14. The most objective broadcast (name).
15. The broadcast which you do not want to see (listen to).
16. Public role in the media: active (participating, writing, discussing) and passive (reading, watching).
17. What is the role of mass media in disclosing corruption?
18. Is corruption (abuse) possible in the press, television and radio?
19. Does society need publicity?
20. Who is your favourite newspaper, radio or television journalist?

**TOPIC:** CORRUPTION

**AUTHOR:** Daiva Vileikienë, senior history teacher of Elektrėnai “Ąžuolynas” secondary school.

**TARGET GROUP:** 10\(^{th}\) grade.

**DURATION:** two lessons.

**TASKS AND OBJECTIVES:** discuss the concept of corruption and the historic reasons for its occurrence, analyse the reasons and consequences of corruption, the ways to fight it and teach pupils to think critically.

**SOURCES AND MATERIALS:** theoretical material, a dictionary of international words.

**METHODS:** a lecture, discussion, group work.

**Process of the 1\(^{st}\) lesson:**

1. At the beginning of the lesson, pupils tell what they know and what they think about corruption. This is followed by a lecture. The following tasks are presented for discussion:
   - Can corruption violate public interests?
• Is there corruption in Lithuania?
• Is it possible to eliminate corruption?

2. A home task is given, i.e. pupils should find out the opinion of their family members about corruption and which areas they consider mostly corrupt. What are the ways of fighting corruption suggested by grown-ups?

**Process of the 2nd lesson:**

Pupils are divided into groups. Each group writes down on sheets of paper (they are given) the information they collected at home. The key ideas are written down on the board. This is followed by a discussion. Each group is given names of different professions. They have to list the ways and measures to fight corruption. They make a presentation and give their opinion. A comparison is made between how the class perceives the ways of fighting corruption and the findings of anti-corruption surveys at home. Discussions.

**LINKS WITH ANTI-CORRUPTION EDUCATION:** While analysing their own opinion and the opinion of their parents and other grown-ups, they try to understand the phenomenon of corruption and its consequences and make attempts to defend their own opinion, express their own ideas and make conclusions.

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**TOPIC:** CORRUPTION IN LITHUANIA

**AUTHOR:** Neringa Bitkovienė, senior teacher of Kėdainiai “Atžalynas” secondary school.

**TARGET GROUP:** 10th grade.

**DURATION:** two lessons.

**DISCIPLINE:** The Basics of Civic Society.

**OBJECTIVES:**
1. Find out the reasons for corruption in Lithuania.
2. Teach pupils to work with different sources of information.

**SOURCES AND MATERIAL:**
- *Ališauskienė R.* Korupcija kaip pokomunistinės visuomenės bruožas (Vilniaus universitetas, „Baltijos tyrimai / GALLUP“).
- *Trumpa U.* Elimination of the Roots of Corruption: the Basics of an Effective Fight against Corruption (a speech made at the conference “From Adminis-
- Task sheets.
- A table “TI Corruption Perception Index 2002”.
- Skaistys A. Korupcijos poveikis nacionaliniam saugumui.

METHODS: work in small groups, expert method.

Process of the 1st lesson:
1. Pupils are divided into five groups, each of them comprising 5-6 pupils (3 min.)
2. The teacher distributes articles and task sheets to each of the groups. The pupils examine the material and fill in the sheets of paper (20 min.) (The task sheets are attached).
3. The groups make a presentation of their work and hang the sheets on the board (10 min.).
   Group I presents the actors of corruption.
   Group II presents the reasons for corruption.
   Group III presents the manifestation of corruption and describes what acts of corruption are.
   Group IV presents the most corrupt areas.
   Group V suggests ways of reducing corruption.
4. The teacher sums up what the groups have said and together with the pupils examines the TI Corruption Perception Index of 2002.

Process of the 2nd lesson:
1. Recollection of the group works (5 min.).
2. The teacher presents a task to the groups, i.e. fill in the table “Benefits and Harm of Corruption” (20 min.). The table is attached.
3. The groups present the information they have filled in and then a common table is made on the “Benefits and Harm of Corruption” which reflects the key statements of pupils (10 min.)
4. Discussion “Is corruption useful or damaging?” (10 min.)
   Group I. Who usually takes part in corruption?
   Group II. Why do people take part in corruption?
   Group III. How does corruption manifest itself?
   Group IV. In which areas is corruption the greatest?
   Group V. How can one reduce corruption?
Benefits and Harm of Corruption

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<th>To Whom?</th>
<th>Benefit</th>
<th>Harm</th>
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<td>Moral</td>
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<td>Society</td>
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TOPIC: WHAT IS CORRUPTION?

AUTHORS: Neringa Bitkovienė, senior history teacher of Kėdainiai “Atžalynas” secondary school, Jūratė Blinstrubaitė, senior history teacher of Kėdainiai “Atžalynas” secondary school, Violeta Vaitkevičienė, ethics teacher of Kėdainiai “Atžalynas” secondary school

TARGET GROUP: 10th grade.

OBJECTIVES:
1. Identify the actors of corruption, their goals, criminal acts and consequences.
2. Teach to work in co-operation with each other.
3. Understand the link between causes and consequences.

MATERIAL: white sheets of paper, felt-tip pens, handout material with definitions of corruption.

METHODS: work in small groups, individual learning.

PROCESS:
1. Brainstorming. The teacher asks the pupils to brainstorm over the word “corruption”. Their ideas are written down on the board (around 3 min.)
2. Pupils are divided into five groups, each of them comprising 5-6 pupils. Each group is given sheets of paper and felt-tip pens.
3. The teacher explains the process of work: the group has to fill in the missing information of the scheme presented on the sheets of paper (15 min.).

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<table>
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<th>ACTORS</th>
<th>GOALS, OBJECTIVES</th>
<th>ACTIVITY OR OMISSION OF ACTIVITY</th>
<th>CONSEQUENCES</th>
</tr>
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C O R R U P T I O N
4. The groups make a presentation of their work (around 10 min.) On the board or the wall they place sheets of paper and make a short presentation of what is written on them.

5. Group work. From the information presented on the sheets of paper, a definition of corruption is made which includes the actors of corruption, their purpose, criminal acts and consequences (around 5 min.).

6. The groups give their definitions (5 min.).

7. The teacher distributes handouts on the definitions of corruption, and pupils compare them with their own definitions.

8. Summary. The groups make their observations (around 5 min.).

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**TOPIC:** EMPLOYMENT

**AUTHOR:** Vaiva Vaicekauskienė, senior specialist of the Education Monitoring Division of the Education Development Centre.

**TARGET GROUP:** 10th grade.

**DISCIPLINE:** Civic education.

**TASKS AND OBJECTIVES:**

1. Identification of employment principles.
2. Deepening understanding of fairness and impartiality.
3. Creation of conditions to assess oneself as a future employee.

**SOURCES AND MATERIAL:**

- The story “Almost a Detective Story”
- The exercise “Dear Principal...”

**METHODS:** a discussion, analysis, storytelling, work in small groups.

**PROCESS**

1. The teacher reads the pupils “Almost a detective story”. After listening to it, every group member may make their own presumption about what actually happened or ask questions. The teacher may give only “yes/no” or “right/wrong” answers. If the group gets “stuck”, the teacher may prompt it by the following statements:
   - age, appearance, clothes and origin of the person do not matter;
   - all the candidates have filled in their applications equally well;
   - the manager did not know them before.

Guesses are made until the actual reason is identified or until everybody gets tired. In the latter case, the teacher tells them the right answer.
2. The teacher or one of the pupils is tasked to write down all the guesses made by the group. Then they are reviewed and discussed:
   • What were the employer and the selected employee most frequently suspected of?
   • On what basis were these presumptions made?

3. Every pupil has to write down the following:
   a. all the methods they are familiar with or imagine to exist that are used by a manager while looking for new employees and employing them;
   b. select the methods from the list which they would use if they were employers;
   c. select the methods which they would like to be used if they were looking for a job.

   All the responses should be written in the table attached below (starting with the middle column and then ticking in the left and to the right).

        B. If I were an employer, I would employ people as follows:
           | A. Employers look for new employees / employ them as follows: |
           | ⬜          ⬜          ⬜          ⬜          ⬜          ⬜          |

   4. The class splits into small groups, which sit together, exchange the filled in tables and read them out loud.

5. Every group is tasked to answer the following questions:
   • How should people be employed in state institutions?
   • Should the procedures be different when employing people in the private vs. the public sector? Why? Why not?

   The small groups give their responses and arguments to the class.

6. Every pupil gets a copy of the exercise “Dear Principal…” They are given time to think how they are going to fill in the form. Another option is that one of the classmates fills it in anonymously. The purpose of the exercise is critical self-analysis.

ANNEXES

Almost a detective story

It happened in the first half of the 19th century. One person wanted to get a job in a small institution. He read about a vacancy in an advertisement. He comes to a noisy institution, fills in a form which is handed to him by a secretary and queues up. There are four other candidates waiting, who came earlier.
Suddenly after two minutes he stands up and goes to the manager’s office. The manager tells the other candidates that he has selected the employee. The people who came in earlier are frustrated. Yet they stopped protesting when the manager explained his reason for making this choice. Why?

**Answer:**

This noisy institution was a telegraph (the first half of the 19th century!). The manager is looking for a telegrapher. The person employed was the only one to hear the message conveyed via the Morse (dot-and-dash) code. The message read the following: “A candidate in the waiting room, if you understand this message please immediately proceed to my office.” In that way, the manager checked the professional abilities of the candidates.

**EXERCISE.** It often happens that employers recruit employees on the basis of the references they have. Imagine that one day the principal of your school receives the following letter:

Dear Principal,

A former pupil of your school ......................... is looking for a job in a company I run. I know that there are no better judges of pupils than their teachers. We would be very grateful if you could answer several questions about their character. We guarantee that the information you provide will be kept confidential and used solely for the purpose of aptitude assessment of the job candidate.

**CHARACTER REFERENCE**

How many years have you known this person? ..............................................................

How would you characterise them? Please underline the relevant word and expand on your opinion:

TOPIC: FIGHT AGAINST CORRUPTION

AUTHOR: Daiva Tručinskienė, history teacher of Anykščiai Antanas Baranauskas secondary school

TARGET GROUP: 11th-12th grade.

DISCIPLINE: political science.

OBJECTIVES:
1. Making pupils familiar with the ways of tackling corruption.
2. Demonstrating to pupils how the scope of corruption depends on each and every one of us.
3. Teaching pupils to make the right decisions in life.

MATERIAL:
- Petkevičiūtė A. Shell’s Experience in Combating Corruption (a presentation at the conference, From State Governance Reform to an Effective Anti-Corruption Battle, Vilnius, 20 June 2001).
- Diagram: a Key “fight against corruption”.

METHODS: pair work, work with documents.

PROCESS
1. At the beginning of the lesson, pupils learn about the following concepts: a law, a bribe, a choice, an offence, seeking gain.
2. The game “Consult your friend”: the pupils make two circles, one circle inside the other, and face each other. They are given the task of discussing a concept (for example, “a bribe”) with a counterpart standing in front of them. After that, the external circle moves by one pupil. A new concept is presented and discussed in a new pair. In this way all the concepts presented are discussed.
3. After the game the pupils and their teacher summarise the concepts. The teacher highlights and all the concepts discussed are related to the concept of “corruption”. After a summary is made, the definition of corruption is written down on the blackboard.
4. The topic of the lesson is “Fight against Corruption”. Therefore, the focus is on the ways in which corruption can be tackled.

WORK WITH A DOCUMENT
Pupils divided into groups read the presentation, identify anti-corruption measures and write them down into the anti-corruption key.
The pupils are presented the document “Shell’s Experience in Combating Corruption”.

“The Shell Group operates in more than 130 countries.<...> Over many years of operation Shell has developed its anti-corruption policy. <...>

Seeking to clean up its companies from the inside, Shell management first of all decided to revitalise its business principles. These principles are applied not just within the Shell Group, but also in its relationship with suppliers, clients, and state institutions.<...> What are these principles? They are very simple: providing the highest level of service and quality products to each customer, conducting business with due respect to the society of the country and the legal system Shell operates in, taking care of the investment of the shareholders, ensuring honest and ‘clean’ business under the conditions of free competition. <...> It is essential to control how those principles are observed.

Every year each employee has to sign an interest compatibility pledge and report about any incident incompatible with Shell’s business principles.

The Shell Report was first published in 1998. One of its tasks is to document the actions meeting the Group’s commitments<...>. It was reported that in 2000, four bribery cases were identified (as compared to three incidents in 1999) resulting in seven dismissals. The financial value of the incidents was USD 89,000. Is it a lot or little for 130 countries and 90,000 employees?

Even after the clean-up inside the company, it is not always easy to prove to society that you are free from corruption<...>. Today, after seven years of operation in Lithuania, we can state openly that it is possible to operate in this country in line with the principles of integrity and ethical business<...>. A simple example: In 1996-1997, newspaper headlines were full of statements about the non-operating concern Mažeikių nafta and the decreasing stock of oil in petrol stations. One day, a public servant came to the petrol station carrying two 20-litre containers and announced that he was going to inspect the quality of oil in it. What did the manager of the oil station do? The simplest solution would have been to fill up the public servant’s containers and ask him not to start the inspection. No problems for the station, no problems for the inspector. However, the station operator poured only one litre of petrol into the container (well aware that this amount was enough for the inspection). For fifteen minutes he listened quietly to the unsatisfied public servant threatening him with fines. After the incident, was Shell Lithuania imposed a fine for poor quality oil? Not at all. Did the public servant want to come back to Shell to inspect the oil quality? Definitely not. If the station operator would have chosen the first option of filling up the two containers, how many times would the ‘quality inspector’ have come back to visit? Probably more than once.

One more example: A hygienist started inspecting the petrol station very often. The operators of the station did not understand why their work was being interrupted like this several times a month. It turned out that they should have stopped
offering coffee free of charge. During another ‘inspection’ they kindly informed the ‘inspector’ about the price of one cup of coffee and gave him a receipt.

Another example is from an experience of the Shell Group. While building a gas production platform in an Asian country, they needed to import helicopters. Import of helicopters was not prohibited as it was difficult to rent one. There was one nuance to it: customs clearance bureaucracy. Before making an import, one had to get on a waiting list and wait three months to have the paperwork done. Two months passed before the helicopter was imported. One month of delay meant a loss of USD 2 million. The first attempts to address the customs clearly showed that without facilitation payments the queue would not move faster. It is practically impossible to assess the amount of money necessary to ‘skirt’ the system in place. <...> How can one accommodate business principles with business results?<...>.

Shell chose the honest way. Not a single palm greased and the import of the helicopter took a long time. All the losses were reflected in the books. However, one detail should be mentioned. Shell has a company in that country which is half-owned by the state. That means that the state shares the profit generated as well as the losses incurred by the company. When the state lost one million dollars, the customs system was subject to immediate reforms. After six months there were no queues for import clearance in the customs <...> “.

After reading the excerpts of the document, the pupils perform the task “A key to the fight against corruption”. They fill in the blank spaces in the key by identifying the anti-corruption measures used by the Shell Group. The work results are discussed and summarised.
ETHICS, PSYCHOLOGY, RELIGION

**TOPIC:** BE RESPONSIBLE. TAKE RESPONSIBILITY FOR YOURSELF AND OTHERS

**AUTHOR:** Vladas Vaidžiulis, ethics teacher of Radviliškis Vaižgantas gymnasium.

**TARGET GROUP:** 6th grade

**TASKS AND OBJECTIVES:**
1. Develop pupils’ responsibility for their acts and actions.
2. Teach pupils to engage in a discussion and present arguments.

**METHODS:** story-telling, talk, discussion.

**SOURCES:**
- School stories.

**MAIN CONCEPTS:** while talking to 5th-6th grade pupils, the concept “corruption” may be partially substituted by the following terms: “abuse”, “reward for service”, “promise”, “expectation of something”, “intention to please someone”.

**PROCESS**

Pupils are told a story “Cheating” (about cheating at school, permission to cheat, exercising pressure on the teacher to have them permit cheating and the problems involved).

Pupils are given the following questions:
- Is it good or bad?
- Whose fault is it?
- Are both of them guilty?
- Who is guiltier?
- What could end it?
- Why do pupils cheat?
- Why are they allowed to cheat?

The discussion is to focus on the following matters: benefits and damage done, abuse of others, resistance to being abused by others, and consequences. What does it mean to be responsible for yourself and others?
**TOPIC:** INNER CONFLICTS OF A PERSONALITY

**AUTHOR:** Regina Dirginčienė, ethics teacher of Mažeikiai “Venta” secondary school.

**TARGET GROUP:** 8th grade.

**TASKS AND OBJECTIVES:**
1. Familiarising pupils with the concept of “inner conflict”.
2. Help pupils gain skills on how to solve inner conflicts.
3. Get pupils to know themselves better: different sides of their personality, their ambitions and inner conflicts.
4. Examine the attitude towards corruption.

**SOURCES AND MATERIAL:**

**METHODS:** lecture, discussion, role-play tasks.

**PROCESS**
Pupils are presented with the concept of “inner conflict”. Since they now know what it means, they discuss how they solve inner conflicts and play situations where they should opt for one side of the inner conflict and discard the other. Pupils should explain why they made the choice. The anti-corruption task of “inner conflict” is supplemented by the following situations:
A pupil wants to go to the USA. They need a visa. Two sides of the conflict:
a) They go to an office where a public official works. They comply with the rules but don’t know whether they’ll get a visa;
b) They don’t comply with the rules. They give a bribe to a public official in exchange for the guarantee that they’ll receive a visa.
In their exercise books, pupils carry out tasks 1-3.

**CONCLUSION:** This lesson helps pupils to get to know the sides of their personality, even those to which they pay no attention to or deny having.

**LINKS WITH ANTI-CORRUPTION EDUCATION:** Having performed the task “inner conflict”, pupils learn about their attitude towards corruption.
TOPIC: HOW TO SAY “NO”

AUTHOR: Regina Dirginčienė, ethics teacher of Mažeikiai “Venta” secondary school.

TARGET GROUP: 8th grade.

GOALS AND OBJECTIVES:
1. Explain to pupils why it is difficult for people to say “no”.
2. Explain to them how we feel when others tell us “no”.
3. Give them the opportunity to learn more about themselves and others.
4. Create conditions to explain their own attitude towards corruption. Learn to say “no” to corruption.

SOURCES AND MATERIAL:

METHODS: lecture, role-play, discussion, open-ended statements, drawing, test, group work.

PROCESS
The purpose of the lecture is to explain to pupils how to say “no”, i.e. define their limits, establish their inner independence, be themselves. Situations are presented when it is difficult for people to say “no”. Pupils are explained what a “no” position is. The teaching book explains the following tasks: a) a “no” position; b) How to say “no”; c) “No, not possible”. The anti-corruption task “no, not possible” is supplemented with the following situation:
“I want to do well on the maths exam. I have no abilities in maths; therefore, before the exam I’ll give the teacher a present. No, impossible, that’s bribe-giving.”
Pupils do 1-2 tasks in their exercise books. This is followed by a test.

Conclusion: We learn how to say “no”. We find out whether it’s easy to do and what should not be done.

LINKS WITH ANTI-CORRUPTION EDUCATION: We find out our position towards corruption and the position of others. We learn how to say “no” to corruption.
TOPIC: CHOOSING A JOB

AUTHOR: Vaiva Vaicekauskienė, senior specialist of the Education Monitoring Division of the Education Development Centre.

TARGET GROUP: 9th-10th grade.

DISCIPLINE: ethics, psychology (could also be used in extra-curricular activities).

TASKS AND OBJECTIVES:
1. Identification of criteria, on the basis of which pupils plan their career.
2. Weigh and assess job selection criteria.

MATERIAL AND SOURCES:
Handouts (See Annexes).

METHODS: individual reflections, discussion, debate.

PROCESS
1. An introduction about the choice of profession and the choice of work (as perceived by the teacher, bearing in mind the contextual environment).
2. Pupils are given a list of criteria for choosing a job and copies of task 1 and task 2.
3. After pupils perform task 1 individually, the results and their arguments are discussed in class.
4. After pupils perform task 2 individually, a summary of results is made, i.e.:
   - looking at the numbers that the pupils have written on their lists, calculations are made of how much each of the choices have scored;
   - the choices are ranked: the less the number of scores, the less important it is considered to be;
   - the results are discussed under the teacher’s guidance.
5. Pupils receive a copy of task 3. It is an individual task, though various options are possible For example, the column about abilities of a pupil may be filled in by other classmates and filling in the column “Life is meaningful when…” is preceded by the exercise “What makes your life worth living?”
6. “Debates while flying in a hot-air balloon”. The purpose of this task is to create conditions for pupils to compare the professions they have chosen with the professions selected by their classmates and present arguments for or against them.

5 To have a better picture of pupils’ distribution of opinion, teachers may choose to draw a diagram with columns.
The pupils are asked to choose one profession which they fancy most of all and answer the question for themselves:

- Why do I like it?
- What benefit does it give to other people, and society?

Then pupils are divided into groups of five. They are asked to imagine that they are flying in a hot-air balloon which is too close to the ground. The hot-air balloon can bear one person only. That will be the person who proves to the audience that they, as a representative of a certain profession, are the most beneficial to all. Each of the pupils is given four minutes to talk. The sole survivor is selected by a vote of the classmates.

7. The topic may be summarised by the teacher or the pupils. The pupils should answer the following questions:

- What did I learn about my friends?
- What did I learn about myself?

**LINKS WITH ANTI-CORRUPTION EDUCATION:** Pro-corruption attitudes are related to work ethic which is in turn influenced by the motivation of employees. This topic allows teachers to receive information about career planning motives and, if necessary, adjust them.

**ANNEXES**

**Job selection criteria**

When difficult decisions are made, various circumstances are taken into account. Not all of those circumstances are equally important. For example, when choosing a school, it is worthwhile knowing if it has good teachers and whether the canteen offers warm buns is not as relevant. The most important circumstances which are considered while making decisions are called *criteria.*

Criteria can be *reasons* for us to make decisions. For example, when asked the question of why we like or dislike a person, we may respond saying “because he has a sense of humour” or “because he is angry.” In this case, a sense of humour and anger are the criteria used to assess people.

Sometimes criteria are *comparison standards.* For example, in school B teachers are better than in school A, which you attended before, yet there is also school C, where teachers are better than in school B. Thus if we assessed school B while applying the criterion of good teachers, it would not appear to be the best.

When planning their life and choosing a profession, people also apply certain criteria.

**Task 1.** Which of the below listed criteria would you apply when choosing a job? Which one/ones would you not apply? Why?
I am planning to look for a job:
a) which I like;
b) where a young and friendly staff is employed;
c) which is well-paid;
d) which involves little work;
e) with long lunch breaks and a short working week;
f) which involves constant learning;
g) with nice bosses;
h) which complies with my capabilities;
i) where the office is nice and inside a good-looking building;
j) which offers opportunities to earning extra.

**Task 2.** Change the order of job selection criteria by listing them in the order of importance, i.e. number them from the most important to the least important.

…… to have people that depend on me;
…… to do something good and meaningful in the world;
…… to win respect, recognition, and prestige;
…… to follow my vocation (i.e. to do what I am particularly good at doing);
…… to have an easy and pleasant life;
…… to follow family traditions and meet the expectations of my parents;
…… to learn and improve;
other (please write it down) ………………………………………………………………………

Please explain in your own words why you made this choice.
....................................................................................................
....................................................................................................

**Task 3.** When choosing a profession or a job, the most commonly used criteria are the following: interesting, abilities, income and meaning. If you want to apply these criteria, you have to find out what is interesting to You; what you are capable of doing or performing well; what income you expect; and what makes your life meaningful.

<table>
<thead>
<tr>
<th>Interesting to me:</th>
<th>My best abilities:</th>
<th>I want to earn enough to:</th>
<th>Life is meaningful when:</th>
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Make a list of several professions or jobs which you would like to choose. Evaluate those professions using the table below:

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<th>Profession, work</th>
<th>Interest</th>
<th>Abilities</th>
<th>Income</th>
<th>Meaning</th>
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What makes your life worth living?

**Exercise.** Below is a list of matters which are worth living for. Put them in the order of importance. If necessary, make additions to the list.

...... human relations;
...... savings, home, collections;
...... opportunities to create, invent;
...... family succession;
...... opportunities to travel, get to know, discover;
...... to have someone love you;
...... to have someone you love;
...... glory, fame;
...... various interesting things (computers, cars, audio players, bicycles, etc.);
...... beauty of the world;
...... believing in eternity.
TOPIC: HOW TO WRITE A CODE OF ETHICS

AUTHOR: Vaiva Vaicekauskienė, senior specialist of the Education Monitoring Division of the Education Development Centre.

TARGET GROUP: senior grade pupils and teachers

OBJECTIVES:
1. To get familiar with the purpose of codes of ethics in regulating the operation of various agencies, companies and groups.
2. To find out which values and norms should form the basis for the operation of various institutions.

MATERIAL:
• Explanation of the purpose of the code of ethics and putting down its principles (handouts).
• Task “Why do we need ideal goals” (handouts).
• Examples of codes of ethics (handouts, see appendix on Codes of Ethics p. 125-173).

METHODS: work with a text, discussion.

PROCESS
1. While reading the text, pupils learn about codes of ethics and their purpose.
2. Pupils decide which code of ethics they would like to write (for a school, a class, teachers of a certain discipline or an agency).
3. While performing the task “Why do we need ideal goals?”, a discussion is held to clarify how pupils perceive the mission of their group, organisation or agency.
4. Pupils will develop a code of ethics following a 7-step description. Examples of code of ethics will be analysed.

Options
Codes of ethics may be an interesting subject matter to study as they convey in a much clearer way than the other sources the purpose of values of certain agencies, organisations and professional groups. There are also other ways of working with them, as follows:
1. Analysis of codes of ethics of different agencies while searching for the answers to the following questions:
   • What is the purpose of those agencies?
   • What is obligatory on civil servants and other employees?
   • What is prohibited?
   • What new have I learned about the agency from its code of ethics?
2. Comparison of code of ethics of equivalent agencies in different countries and answering the follows questions:

- How are they similar?
- How are they different?
- What do those similarities and differences say about the purpose of the agency and the modus operandi in different countries?

**What is a Code of Ethics?**

Laws cannot prescribe all the behavioural provisions of civil servants. It is particularly difficult to define moral norms and principles. Norms of professional ethics are easier to lay down in a code of ethics. In addition, it may also define official duties. While developing codes of ethics the aim is to:

- inform employees about the values and principles which form the basis for the operation of the agency;
- help employees make proper decisions in the most common problematic situations;
- reduce the number of conflicts between superiors, staff and clients;
- foster integrity, responsibility, collegial support, trust and trustworthiness of the staff.

Codes of ethics are not universal. They are meant to define the needs and values of a certain organisation or agency. The majority of them consist of two parts:

- a general part, describing the goals and ideals of an organisation, and
- another part on specific rules.

**Seven steps for writing a Code of Ethics:**

1. Find out what the purpose of your organisation or agency is (an ideal goal).
2. Each of you should put down the principles of work you find important; these principles should enshrine such values as equity, honesty, responsibility, trustworthiness, goodwill, etc.
3. Discuss the principles among yourselves and find the ones that are common.
4. Read the codes of ethics of other organisations and agencies. Perhaps they contain principles you have forgotten or they are better formulated. If so, add them to your list of principles.
5. Think of situations posing moral problems. Describe them.
6. Write down how a person should or should not behave in the situations described bearing in mind the principles you have formulated.
7. Review what you have created:

   - make sure there are no identical statements;
   - make sure that every statement contains clear ideas and is conveyed in clear language;
   - shorten what is possible to shorten;
   - rephrase unclear statements.
**Task: Why do we need ideal goals?**

Ideal goals are guidelines for an activity. Although perfection and finality, which they require, are difficult to obtain, without the ideals it would be more difficult to work. Obviously, not every action has an ideal goal. Sometimes, for an activity to be meaningful, having a clear purpose is enough. It helps to understand your role and tasks.

The table specifies activities and goals. Choose the appropriate goals.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Goals</th>
<th>Activities</th>
<th>Goals</th>
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</thead>
<tbody>
<tr>
<td>1. medicine</td>
<td>a. beauty</td>
<td>1. teaching</td>
<td></td>
</tr>
<tr>
<td>2. eating</td>
<td>b. healthy environment</td>
<td>2. learning</td>
<td></td>
</tr>
<tr>
<td>3. construction</td>
<td>c. concert performance</td>
<td>3. legislation</td>
<td></td>
</tr>
<tr>
<td>4. art</td>
<td>d. truth</td>
<td>4. police work</td>
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<tr>
<td>5. love-making</td>
<td>e. health</td>
<td>5. court</td>
<td></td>
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<tr>
<td>6. conveyor production</td>
<td>f. satiation</td>
<td>6. state administration</td>
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<td>7. science</td>
<td>g. happiness</td>
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<td>8. rehearsing</td>
<td>h. housing</td>
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<tr>
<td>9. rubbish collection</td>
<td>i. productivity</td>
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**TOPIC: NEEDS AND AMBITIONS**

**AUTHOR:** Gražina Grigonienė, ethics teacher of Elektrėnai “Ąžuolynas” secondary school.

**TARGET GROUP:** 8th-9th grade.

**DURATION:** two lessons.

**TASKS AND OBJECTIVES:**

1. Find out the difference between needs and ambitions.
2. Discuss the ways of meeting your needs and ambitions.
3. Analyse the link of needs and ambitions with dishonesty and the possibility of abuse of office, etc.
METHODS: discussion, situation analysis.

PROCESS
10-minute lecture.
The teacher presents definitions of needs and ambitions, collates and characterises needs, discusses possible ways of meeting your needs and ambitions.

Task 1. Pupils make a list of 10 things that they consider important. After they perform the task, each of them reads the things they wrote down out loud. The teacher writes them down on the board. Pupils must group needs and ambitions into two different columns. Pupils may have different opinions. They should explain them.

Discussion questions:
1. What is the difference between needs and ambitions?
2. Why is it important to consider the needs of other people?
3. Is money a need (or an ambition)?
4. How do needs and ambitions relate to dishonesty and the possibility of abuse of office? etc.
The teacher summarises the responses given by pupils, makes a wider analysis of the link between needs and ambitions and dishonesty and the possibility of abuse of office.

Task 2. A “bag” of situations. The pupils are engaged in group work. The teacher writes down various situations on pieces of paper and puts them in a bag. The pupils pull out the pieces of paper and discuss in groups what the possible solutions to the situation could be.

For example:
1. I am desperate to study in a prestigious school but I am not accepted because my grades are below average. What can I do? Where can I find help? Who can help me?
2. The best pupils of our school are granted a free trip abroad to a camp during their summer holidays. To be placed on the list of the fortunate I lack just one point. What shall I do? Do I have any chance of going to camp?
3. I wanted to drive my friends to a disco with my father’s car. A police officer stopped me. I don’t have a driver’s licence. Do I have a chance of getting off unpunished? Or should I take responsibility for what I’ve done?
The teacher may suggest that the pupils think of analogous situations and discuss and analyse them in class.
At the end of the second lesson, the teacher sums up the ideas expressed by the pupils.
TOPIC: PERCEPTION OF A GOOD, PROPER LIFE

AUTHOR: Gražina Grigonienė, ethics teacher of “Ąžuolynas” secondary school.

TARGET GROUP: 9th-10th grade.

DURATION: two lessons.

TASKS AND OBJECTIVES:
1. Find out the difference between “a life” and “a good life”.
2. Discuss the principles and norms of a good and proper life.
3. Analyse the ways in which improvement of social conditions means better quality of life. Formulate the concept of a proper life.

METHODS: discussion, analysis.

PROCESS
1. For their homework, the pupils had to write a composition “How would I like to live” or “My life after 20 years”. A teacher asks several pupils to read their compositions out loud and others may analyse the ideas written down by their classmates.
2. A teacher reads the ideas of Baltrus Dagilis (real name K. Lekeckas): “A man is comparable to a tree which may grow on its own but without care it will bear sour, bitter and good-for-nothing fruits. To have nice and sweet fruit, you have to plant the tree, graft and prune it, tie it to a stick so that it will grow upright, and water it...” The teacher explains the key message of this idea to the pupils.

Task 1: Every pupil should draw nine important things on a separate sheet of paper. Then they should cross out the three least important things, leaving six things. After thinking carefully for awhile, they should cross out three more things until only one thing, the most important one, remains. The last drawing shows what the pupil considers the most important at present. He pupils show their drawings to each other. This task will help the pupils learn more about themselves and better understand other people. After that, the pupils discuss how they should attain their goals and whether the end justifies the means.

The teacher should summarise the ideas expressed by the pupils.

Task 2: The teacher gives a list of things that grown-ups most frequently search for, including the following:
- a good kindergarten for their child, or a babysitter;
- a prestigious school;
• a proper profession;
• good connections;
• a good apartment;
• an economical car (more things could be added to the list).

It is followed by the discussion Why?
The pupils say what they want, what they aspire to, what they need, how they can achieve their goals, and what measures they can take to achieve them.
The teacher helps the pupils to formulate the perception of a proper life.

Task 3: The teacher gives a list of proverbs to the pupils to find out how they understand them. For example: “you scratch my back and I’ll scratch yours”, “grease somebody’s palm”, “like tree, like fruit”, “from little strokes fell great oaks”, “as you sow you shall mow”, “crows won’t pluck out crow’s eyes”, etc.
The teacher gradually shifts the conversation towards anti-corruption and listens to the opinion of pupils, involving them in the discussion.

TOPIC: ALTRUISM. EGOISM

AUTHOR: Gražina Grigonienė, ethics teacher of Elektrėnai “Ąžuolynas” secondary school.

TARGET GROUP: 9th-10th grade.

DURATION: one lesson.

TASKS AND OBJECTIVES:
1. Analyse the concepts of “egoism” and “altruism”.
2. Group the features of an egoist and an altruist.
3. Examine the obstacles for altruism.
4. Promote altruism.

METHODS: pair work, making a “net”.

PROCESS
The teacher describes the concepts “egoism” and “altruism” and lists the most prominent actors in Lithuanian cultural life, altruists, such as Simonas Daukantas (a hardworking Lithuanian historian), Kazimieras Būga (who forgot about himself for the sake of preserving the national language), Marija Pečkauskaitė-Šatrijos Ragana (a guardian of orphans, an educator, a disseminator of morality and soberness), and others. The teacher should emphasise that it is noble to help other people but altruism should not be unconsidered, unbalanced or unlimited because charity may be abused by parasites.
The pupils should form an opinion that egoism comes from the instinct for self-preservation and that people’s life is not safe and they are themselves responsible for creating the safety conditions. The teacher should explain that following morality principles, a person’s concern for themselves and willingness to earn money to have a better life should not be besmirched. However, a problem occurs when people act outside the law and fail to find a proper balance between themselves and others.

**Task 1:** Drawing a “net”. Pupils, in pairs, should put down two words, “egoist” and “altruist”, in the middle of the notebook page, then write many more concepts that are related to those words in one way or another and draw lines between them. Then they should look for connections between the words and connect them the way they think these words should be connected. In that way, a “net” is made. Each pair presents its own “net” to the whole class. After that, a common “net” can be drawn on the blackboard. Then the pupils may group and compare features of altruists and egoists. The pupils may be presented situations clarifying whether public officials are egoists or altruists.

**Discussion questions:**
1. Parents sacrifice themselves to create well-being for their child, but the child turns out to be ungrateful, dependent and an egoist. Why?
2. Why is it important today to have every single human being perceive themselves as a representative of humanity, a global citizen who would engage in activities protecting the interests of all people?

The teacher summarises the ideas expressed by the pupils.

**Task 2:** The pupils themselves develop definitions of the words “altruism” and “egoism”. The best ones are selected and written down on the table.

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**TOPIC:** EQUITY, JUSTICE

**AUTHOR:** Jurgita Valuntonienė, social pedagogue and an ethics teacher of Pasvalys Petras Vileišis gymnasium.

**TARGET GROUP:** 10th grade.

**TASKS AND OBJECTIVES:** Analyse the concept of equity as a moral value, discuss the main principles of equity and examine the change of this concept from the time of ancient Egypt until the present day.

**METHODS:** comparison, analysis, work group, work with information sources.
PROCESS
1. The class discusses the moral concept of equity.
2. The class discusses equity as a human feature.
3. The class remembers the symbol of equity (justice), (Themis).
4. How are unlawful acts of some people assessed? What are illicit actions of civil servants called? What is corruption; how does it manifest itself?
5. The game “A Stone thrown into the Pond” or “A Chain of Words” is proposed to the pupils. A word that accidentally comes to mind or a specially chosen word brings in new associations (images, recollections, and dreams). The teacher suggests to the group that a long train of words be made where every carriage represents a separate word. Carriages, like words, have to be linked.

The game “A Chain of Words”
The teacher starts with the first carriage saying: “What is corruption?” (and places the carriage “corruption”).
The group members say: “dirty”, “money-minded”, “unjust” (three carriages may be placed).
The teacher: “What else can be dirty?”
Group members: “mind”, “hands”, “word”.
The teacher: And what else can a word be? (the last word is picked up).
The group: “friendly”, “last”, “long”, “solemn”…
The exercise is finished when the group runs out of carriages or it gets tired. The carriages may be different colours. Colourful cubes can also be used. Each group may have its own colour. At the end of the game, the pupils count the number of ideas expressed by each group and the number of carriages collected.

The game “Binary Fantasies”
Cards (with pictures face-down) are placed on the table. The pile contains different cards with clothes, animals, furniture and similar pictures or drawing on them. Representatives of the group members are invited to take one card each and show it to the others. The teacher suggests that the pupils link in one or several words what is pictured on the cards. When the pupils think of appropriate words, for instance, money and prison, they may be asked to create a story. The statement “A person who has been illegally taking money ended up in prison” may be expanded into a new story. The teacher may suggest that this person was corrupt and that they were punished. The participants may choose any word combination and create their own story. The teacher may encourage pupils to draw illustrations, engage in group or pair work.

The game “Polynomial Fantasies”
Cards (with pictures of various objects and plots face-down) are placed on the table. The teacher asks a question, and the players, one by one, turn them over and try
to answer the question: “What was it?”, “Where could this have happened?”, “What was done?”, “What did people say?”, “How did it end?”, etc.
At the end of the game, a proposal is made to the whole group to create a story.

6. At the end of the lesson, the pupils respond to the following questions:
   - Is equity compatible with corruption?
   - Is equity a value in the modern world?

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**TOPIC:** MONEY

**AUTHOR:** Jurgita Valuntonienė, social pedagogue and an ethics teacher of Pasvalys Petras Vileišis gymnasium.

**TARGET GROUP:** 10th grade.

**OBJECTIVES:** Perception of the necessity to have material interests and maintaining the formation of a harmonious personality.

**TASKS:**
1. Analyse behaviour which is referred to as moral, amoral and immoral.
2. Discuss ethical aspects of business.
3. Discuss the damage of corruption to society.

**METHODS:** comparison, analysis, group work, work with information sources.

**PROCESS**
1. Principles of moral behaviour are discussed.
2. The concepts of amorality and immorality are discussed.
3. Can a person feel safe in economically unstable states?
4. How are unlawful actions of some people perceived? What are unlawful actions of civil servants called? What is corruption, how does it manifest itself? Is it moral to be corrupt?

The pupils are divided into groups of five; they think and write the following:
- in the inner circle, they should put down five features which they think describe morality;
- outside the circles, five features which they think relate to amorality;
- if they cannot make up their mind as to where certain features should belong, it is recommended that they write them in between.

The group work is compared. A common list may be put on the blackboard. If disputes arise in the class as to where certain word should belong, a discussion should be held to find a solution. The pupils should present their “for” and “against” arguments.
1. All the pupils in the class should make a “bridge” of words. Each of them should say an adjective or a noun which they associate with corruption. The pupils agree on how they would place the words on the “bridge”. After a short discussion, the words are written down.

2. At the end of the lesson, the whole class responds to the questions:
   - Is morality compatible with corruption?
   - Are morality and competition compatible?

**TOPIC:** THE END AND THE MEANS

**AUTHOR:** Violeta Vaitkevičienė, ethics teacher of “Atžalyno” secondary school.

**TARGET GROUP:** 10th grade.

**TASKS AND OBJECTIVES:**
1. Find out what pupils know about corruption.
2. Strengthen pupils’ motivation for moral behaviour.
3. Develop pupils’ perception that behaviour and consequences are interrelated.
4. Develop pupils’ skills of critical thinking.

**EXPECTED RESULTS:**
1. The pupils will be able to recognise instances of corruption in society.
2. They will learn how to co-operate.
3. They will learn how to take decisions.
4. They will understand the link between cause and effect.

**METHOD:** a map of alternative ways, discussion.

**MATERIAL:** Groups of pupils are presented a situation; they are explained a concept “obstacle”. After they perform the task, they are given discussion questions, sheets of paper and pens.

**PROCESS**
The pupils are divided into small groups of four or five. They are presented a situation, the main character, and the goal they must aspire to. The pupils are asked to draw a path to the goal, as many alternative paths as possible and possible obstacles that the character may encounter on the way. They are asked to explain how these obstacles may be overcome.

**Situation**
A patient goes to a doctor because he is feeling pain in his knee. After the examination the doctor says that his knee should be operated on. The patient agrees to be operated on. The doctor warns him that there are 73 more patients waiting for the operation. In the best case, he may be operated on after six months if he wants
his operation to be funded from the patient funds. If he agrees to pay himself (the operation costs 4,000-5,000 litas) he will not have to wait. The patient says he does not have that amount of money. If he were to wait another six months, his illness would become more serious.

What could the patient do to have the operation performed earlier? Try to find at least two ways to solve the situation (see annex below).

**Discussion questions:**
1. Who are the participants in the situation?
2. Is it a case of dishonesty?
3. Has damage been done to anyone?
4. Has anyone gained from it? Why?
5. Was the patient right to aspire to his goal?
6. Can you justify the behaviour of the participants?
7. If the state were to charge an additional fee for treating the seriously ill, would the situation change?
8. How do the participants feel?

**ANNEX**
An obstacle is the objects (institutions) which the patient has to overcome.

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**TOPIC:** ATTITUDES. RELATION BETWEEN ATTITUDES AND BEHAVIOUR

**AUTHORS:** Jūratė Blinstrubaitė, psychology teacher of Kėdainiai “Atžalynas” secondary school; Violeta Vaitkevičienė, ethics teacher of Kėdainiai “Atžalynas” secondary school.

**TARGET GROUP:** 10th grade.

**TASKS AND OBJECTIVES:** When pupils learn what attitude is and what its components are, they will understand the cause and effect relation between attitude and behaviour.
MATERIAL:
- The diagram “Components of Attitudes”.

METHODS: teacher’s explanation, group work, discussion.

PROCESS
1. The teacher gives the definition of “attitude” and its components.
   **Attitude** is beliefs and feelings which make a person react to certain things, people and events in a certain way.

   **Components of Attitude**

<table>
<thead>
<tr>
<th>Cognitions</th>
<th>Affective Reaction</th>
<th>Behaviour</th>
</tr>
</thead>
<tbody>
<tr>
<td>These are opinions or beliefs which we have with regard to certain people or matters. They help us to decide what is right, likeable or similar.</td>
<td>They include pleasant or unpleasant emotions associated with beliefs. They add an emotional touch to an attitude and determine the action we intend to perform.</td>
<td>An action which prompts human reaction complying with their beliefs and experiences.</td>
</tr>
</tbody>
</table>

2. On the basis of the diagram “Components of Attitudes”, the teacher examines the example:
   “Steponas likes to have his vacation on the Curonian spit, yet he inherited land in Panevėžys Region and it is not anything like his favourite seaside resort. Steponas thinks that Aleksas, who works in the land management area, is not a very honest and moral Lithuanian citizen (cognition). In this situation Steponas feels hopeless (affective reaction) because he cannot himself buy land in the Curonian spit. It is quite feasible that Steponas will give a bribe (behaviour) to Aleksas to have his land transferred to the seaside resort.”

3. On the basis of the example examined, pupils create their own situation.

4. After that, the pupils determine the link between attitude and behaviour as follows:

   **OPTION I**

   ![Diagram of Option I](Diagram)

   **OPTION II**

   ![Diagram of Option II](Diagram)

   **OPTION III**

   ![Diagram of Option III](Diagram)
5. Pupils split into three groups according to the chosen option (a method of corners). Groups discuss their choice. Each group presents its arguments. Those pupils who change their opinion join the group they agree with.
6. The teacher summarises the group discussions and highlights that attitude and behaviour are interrelated.

LINKS WITH ANTI-CORRUPTION EDUCATION: When the pupils learn about attitude and its components they will also understand that attitudes and corrupt behaviour are interrelated and the reasons why people act unlawfully.

TOPIC: OBLIGATIONS AND COMMITMENTS. SOCIAL ROLES

AUTHOR: Rūta Lukošienė, psychology teacher of Gargždai “Vaivykštė” gymnasium.

TARGET GROUP: 11th-12th grade.

OBJECTIVES:
1. Help the pupils understand that a social role and a conflict between different social roles may cause corruption.
2. Help the pupils to make a correct decision in taking priority roles in corruption-prone situations.

METHODS: discussion (presenting arguments “for” and “against”), analysis.

SOURCE:

PROCESS
The lesson “Social roles” is conducted following the textbook; however, different examples are used.
1. While describing social roles, the following example is presented: “Imagine a self-sacrificing altruistic doctor and a responsible father, head of the family, a breadwinner.”
2. Talking about different social roles (biological, family, professional, age, etc.) pupils are reminded that the (professional) role of doctors is bound by Hippocratic Oath, i.e. that in every case and every situation they should help people.
3. In terms of their importance, they should be primary and secondary. For example, if a doctor considers his role as a father more important than his profession, it may have an impact on the way he plays his role. All doctors treat people, yet there are some who do it altruistically and there are others who do it offhandedly.
4. Talking about the conflict between social roles, it should be discussed what happens when, for example, the role of a doctor contradicts his role as a father sacrificing for the sake of his family. For example, his son wants to study abroad and the doctor does not earn a lot. His son is very gifted in arts and this particular education is available only in France. Yet such studies are expensive. A key decision is to be made about the child’s future. Either his talent will be developed and he will achieve a lot or he will have to choose a less appealing profession and feel miserable. The doctor could take a bribe and use the money to educate his son. But what about the Hippocratic Oath and dedication to patients?

5. The teacher proposes a discussion. The class is divided into two groups. One group should argue in favour of the statement “The doctor should demand a bribe.” The other group should defend the opposite position: “The doctor should not demand a bribe.”

6. The groups take turns presenting their arguments and then their arguments are counted to see which position is stronger.

7. The class discusses the amount of damage in each situation and determines which is the greatest.

8. The class discusses how the pupils would feel if they were in the position of the son and the patients.

9. The class discusses the relationship between a social role and a personality. It is important that while playing different roles, a person maintains their identity and always knows who they are and what their values are. If a conflict of roles arises there will be no difficulty in deciding how to behave, because mature and responsible people live guided by noble causes and genuine values. While discussing the example, the teacher may mention that it is still unclear how the son, when he matures, will regard the fact that his father has accepted a bribe. Is he setting a good example for his son?

DISCUSSION: ENTERING ONE’S GATE

AUTHOR: Ilma Agajan, ethics teacher of Gargždai “Vaivorykštė” gymnasium.

TARGET GROUP: 11th-12th grade.

OBJECTIVE: Help pupils understand that resistance and unwillingness to act and acceptance of the situation the way it is relates to corruption.

SOURCES:
METHODS: text analysis, discussion.

PROCESS

2. Pupils take notes of the key ideas and critical notes that come to mind while reading the text.
3. The teacher poses the discussion question “What stopped the countryman?”
4. Possible discussion questions:
   - Why didn’t the countryman go through the gate? What was he afraid of?
   - What would he have found if he had dared to ignore the prohibition and had entered the gate?
   - If he had gone through the gate without asking for the gatekeeper’s permission, would the latter have tried to stop him?
   - What can stop us if we are going through our own gate? How do you understand the gatekeeper’s words: “I am only taking it to keep you from thinking you have omitted something?”
   - Could the countryman enter his own gate?
   - Imagine yourself in the countryman’s position. How would you behave?
5. The teacher summarises the thoughts expressed by the pupils and pays attention to the fact that many negative phenomena occurring in our society relate to our unwillingness to act, to remaining silent. Changes are made and new traditions are formed taking small steps, i.e. start from yourself or “entering your gate”.

ROUND TABLE DISCUSSION: PUPILS AGAINST CORRUPTION

AUTHORS: Edita Galinaitytė, history teacher and a methodologist of Panevėžys 9th secondary school, Antanas Kumža, ethics teacher and methodologist of Panevėžys 9th secondary school.

TASKS AND OBJECTIVES: develop active civic responsibility in pupils by providing information about corruption; teach pupils to distinguish corruption from other negative phenomena; learn to assess situations from the corruption point of view.

METHODS: situation analysis, discussion.

PROCESS

The pupils read the situations and specify the ones with corruption. They should provide explanations as to why they think this way.
Situations

The firm “Bright Future” bids in a tender for a school construction contract. The firm offers mobile telephones to the commission members to “facilitate”, as the firm representatives put it, the work of the commission.

In return for curing her gravely ill son, Ms. Ona Z. gave the doctor a bouquet of roses from her own garden.

Diana S. has made an agreement with the firm “Care” that if the latter funded her elections to the regional council, later she would help it get construction contracts in the region.

A public official drives the official car and uses petrol for their personal needs.

A person needs help from one of the Government departments. The public official is intentionally procrastinating. The person gives the official some money (500-1000 litas) to speed the process and reward the official.

A public official is late to work and home early; during his official hours he deals with his personal matters.

Imagine that a doctor is taking an x-ray of a corrupt person. What do you think he could see in the x-ray picture? Draw it. Specify 3-5 features of a corrupt public official.

Please put down as many answers as possible as to why you think corruption is a crime.

Draw a fisherman fighting against corruption. Think for a while and then specify the measures that a fisherman can take to eliminate corruption.

LINKS WITH ANTI-CORRUPTION EDUCATION

1. Pupils have received additional information about corruption.
2. Pupils have expressed their active position concerning corruption.
3. Pupils have learned to assess various evils in public life.
TOPIC: EDUCATION AGAINST CORRUPTION

AUTHOR: Daiva Kuprionienė, religion and ethics senior teacher of Anykščiai Antanas Baranauskas secondary school.

TARGET GROUP: 5th grade.

DISCIPLINE: religion.

TASKS AND OBJECTIVES: develop pupils’ ability to work in teams and take joint decisions, write a formal text, develop pupils’ ability to discuss and present arguments vis-à-vis the texts presented, develop their creative thinking.

METHODS: group work, writing a formal text, game, role-play.

MATERIAL: The Bible, cards with family names written on them, white pieces of paper, felt-tip pens, various school stationary.

PROCESS
1. The class reads out Bruno Ferrero’s short story “A Family of Hedgehogs”:
   “When the summer came, a family of hedgehogs settled down in a forest. The days were warm and the hedgehogs were playing merrily in the shade of the forest trees. They would also journey outside the forest, running wildly in the plain, playing hide-and-seek among flowers and catching flies to have something to nibble on. At night, they would sleep peacefully near their abode.
   One day they saw a leaf falling off the tree: autumn was coming. Leaves began to fall more often. The hedgehogs thought of a new trick: playing with the falling leaves. But it was becoming colder and colder. A thin layer of ice appeared on the river. The snow covered the leaves. The hedgehogs were shivering with cold and could not fall asleep at night.
   One evening they decided to get warm by huddling together, as close as possible to each other, but they failed in their attempt: they were scared off by their sharp spines which pricked their legs and noses. They tried again and failed. They had to find a way to get warm: birds and rabbits and other animals get warm by huddling up. So the hedgehogs tried approaching each other by pulling in their spines. In the beginning it was hard, but one try after another and finally they managed to huddle up without hurting each other.
   They were no longer afraid of the chilly wind and slept warm all together.”

The task: pupils are divided into teams according to the colour of the cards they receive.
Each group should create 10 rules of peaceful co-existence. When the allotted time expires, they make their presentation. Non-repetitive rules are selected and written down. The rules should be as follows:
1. Since tenderness makes our life brighter, it is worth aspiring to it every day.
2. We should talk to each other every day.
3. We should constantly improve ourselves and do it together.
4. We should respect ourselves: never go over the doorstep without cleaning your shoes first.
5. Be forgiving.
6. Discover the good features of people even when they are trying to hide them.
7. Do not be afraid of differences: only those who are indifferent do not argue.
9. Don’t allow small details to annoy you.
10. Don’t forget to laugh: it gives viability to your heart and makes it resist troubles.

Questions:
1. Are we able to sacrifice ourselves for the love of others?
2. Is it hard for us to pull in our “spines”?
   The key message is to live by the golden rule: “All things you would that men should do to you, do you also to them” (St. Matthew 7: 12).

3. The teams should write a letter to public officials asking them to allocate computers to the school:
   • Group 1: very submissive and suppliant style;
   • Group 2: informal style (used for writing letters to good friends);
   • Group 3: officious and demanding style;
   • Group 4: formal style.

4. The game “Family”
A family name and a role in the family are written down on cards. The family name Malinauskas (great-grandfather, great-grandmother, grandfather, grandmother, father, mother, son, daughter, a dog and a cat). Other family names are very similar: Mulinauskas, Maliniauskis, Mélynauskis. The pupils draw cards with family names and the role in the family. They should sit down on four chairs, one chair for one family, on each others laps in the order specified above. (The cards are drawn randomly, irrespective of the teams they represent). The purpose of the game is to make the pupils understand that even when competing, you could get involved in a joint friendly game.
5. Role-play
- Group 1 and 3: “A car breaks down on the road. The driver is not a very pleasant man.”
- Group 1: Plays a scene showing that it is possible to render help to a person who does not have a pleasant appearance, without any reward.
- Group 3: Plays a scene showing that they will help the driver if he pays them for the time wasted.
- Group 2 and 4: “A gravely ill and half-deaf old woman lives with her son’s family.”
- Group 2: Plays a scene with a happy ending.
- Group 4: Plays a scene with a sad ending.

6. The game “Jazz Concert”
Objective: Listen to each other and find harmony in the group. Each group should perform a short concert using school stationary: pens, books, pencil-cases, bags, notebooks and folders.

Finishing touches
Which people are the most beautiful and fashionable? Those who are dressed in clothes of kindness and simplicity.

WHAT A PSYCHOLOGY TEACHER, REDA MASELSKIENĖ, OF RADVILIŠKIS VAIŽGANTAS GYMNASIUM THINKS ABOUT ANTI-CORRUPTION EDUCATION IN PSYCHOLOGY LESSONS

We could discuss corruption with pupils while covering the following topics:
- Social perception: attitudes and stereotypes;
- Social relations: social roles and psychological games;
- Psychological health: human needs and motives (using the textbook Gailienė D. ir kt. Asmenybės ir bendravimo psichologija: vadovėlis 11–12 klasėms. – Vilnius: Tyto alba, 2002 or compiling an individual course of psychological lessons covering several topics).

ATTITUDES AND CORRUPTION
While talking about the origin of attitudes, we could discuss cases of corruption experienced by pupils themselves or their parents. For example, a pupil has violated school rules and it is suggested that they be transferred to another school but their parents are against it because the school they are attending is a prestigious one. The parents take every effort to have their child stay in the school. They look for “connections” who would “clear the way” to the director or another person.

This or another case is examined by looking at the components of attitude: cognitions, affective reactions and behaviour.
STEREOTYPES AND CORRUPTION
Stereotypes: “Men are better drivers”, “Businessmen and bankers are swindlers”, “Doctors are bribe-takers”, etc. While talking about the origin, role and change of stereotypes, those related to corruption are also discussed.

SOCIAL ROLES AND CORRUPTION
While covering the topic “Social Roles and Personal Relations”, different cases can be discussed. For example, a shy, calm, peaceful and honest man becomes a manager. This position changes his principles and even attitudes, which he finds unacceptable. To live according to the new requirements, i.e. to take bribes or similar, is to be the kind of the person he does not want to be as it is contrary to his individuality, nature and ideals. However, if he refuses to compromise his ideals, he and the members of his team will suffer.

HUMAN NEEDS AND MOTIVES
While examining the topic, a focus could be made on the consequences of corruption and its impact on us. Going up the hierarchical ladder of needs one could make the widest possible overview of topics related to corruption.

The discussion game “Corruption ball of thread”. The game takes place at a round table with a ball of thread, which goes from hand to hand. Like any other discussion, this one should also follow the rules that are announced at the beginning. The chairman of the discussion takes the ball of thread and starts talking about corruption:

“Do you think it is possible to live honestly, without corruption, today?” Those who want to speak should take the ball of thread and express their opinion concerning the matter. Then it travels from hand to hand so that everybody who feels like talking can express their opinion. After the discussion, a summary is made. Two balls can be used with threads of different colours to represent positive and negative attitudes. At the end of the discussion, a count is made to identify the number of positive and negative opinions. Another summary is made.

THE GAME “A SQUARE OF FEELINGS”
Each of the pupils is given a piece of paper which is part of a bigger square cut into pieces. On the sheet of paper they should write down the feeling or feelings they get when confronted with corruption. When everyone performs their task, the pieces of paper are put together into one big square, a square of feelings.

This is followed by a discussion and conclusions. Two different colours can be used to express positive and negative feelings. At the end of the game the players will see which square is bigger. A final discussion is held.
Most people today consider corruption an inexorable evil. All methods to fight it, it seems, have been tried out: from

 Yet nothing has changed. Those who have been taking bribes continue to do so; those who give bribes are increasingly stunned by the size of 'rents', which are growing along with the risk involved.

 Facts of corruption are not limited to Lithuania. Corruption is a global phenomenon. One may wonder if corruption and bribery are inevitable attributes of society. Is it worth trying to eradicate this evil, even though all the democratic states, whose legislation we consider as the aspired model, have so far failed to achieve this goal? Outcomes of corruption which society considers deleterious urge us to take measures because it is a worthy fight.

Effectiveness of Anti-Corruption Efforts

 Would corruption vanish if bribery incurred heavier punishment? Findings of the LFMI surveys show that this effort is ranked third, after reduction of red tape and governmental intervention into the economy. Punishment may be double-edged. One the one hand, it may deter some people who are in doubt about taking or giving bribes. On the other hand, those who are determined to do so may be induced to raise the cost of 'service'. Therefore, penalties are only a cosmetic solution to the problem of bribery as one form of corruption.

 Can corruption be reduced by raising public officials' salaries and ensuring greater social guarantees? Admittedly, high salaries, just like severe penalties, may prove effective, but only to some extent. An abuse of power which is hard to prove relates pay rises to
growing rents rather than declining corruption. LFMI's survey results indicate that opinion leaders rank pay rises fourth. Interestingly, politicians in general and supporters of the ruling Conservative Party in particular would rely on pay rises more than other groups of opinion leaders. This may explain why officials’ salaries are currently on the rise. Still, this is not the most significant and effective way of stamping out corruption.

A Prescription for Combating Corruption

The most effective tool against corruption is not the education of people, their punishment, search for honourable officials or integrity of law enforcement. The most effective way is the limitation and elimination of the origins of corruption.

Where shall we start?

- Various corporate welfare programmes have been developed and implemented which promote and revitalise business, offering soft loans. These programmes have one thing in common: officials have the discretion in choosing companies worthy of state aid. Any state aid creates opportunities for “lucrative business” to operate outside the market. If corruption is to be minimised, the corporate safety net should be dissolved once and for all.

- State authorities may manipulate the tax code by adopting tendentious tax laws. The state can manipulate the tax code by allowing various governmental agencies to set tax rates, by dispensing tax favours, and by obscuring tax rules so that the tax administrator becomes the main figure in the tax system. It is essential to cut the number of taxes, spell out tax rules, simplify accounting procedures and outlaw tax favours and exemptions.

- The state is an active player in banking and utility provision, let alone its role in the energy sector, hospitals and schools. A state-run bank may extend credit to not the best entrepreneur. A state-run company may buy raw materials which are not the cheapest or the best. It is not a problem for a state-run company to be inefficient and remain in the market since state authorities provide it exclusive conditions and sometimes government commissions. The state should therefore withdraw from business and transfer state-controlled enterprises into private hands.

This is far from a representative and exhaustive list…

The Right to Choose

People are still being lulled into believing that political leaders' commitments and government openness are the only ways to deal with corruption. If we add to the list stricter penalties, pay rises for officials and the disciplining of entrepreneurs, we will get a package of traditional remedies for fighting corruption. These policies have been pursued by many countries in the world. Yet, not a single one can boast about any groundbreaking achievements.

It is for the reader to decide whether traditional methods are more effective [than we suggest]. However, we should bear in mind that going with the flow and ignoring measures that are effective, albeit unpopular with the officialdom, costs us dearly.
Topics of anti-corruption education are not new. It seems that we have enough knowledge about them. On the other hand, we could use traditional methods of raising interest in them for a second or third time, but not more than that. Therefore, we would suggest to them texts that have been specially “processed”.

WHAT IS THE BENEFIT OF GETTING PREPARED TO ANALYSE THE TEXT?
Thoughts of participating teachers

Reading with anticipation

This could be segmentation of information, asking students to anticipate what may happen next and what they will be able to learn (if the text provides information). This method is similar to the one a detective uses.

In other words, it is “raising” of knowledge possessed, “revitalisation” + text analysis + grounding one’s opinion/position. Usually the whole text is not provided, only consecutive extracts. The questions are constantly asked “What will happen (be written) next? Why do you think so?” If students make a wrong guess, they are asked as follows: “Why did it happen, was it written differently than you thought? Is it a standard conduct, event or sequence of events?”

Recommendations for the text provided above:

Part I: each student thinks for himself or herself and fills in the gap. Then their thoughts are put down and discussed.

Part II: groups of students decide on the way offered by the author and the reasons for it. Are his ideas correct?

TEXT:


Around 1900, two carriages with books were detained near Raseiniai. Bielinis gave a bribe of 75 roubles to a “uriadnik” and the latter let him run away to the forest. The horse and the carriage stayed with the uriadnik. The biggest bribe Bielinis had to give was the last time he was caught, in 1902, on his way to Rimkūnai village where he intended to
distribute books. He left his horse with one of the farmers, took a package of books with him and distributed them, going from one courtyard to another. Suddenly, upon entering one of the houses, he encountered a uriadnik who was about to leave and who had come to the house to conduct an investigation. The uriadnik arrested him and brought him to Pasvalys to meet a “pristav”. Bielinis called himself Jonas Kalikas and said he had found the package lying on the way.

During the interrogation Bielinis asked if he could go to the kitchen, where he met the pristav’s wife. Bielinis gave her a bribe of 50 roubles, which worked the trick. Then the pristav said sternly to his wife (in Russian, of course):

“This sinner should be sent to the ‘ispravnik’ in Panevėžys.”

This was good for Bielinis because if he had been sent to Biržai, he would have been recognised and the whole matter would have ended badly. Later, after Bielinis had been detained in Rimkūnai, the uriadnik took his horse and books to Pasvalys where both his horse and the books were stolen, hence the evidence disappeared. Nobody knows what or who played the trick: the bribe given to the pristav’s wife or friends of Bielinis.

After taking the bribe, the Panevėžys ispravnik (or his clerk) decided to send Bielinis to Biržai for further interrogation, into the custody of taskmasters rather than the police. Taking Bielinis to Panevėžys, a taskmaster told him:

“I know who you are, you smuggle books; I will not let you go.”

In Pasupėnai village Bielinis spent the last of his money in getting the taskmaster drunk. When brought to another village, Talkoniai, to spend the night, Bielinis concocted a plan of how to run away.

He took off his shoes and let them hang to dry. Then he took off his coat. He lay down on the stove saying that he did not feel well and was tired.

The taskmaster looked at the shoes and the coat and fell asleep drunk. Bielinis was just pretending that he was asleep and while everybody was sleeping, barefoot, he ran away quietly across the field.

How would you analyse this text?
THE PHENOMENON OF CORRUPTION IN LITHUANIA AND THE WORLD

PHENOMENON OF CORRUPTION: CORRUPTION MEANS ABUSE OF PUBLIC OFFICE FOR PERSONAL GAIN

Corruption threatens your security and human rights. Corrupt officials leave unattended the task that they have to perform and do not stop accidents from happening. A bribed public official will allow someone to risk your life or health. Corruption may jeopardise your fundamental rights to health protection, education, property or even clean water and air.

In 1995, a trade centre collapsed in Korea. It was later explained that contractors used poor quality concrete and city officials allowed safety rules to be violated in exchange for bribes. In 1998, an earthquake in Turkey devastated many buildings, the most fragile of which were schools and hospitals built by the state. Investigation of serious faults in construction showed that construction inspectors and other officials had accepted bribes.

Due to corruption there is less money than there could be. It is not simply because you have just given a bribe. Corruption can increase the price of state investment by up to thirty per cent. This means that a new school or hospital built for the community may cost it almost thirty per cent more. Augmentation of prices in public procurement and state investment contribute to further increase of the national debt. For example, the government in Kenya lost about one and a half million US dollars when its Ministry of Health engaged in a corrupt pharmaceutical transaction. An enormous cloud of corruption suspicion hangs over the Lithuanian policy of compensation for pharmaceuticals. How much money have they stolen from us? In Germany, it appears that bribes were given to win contracts worth 2.5 billion marks for construction of the second terminal of Frankfurt Airport. According to the prosecutor, due to corruption, prices have grown around 20-30 per cent. How much has the Lithuanian budget lost as a result of very corrupt, as perceived by many businessmen, public procurement?

It is more difficult to engage in business due to corruption. Corruption distorts market mechanisms and creates unequal conditions for business. Many businessmen tend to give bribes believing that in 95 cases out of 100 they will achieve the aspired goal. But what will happen when next time a corrupt official asks for more? What will happen if your competitors give more bribes? What will happen if law enforcement interferes with your corrupt plans? For example, Russian businessmen are relatively more inclined towards bribing officials than their colleagues in Poland. Yet it takes approximately four times longer to register a business in Russia than it does in Poland. In addition, businessmen in Russia are inspected two times more often than their counterparts in Poland and twice as many Russian businessmen have to pay fines.

Corruption reduces the amount of state revenues. How many people evade taxes or escape fines with the help of public officials in Lithuania? Corrupt tax evasion in
the Philippines means that the poor pay twice as much as the rich and 63 per cent of import is exempt from duties.

Due to corruption a country attracts less foreign direct investment (FDI). Corruption is often considered a tax imposed on FDI. For example, an increase in the level of corruption in Singapore, a country where there is relatively little corruption, and Mexico, where corruption is rampant, is equivalent to an increase of taxes on investment by more than 20 per cent. If Bangladesh were to increase its public integrity and efficiency to the level of Uruguay, it would attract 5 per cent more investment and its annual GDP would increase by more than 0.5 per cent. These analogies are relevant for Lithuania.

A social survey conducted by Vilmorus in 1999 showed that 74.1 per cent of the respondents in Lithuania condemn corruption as a phenomenon yet 60.4 per cent of those interviewed said that they would be ready to give at least a small bribe to solve the problems they encounter. It also showed that the general public do not always perceive acceptance of a gift as corruption and bringing cheap goods into the country without paying a customs duty as smuggling. 71.1 per cent of better-off respondents and 71.5 per cent of young people were prepared to give a bribe.

A survey of Vilnius schoolchildren conducted by Transparency International Lithuanian Chapter in 2001 showed that senior class students are more inclined to agree than disagree with the statement that “in business, making payments helps to hide one's income”. The other surveys show that very often we take the initiative in giving bribes to officials. A survey of residents from five towns conducted by the public opinion and market research company Spinter in 2001 showed that 64 per cent of the respondents said that a bribe is directly or indirectly demanded by the official, whereas 36 per cent agreed that citizens offer bribes to the official.

Many people think that corruption is some sort of a congenital defect of the state authorities, which is absolutely independent of their will and control.

The Corruption Perception Index conducted by Transparency International in 2002 revealed that Lithuania’s index remained the same as in the previous year, scoring 4.8 out of 10, failing by 0.2 points to be the least corrupt country of those surveyed. This index shows the perception of corruption on the part of businessmen and international experts. Lithuania shares positions 36 to 39 with Belarus, the Republic of South Africa and Tunisia. In a table of 102 countries, last on the list are Angola, Madagascar, Paraguay, Nigeria and Bangladesh and those at the top include Finland, Denmark, New Zealand, Iceland, Singapore and Sweden. In 1999, Lithuania was ranked 50th. Over a period of three years, it moved up 14 positions. Lithuania has adopted about ten laws that in one way or another provide for the prevention of corruption. It has also adopted several national anti-corruption programmes. Nevertheless, like the Chinese philosopher Mencius (372-289) said, laws do not act on their own.

Corruption equals monopoly power plus secrecy minus accountability.

Corruption occurs when a monopoly decision in the area of values or goods is adopted non-publicly and without someone's accountability for the risk in making the choice.

FORMS OF CORRUPTION NOTICED IN LITHUANIA

The most rampant type of corruption in Lithuania (the highest number of cases) is bureaucratic corruption, when a person willing to speed up bureaucratic decision-making greases the palm of a bureaucrat. Admittedly, a bureaucrat can also take a proactive position by abusing his official powers in decision-making and performing at a slow pace, dosing the requested information.

Business corruption is related to one type of business or another and has turned into a business tool.

Preventive corruption has a triple purpose: obtaining information, purchasing “indulgences” (for single or repeated use), and ensuring protection. Persons involved in criminal activities or illicit business are always keen to obtain information about the operations, evidence against them and the process of investigation. Ensuring protection is required to have a guarantee that no law enforcement will interfere with their illicit or semi-legal business transaction(s).

Regulation corruption is a complex phenomenon as it is exercised only when solving complex disputes over property, usually between businesses. Due to faulty legislation and partial regulation of relations in a developing market economy, such disputes may be solved for the benefit of one party or another with equal success.

Corruption of liquidating consequences may be committed in administrative proceedings or in the initial stages of criminal investigation. Before filing a case or when it is discontinued, one can escape liability. Corruption of liquidating consequences is also used when trying to decrease the punishment imposed by the court.

PROBLEMS OF FIGHTING CORRUPTION IN LITHUANIA

Corruption, by nature and reason, is a complex social phenomenon encompassing almost all areas of life of our country. Failure to achieve any radical changes in the fight with this crime is explained by the following reasons:

- before 1997, there was no specialised institution in Lithuania to fight corruption and its manifestation;
- it was underestimated that corruption is related with smuggling, trading in weapons, drug trafficking, money laundering, trafficking in illegal migrants, etc. and that it is not a national but a transnational problem;
- insufficient, from a technical and organisational point of view, protection of national borders;
- lack of experience of state institutions to fight such specific and complex crimes;
- inefficient selection procedure of civil servants.

It is complicated for law enforcement institutions to collect and use intelligence about corruption in law enforcement and the courts in particular, due to the following reasons:

- these crimes are latent;
- because citizens for various reasons do not want to co-operate with intelligence agencies and money is handed in via intermediaries (lawyers, relatives or very close friends who are not interested in co-operation with law enforcement);
- public contribution to the detection of crimes of corruption is still very small.

The unwillingness of the public to get involved in corruption detection is due to the fact that there is no effective state system that would guarantee security, social and material welfare.

Source: Special Investigation Service of the Republic of Lithuania. – http://www.stt.lt (in Lithuanian)
CODES OF ETHICS/CONDUCT

CODE OF PROFESSIONAL ETHICS FOR LAWYERS
(Adopted on 21 May 1999 at the Conference of the Bar Association of the Republic of Lithuania)

I. GENERAL PROVISIONS

1. A lawyer must honestly and properly perform his professional duties and follow the requirements of the Code of Professional Ethics for Lawyers. In his activities a lawyer must follow the made oath, the Constitution of the Republic of Lithuania, the Law on Advocacy, other laws, and the Statute of the Lithuanian Bar.

2. While performing his professional duties a lawyer shall be independent from state authorities and governing institutions and officials.

3. The duty of each lawyer is to take an active part in the activities of the Bar of the Republic of Lithuania, represent clients in lawful ways, defend them in court institutions, and perform other assignments, not to diminish his profession and the name of the lawyer by personal conduct.

4. For actions diminishing public confidence and the name of the lawyer, which do not incur criminal liability, lawyers shall be liable in disciplinary procedure. Inter alia, such actions shall include the following:
   1) diminishing of the honour and dignity of an individual, the Constitution of the Republic of Lithuania, the Bar of the Republic of Lithuania, state institutions and officials thereof;
   2) breaking of the lawyer’s oath;
   3) violation of the requirements of the Law on Advocacy;
   4) failure to fulfil the directions of the Bar self-governing institutions, failure to attend without a valid excuse sittings and other events arranged by the Bar self-governing institutions to which he was invited and in which his participation is obligatory, as well as failure to notify in time of being unable to participate in them;
   5) indecent, dishonest fulfilment of a professional duty, as well as failure to observe the generally accepted moral norms and to respect such customs;
   6) disrespectful conduct in public places or with surrounding persons;
   7) unfair competition with other lawyers (personal publicity of lawyers, search for clients through intermediaries, diminishing of other lawyers’ activities or special and exceptional self praising and so on. Criteria according to which the personal publicity of lawyers is defined are established by the Council of the Lithuanian Bar Association);
   8) making public of information provided to the lawyer for performing of the assignment without the consent of the person who provided it;
   9) performance of duties while under the influence of alcohol;
   10) use of drugs;
11) refusal to pay or systematic, for more than three consecutive months, failure to make obligatory payments for supporting the activities of the Council of the Lithuanian Bar Association;
12) untidy appearance of the lawyer during office hours and failure to wear a gown at court sittings;
13) failure to notify the institutions in which he performs the accepted assignment of the client of his inability to arrive at the determined time, performance of actions thereby intending to deliberately delay the court proceedings;
14) failure to notify in a timely manner the institutions in which the lawyer performed the assignment of the fact that the performance of the assignment has been lawfully terminated;
15) violation of the prohibition to engage in other activities in contradiction to the lawyer's profession.

II. MUTUAL RELATIONS OF LAWYERS

5. Mutual relations of lawyers are based on confidence, honesty, friendliness, tactfulness and politeness. Lawyers shall help each other in their professional activities, unless it contradicts the client's interests.
6. If a lawyer is going to accept an assignment to represent a client and defend him in the event it is related to court proceedings, when the same assignment is undertaken and performed by another lawyer, he must notify the other lawyer thereof.
7. If a client asks for his representation jointly, to defend him together with another lawyer, then it shall be agreed with that lawyer. In case the latter does not agree to represent, defend jointly, or the positions of defence or representation differ, both lawyers must notify thereof and explain to the client, who shall have the right to chose the position and the lawyer and terminate the agreement with the other lawyer.
8. When a lawyer accepts an assignment to represent a client's interests in a case against another lawyer, then upon the acceptance of the assignment the lawyer must notify the Council of the Lithuanian Bar Association, his colleague thereof and propose to him, provided it does not have a negative impact on the client's interests, to finalise the dispute by a settlement agreement. Should the dispute not be completed by the settlement agreement, the lawyers shall not spoil their mutual relations.
9. While representing, defending or fulfilling another assignment when it is related to court proceedings, a lawyer may talk to the opposing party on issues related to the fulfilment of the assignment, and only about that, after notification, if possible, to the lawyer of the other party, if any.
10. Lawyers representing the parties shall present to the court all written evidence they have prepared in such a manner as to assure the chance for the lawyer representing the other party to express his opinion regarding such evidence while providing explanations to the court.
11. When a lawyer is unable to arrive at a court sitting or intends to ask the court to change or establish the time for the court sitting, he must immediately notify his colleague thereof and agree with him on a time acceptable to both for examination of the case.
12. Lawyers may not pay a fee, commission or any other remuneration to anybody for the recommendation or assignment of a client to them.
13. If a lawyer thinks that his colleague has violated the Code of Professional Ethics for Lawyers, he shall draw the colleague's attention thereto.
14. Any dispute among lawyers shall be settled first of all by the mutual agreement of the lawyers.
15. A lawyer shall have no right to start any procedural actions against his colleagues prior to notification of the Council of the Lithuanian Bar Association thereof, and prior to trial by the Bar self-governing institutions by mediation to settle their dispute.

III. RELATIONS OF THE LAWYER WITH CLIENTS
16. A lawyer may accept an assignment to defend or represent a client's interests only upon the request of the client himself or his statutory representative. An assignment from other persons to defend or represent the client may be accepted only when they apply upon the assignment or consent of the latter.
17. A lawyer may not accept an assignment for proceedings in the following cases:
   1) when the lawyer and official who performed the preliminary investigation or examined the case are in kinship or relationship by marriage;
   2) when the lawyer has participated in this case as a interrogator, investigator, procurator, public prosecutor, judge, secretary of the court sitting, victim, witness, expert, civil plaintiff or defendant;
   3) to defend two accused (defendants) if there are contradictions among their defence interests, or when a lawyer in the same proceedings has defended the person whose interests are in contradiction to the interests of the applicant;
   4) when the lawyer is in close kinship or relationship by marriage with a lawyer providing in the same case legal assistance to the person whose interests contradict the interests of the applicant;
   5) when the lawyer has participated in the case as a public counsel for defence, and in the same case the interests of the person applying to him contradict the interests of the person already defended;
   6) when the lawyer is aware of such circumstances of the case entrusted by the other accused (defendant) or the opposing party;
   7) when the accused (defendant) requires that a defence position be followed which obviously contradicts the circumstances of the case;
   8) when the client requires that knowingly false, illegal evidence (forged documents providing false evidence) and other dishonest ways be used to defend his interests;
9) when the lawyer is aware that the interrogator, investigator or court may call him to witness in that case;
10) when the lawyer’s relations with the person against who he has to plead the case are of a conflicting nature;
11) when the case is against relatives of direct, higher, lower or side lineage or very close friends;
12) when the case is complex and the lawyer realises that he will not be able to properly perform the assignment;
13) when the lawyer knows in advance that on the same day he will be busy due to the performance of an assignment that has already been accepted.

18. A lawyer must use all means and ways of defence indicated by the laws in order to clarify the circumstances justifying the suspect, the accused or the defendant or reducing his liability, and provide legal assistance necessary to him. When representing he shall seek a result favourable to the client in legal ways and by legal measures.

19. A lawyer may not defend such interests of the client which may undertake illegal measures and ways and must refuse to satisfy the client’s requirements when they contradict the Law on Advocacy and other laws of the Republic of Lithuania, regulatory enactments and rules of institutions legally adopted and effective.

20. Upon consenting to defend the suspect, the accused or the defendant, a lawyer shall have no right to refuse.

21. In case of illegal claims, the lawyer must explain to the client that he may choose from the following: to refuse illegal claims or terminate the agreement on defence or representation.

22. A lawyer must explain to the client that he will seek by legal means and in legal ways for adoption of the judgement or decision by the court which is as favourable as possible, however he cannot guarantee the outcome of the case.

23. Although a counsel for defence in a criminal case is an independent participant of the process, he may not without the knowledge of the defendant maintain any position of defence. He shall confer with the defendant and take into account his considerations and arguments.

24. If the defendant admits his guilt and the lawyer, having evaluated all the evidence available in the case, draws the same conclusion regarding the guilt of the defendant, then the counsel for defence in his pleading shall analyse all the circumstances which may reduce the liability of the defendant.

25. In cases when the defendant admits his guilt, and the lawyer having studied all the evidence available in the case draws the conclusion that the guilt of the defendant has not been proved or causes doubts, then the counsel for defence must maintain the independent position, not dependent on the defendant.

26. In cases when the defendant denies any wrongdoing, and the lawyer having familiarised himself with the case draws the conclusion that there is enough evidence to substantiate the guilt of the defendant, the lawyer does not have to
persuade the defendant to admit his guilt. It is the court that determines guilt or innocence, not the counsel for defence. The lawyer may chose another position of defence, but must consider it with the defendant. If the defendant does not agree with the position of defence chosen by the lawyer, he may refuse that counsel for defence.

27. In group cases with contradicting interests of defence, a lawyer must chose and analyse in his pleading only the evidence denying the guilt of his defendant and causing doubts regarding his guilt or circumstances which reduce the liability of the defendant.

IV. RELATIONS OF THE LAWYER WITH THE BAR SELF-GOVERNING INSTITUTIONS

28. The Bar self-governing institutions of the Republic of Lithuania shall be deemed to be: the general lawyers’ meeting (conference) of the Republic of Lithuania, the Council of the Lithuanian Bar Association, the Disciplinary Court of Lawyers and other self-governing institutions established by the resolution of the general lawyers’ meeting (conference) of the Republic of Lithuania or the Council of the Lithuanian Bar Association.

29. Relations of a lawyer and the Bar self-governing institutions shall be based on mutual respect, benevolent and active assistance.

30. Elected to the Bar self-governing institution the member must take an active part in its work, as well as in all sittings and meetings, and being unable to take part in them due to any important reasons, he must notify thereof in a timely manner; having ceased to perform his professional duties for one reason or another, he must suspend its authorisations in this institution.

31. A lawyer must carefully and responsibly perform the resolutions (decisions) adopted by the Bar self-governing institutions, upon being called to arrive in time to these institutions and co-operate with them. Being unable to do so the lawyer must immediately notify thereof and appropriately confirm such.

32. If the Bar self-governing institutions applies to the lawyer with inquiries, he must answer them in the determined term and in the determined form.

33. Failure to pay the membership fee established by the Bar shall be deemed to be a serious violation of professional ethics.

V. FINAL PROVISIONS

34. The provisions of the Code of Professional Ethics for Lawyers shall also be applied to assistant lawyers.

35. In cases when the lawyer’s conduct in professional activities is not regulated by laws, the Statute of the Lithuanian Bar or this Code, he must observe the traditions existing in lawyers’ practice the content whereof conforms to the general principles of ethics and morals.

AUDITORS’ CODE OF PROFESSIONAL ETHICS

The auditor’s oath:

“I swear to comply with the Constitution, laws and regulations of the Republic of Lithuania, to honestly and conscientiously fulfil the duties of the auditor, adhere to the principles of objectivity, independence and confidentiality, continuously improve my professional knowledge and abide by the Auditors’ Code of Professional Ethics and the Statute of the Chamber of Auditors.”

1. GENERAL PROVISIONS

1.1. The Auditors’ Code of Professional Ethics shall establish the norms of professional conduct of a certified auditor.

1.2. All auditors shall abide by and not violate the present Code.

1.3. The auditor shall comply with his oath, the Constitution of the Republic of Lithuania, the Law on Audit, other legislation and the Statute of the Chamber of Auditors.

1.4. The auditor shall fairly and honestly perform his professional duties.

1.5. High quality of the auditor’s services shall gain public confidence in the profession.

1.6. Every auditor shall take part in the activities of the Chamber of Auditors of the Republic of Lithuania and shall not engage in conduct diminishing the name of the auditor and his profession.

1.7. For actions diminishing public confidence and the name of the auditor, which do not incur criminal liability, the auditor shall be subject to the disciplinary procedure. Such actions shall, inter alia, include the following:

   1.7.1. diminishing the honour and dignity of an individual, the Constitution of the Republic of Lithuania, auditors of the Republic of Lithuania, state institutions and public officials thereof;
   1.7.2. breaking the auditor’s oath;
   1.7.3. violation of requirements set forth in the Law on Audit of the Republic of Lithuania;
   1.7.4. failure to fulfil directions of the self-governing bodies of auditors, failure, without a valid excuse, to attend events organised by the self-governing bodies of auditors to which he was invited and in which his participation was necessary, as well as failure to notify about the inability to participate in them;
   1.7.5. dishonest non-fulfilment of professional duty as well as failure to observe the generally accepted moral norms and customs;
   1.7.6. disrespectful behaviour in a public place or with people;

1 In the interests of stylistic clarity, the masculine form is used in these documents and is understood to designate women and men.
1.7.7. performance of duties under the influence of alcohol;
1.7.8. use of narcotic, toxic and psychotropic substances and alcohol;
1.7.9. refusal to pay, or non-payment for more than two months in succession the membership fee of the Lithuanian Chamber of Auditors;
1.7.10. violation of a prohibition to engage in activities incompatible with the auditor’s profession.

1.8. A member of the Lithuanian Chamber of Auditors shall not at the same time engage in activities which would violate the requirements set for the auditor’s practice.

1.9. The auditor shall avoid circumstances that may discredit the professional reputation of auditors.

1.10. The auditor’s etiquette in official situations shall comply with the overall requirements of ethics that relate to the socially acceptable norms of conduct, customs and traditions.

1.11. In his professional activities, the auditor shall be guided by specific norms of conduct, as follows: independence; honesty and objectivity; competence; confidentiality.

2. INDEPENDENCE

2.1. The auditor may conduct an audit only when he is independent from the client and the enterprise audited.

2.2. The auditor shall be prohibited from performing the audit if he:
   2.2.1. is related by blood, family or marriage to the head of the enterprise or its chief financial officer, members of the Supervisory Board or the Board of the entity which is being audited. Persons who are related by blood or by marriage are spouses (former spouses), children (adopted children), parents (adoptive parents), brothers, sisters (adopted brothers, adopted sisters), cousins, grandparents or grandchildren;
   2.2.2. manages accounts and prepares financial statements of the entity which is being audited;
   2.2.3. was previously employed by the entity which is being audited or by the audit contractor and the period from the date of termination of employment relations is less than three years;
   2.2.4. is or has been a shareholder of the company which is being audited and the period from the date of transfer of shares is less than three years;
   2.2.5. is influenced by other conditions that may affect his independence.

2.3. The auditor’s independence shall be deemed breached if during the performance of his task or provision of his opinion, the auditor:
   2.3.1. has or seeks direct or indirect financial benefit;
   2.3.2. responsibly holds or manages company property;
2.3.3. independently or in co-operation with the enterprise audited or its shareholder, manager or head of administration performs joint investment projects;

2.3.4. grants or receives loans from the enterprise audited.

3. HONESTY AND OBJECTIVITY

3.1. The auditor shall not knowingly misrepresent the facts.

3.2. The auditor’s opinion shall not be influenced by the opinion of other persons.

3.3. In the area of taxes, the auditor may decide in favour of the client as far as such a decision complies with the requirements of the auditor’s ethics and standards of accounting and auditing.

4. COMPETENCE

4.1. The auditor shall undertake only the tasks for which he has adequate professional background.

4.2. The auditor shall perform his duties thoroughly.

4.3. The auditor shall plan and control performance of tasks.

4.4. The auditor shall collect sufficient evidence to make grounded opinions or conclusions while performing the task.

4.5. The auditor shall not allow his name to be used in forecasting economic processes so that there is assurance of the correctness of such a forecast.

4.6. In expressing his opinion, the auditor shall be guided by the auditing standards recognised by the Lithuanian Chamber of Auditors, accounting standards and other norms. The auditor shall not be obliged to state his opinion if failure to meet the accounting standards or other norms in the enterprise substantially misrepresents financial information.

4.7. Professional competence requires the auditor to constantly improve his qualifications, acquire new knowledge in auditing, accounting, tax and financial areas related to his profession and to do so throughout his entire career.

5. RELATIONS WITH CLIENTS

5.1. Confidentiality

5.1.1. The auditor must keep the information entrusted to him by the client confidential and not furnish it to third persons.

5.1.2. The principle of confidentiality shall be abandoned when the auditor:

5.1.2.1. has to testify in court;

5.1.2.2. responds to the questions of the Presidium of the Lithuanian Chamber of Auditors, a body authorised by the Government or persons tasked by it;

5.1.2.3. presents auditing findings to another auditor in compliance with Article 6.2 of the Code of Ethics, giving a written notice to the client thereof.
5.1.3. Persons that have been tasked by the Presidium of the Lithuanian Chamber of Auditors to conduct auditing shall not be obliged to disclose information obtained throughout the course of investigation, inspection or otherwise while performing their duties.

5.2. Audit fee
5.2.1. Auditing services shall not be rendered if the audit contract does not provide for the following:
5.2.1.1. audit fee dependence in case of concealment of facts;
5.2.1.2. audit fee dependence in case certain results are not achieved;
5.2.1.3. any dependence of audit results or quality on the payment for auditing services.

5.3. Other provisions
5.3.1. The auditor may not misrepresent information in seeking to influence the client.
5.3.2. The auditor shall not pay for finding the client.

6. RELATIONS WITH COLLEAGUES
6.1. Interpersonal relations of auditors shall be based on politeness, tactfulness, honesty, friendliness and trust.
6.2. A client may refuse the auditor and choose another one. In that case, the first auditor shall familiarise the other auditor, if the latter so requires, with the findings of the audit (irrespective of whether they are final or tentative).
6.3. It shall be prohibited for the auditor to prove his superiority over the other auditor.

7. AUDITOR’S RELATIONS WITH THE AUDITORS’ SELF-GOVERNING BODIES
7.1. The auditors’ self-governing bodies shall comprise the General Meeting of Auditors of the Republic of Lithuania and the Presidium of the Lithuanian Chamber of Auditors.
7.2. Relations between the auditor and the auditors’ self-governing bodies shall be based on mutual respect, benevolent and pro-active assistance.
7.3. Elected to a self-governing body, the auditor shall take an active part in its work, all the sittings and meetings and, where unable to take part in them due to important reasons, make a prior notice thereof in due time.
7.4. Having ceased to perform his professional duties, the auditor shall suspend his mandate in the auditors’ self-governing body.
7.5. The auditor shall responsibly implement the decisions taken by self-governing bodies of auditors.
7.6. Invited to the bodies, the auditor must come in due time and co-operate with them. If he is unable to do that, he shall notify the body in due time.
7.7. If the self-governing bodies of auditors make inquiries with the auditor, the latter shall make responses within the established time limits and format.

8. FINAL PROVISIONS

8.1. The auditor shall make his staff familiar with the Code of Professional Ethics of Auditors and make sure that they are guided by the principles of the Code.

8.2. The auditor may not perform an audit under the name of a company which is not on the list of audit companies.

8.3. In cases where the conduct of auditors in professional activities is not regulated by laws, the Statute of the Lithuanian Chamber of Auditors or the present Code, he shall follow the established practice the content thereof corresponds to the general principles of ethics and morality.

Source: http://www.lar.lt/Docs/etikoskodeksas.doc (in Lithuanian)
CODE OF ETHICS OF ASSOCIATION OF FINANCIAL ANALYSTS
(Approved by the Board of the Association of Financial Analysts during the meeting of 17 November 1999)

Members of the Association shall:
- Conduct themselves honourably, ethically, with competence and integrity in their dealings with the public, society, current and prospective clients or customers, employers, colleagues and the other members of the Association of Financial Analysts (hereinafter referred to as the AFA).
- Conduct themselves and encourage others to work in a professional and ethical manner.
- Strive to maintain and improve their competence and that of others in the profession.
- Use proper care and exercise independent professional judgement.

STANDARDS OF PROFESSIONAL CONDUCT

Standard One: Main Obligations
Members of the Association of Financial Analysts shall
A Maintain knowledge of and comply with all the applicable laws, rules and regulations, including the Code of Ethics and Standards of Professional Conduct (hereinafter referred to as the Code and Standards) of the AFA and the Association of Investment Management and Research (hereinafter referred to as the AIMR), issued by the Government, state and other regulating bodies or professional associations joined by a member.
B Not violate the aforementioned laws, rules and regulations and shall not knowingly assist in violation thereof.

Standard Two: Professional Conduct and Duties
A: Use of professional designation. Membership in the AFA and other professional organisations may be proclaimed only in the dignified and appropriate manner. Members may and are encouraged to use their professional designation and membership in professional programmes only in a dignified and judicious manner.

B: Professional misconduct. Members shall not engage in conduct involving fraud, dishonesty, deceit or misrepresentation.

C: Prohibition against plagiarism. Members shall not copy or use material prepared by other persons without acknowledging its use and identifying the name of the author, publisher or name of the source of such material. Members may, however, use without acknowledgement factual information published by recognised financial and statistical reporting services or similar sources.
Standard Three: Work Relations and Obligations

A: Obligation to inform employer of Code and Standards. Members shall: inform their employer, through the direct supervisor, about their obligation to comply with the Code and Standards and that they shall be subject to disciplinary sanctions by the AFA in violation thereof; deliver a copy of the Code and Standards to their employer.

B: Duty to employer. Members may not undertake independent practice for compensation or other benefit in competition with their employer unless they have received written consent from both their employer and the legal or natural person for whom they undertake independent employment.

C: Disclosure of conflicts of interest to the employer. Member shall:
- disclose to their employer all matters (including any material beneficial ownership of the securities or other investments) that could be reasonably expected to interfere with their duty to the employer and/or with their ability to render unbiased and objective advice;
- comply with any prohibitions on their activities if a conflict of interest exists.

D: Disclosure of additional compensational arrangements. Member shall notify the employer in writing about any additional compensational arrangements received for their services if the amount received exceeds LTL 200.

E: Responsibilities of supervisors. Members with the authority or possibilities to influence the conduct of others shall seek to prevent any violation of such persons of applicable laws, rules and regulations, including the Code and Standards, by using all the appropriate means.

Standard Four: Relations and Duties to the Current and Prospective Client or Customer

A: Investment process

A.1. Provision of reasonable information. Members shall:
- exercise diligence and thoroughness in making an investment recommendation to others or in taking an investment action for others. Investment recommendation and investment action shall be supported by appropriate research and investigation. They shall seek to avoid any material misrepresentation in any research report or investment recommendation. They shall maintain appropriate records to support the reasonableness of such recommendations and actions.

A.2. Research reports. Members shall:
- use reasonable judgement as to the inclusion of relevant factors in research reports. They shall distinguish between facts and opinions in research reports. They shall indicate the basic characteristics of the investment involved when preparing for general public distribution a research report that is not directly related to a specific portfolio or client.
A.3. Impartiality and objectivity. Members shall seek impartiality and objectivity in providing investment recommendations or investment actions.

B. Relations with the Current and Prospective Clients and Customers

B.1. Fiduciary duty. Members shall use particular care in determining applicable fiduciary duty and shall comply with such duty as to those persons and interests to whom it is owed. Members must act for the benefit of their clients considering their interests a priority.

B.2. Portfolio investment recommendation. Members shall:

before making recommendations, become adequately familiar with the financial situation of the client, his or her investment experience and goals and update this information where necessary but at least once per year to have the recommendations correspond with the changed circumstances. They shall make an assessment of appropriateness of investment recommendations or actions for every portfolio or client. In considering such matters, members must take into account the needs and circumstances of the client and the basic characteristics of the investment involved and the total portfolio. They shall distinguish between facts and opinions. They shall disclose to the current and prospective clients and customers making of investment portfolio and investment processes as well as principles and inform them without delay about any material changes.

B.3. Fair conduct. Members shall act in a fair and objective manner with all current and prospective customers and clients when providing investment recommendations, disseminating material changes in the prior investment advice and taking investment action.

B.4. Priority of transactions. Members shall conduct themselves in such a manner that transactions for their customers, clients, and employer have priority over personal transactions, and so that their personal transactions do not operate adversely to the interests of the latter. If members decide to make a recommendation about the purchase or sale of a security or other investment, they shall give their customers, clients, and employer adequate opportunity to act on their recommendation before acting on their own behalf. With regard to securities or other investment, members are ‘interested parties’ if they have a direct or indirect material interest in the investment; the right to vote or influence voting; the right to dispose or influence disposing of investment.

B.5. Preservation of confidentiality. Members shall preserve the confidentiality of information communicated by the current or prospective client or customer concerning matters within the scope of the confidential relationship, unless they receive information concerning illegal activities on the part of the client.

B.6. Prohibition against Misrepresentation. Members shall not make any statements, orally or in writing, which misrepresent the services that they or their
firm is capable of performing for the client, the qualifications of members or their firm, the investment performance that members or their firm has accomplished or can reasonably be expected to achieve for the client. Members not make, orally or in writing, explicitly or implicitly, any assurances about or guarantees of any investment or its return except communication of accurate information as to the terms of the investment instrument and the issuer’s obligations under the instrument.

B.7. Disclosure of conflict of interests to the current and prospective clients and customers. Member shall to their customers and clients any material conflict of interest relating to them and any material beneficial ownership of the securities or other investments involved that could reasonably be expected to impair their ability to render unbiased and objective advice.

B.8. Disclosure of referral fees. Members shall be obliged to make appropriate disclosure to a prospective client or customer of any consideration paid or other benefit delivered to others for recommending his services to that prospective client or customer.

Standard Five: Communication and Responsibility to Investors

A: Prohibition against use of material non-public information. Members that come into possession of material non-public information that may have an impact upon the investment instrument may not trade in those investment instruments or encourage others to do so, if such trade violates the commitments or information is misappropriated or related with an official offer. If members have obtained material non-public information as a results of a confidential relationship, they cannot breach the duty of confidentiality which would be a result of trading, or encouraging others to do so, in investment instruments related to that information. If such a breach of confidentiality duty occurs, members shall make reasonable efforts to achieve public dissemination of such material non-public information.

B: Presentation of performance.

Members shall not make any statements, orally or in writing, which misrepresent the achieved or reasonably expected investment performance. While informing the current or prospective client or customer about the investment performance of their firm, members shall strive to have this information correct, accurate and full.

CODES OF ETHICS OF TEACHERS (RESEARCH WORKERS AND PEDAGOGUES) OF KAUNAS TECHNOLOGICAL UNIVERSITY
(Approved by the Senate on 12 May 1999)

Being aware of the importance of the mission that they have undertaken historically and the duty to work for the sake of public education and scientific development, the teachers (research workers and pedagogues) of Kaunas Technological University declare this CODE OF ETHICS of teachers of Kaunas Technological University. With full respect for the Universal Declaration of Human Rights and the Magna Charta of European Universities, complying with the Constitution of the Republic of Lithuania, other legislation of the Republic of Lithuania and the Statute of Kaunas Technological University, the teachers (research workers and pedagogues) honourably undertake:

• in all cases while presuming common responsibility for the accomplishment of the University mission, to actively support the goals of the University community and represent it honourably;
• to strive for competence in research and pedagogical work, to be aware of developments in their field of research, the newest achievements and the role thereof in the overall cultural context; to use the knowledge in carrying out the duties of a teacher and a citizen;
• not to conduct research when the nature or findings thereof would be anti-human or anti-ecological;
• not to allow plagiarism, falsification of data, negligent performance of calculation experiments and any manifestation of negligence in their own work and the work of their students;
• to be an example of the intelligentsia for the students and society; to create an atmosphere of tolerance, concord, respect for wisdom and trust in their environment; not to diminish the name of the teacher by improper speech or writing, ignorance of etiquette, self-negligence and discourtesy or even indulgence in alcohol and drugs or having other socially unacceptable and harmful habits;
• to promote and maintain academic freedom, pursuit of truth and free exchange of ideas;
• not to tolerate indiscretion of colleagues and students or their conduct undermining human rights and dignity; to take every effort in fighting such phenomena;
• to show respect in dealing with other people, showing regard for cultural and sexual differences; not to undermine the dignity of colleagues and students, their democratic and human rights and freedoms; never and in any way discriminate against colleagues and students because of their sex, nationality, race, religion, beliefs or disabilities;
• to assess the work and efforts of others in an objective manner; disclose the unused opportunities; give advice;
• to actively profess categorical intolerance towards academic dishonesty;
• not to ignore or deny contribution of persons or organisations into pedagogical or research work;
• not to use the work at the University for self-praise, for commercial and other purposes, propaganda of political ideological groups or undermining the beliefs and ideology of others;
• to evaluate other scientific and cultural areas as well as legal human activities in a respectful manner without sporting one’s learning;
• to make economic use of the funds allocated by the state and other sponsors, respect their property interests, publicly help patrons and inform them about the use of allocated funds and results achieved;
• not to use the official powers for personal gain, categorically deny any attempts of bribe-taking and bribe-giving manifested in any form;
• to resign from the position of a research worker or a pedagogue of Kaunas Technological University if it becomes known of a systemic violation or a gross violation of the provisions of the present Code.

The whole community of teachers (research workers and pedagogues) of Kaunas Technological University is committed to making sure that the Code of Ethics is effective and eliminates its violation by means of moral impact (criticism, despising, dissociation or interruption of co-operation).

Heads of the University and its divisions and the Board of the Statute and Professional Ethics Monitoring are invited to enjoy their rights and duties in raising and examining issues of implementation and abiding by the Code of Ethics and initiate actions establishing its effectiveness.

Source: http://www.ktu.lt/lt/ktu/kodeksas.html (in Lithuanian)
CODE OF HONOUR (ETHICS) OF NOTARIES
OF THE REPUBLIC OF LITHUANIA
(Approved by the Chamber of Notaries on 25 March 2000)

Article 1
A notary shall adhere to the principle that equity is the law of all laws and shall ensure lawfulness of all the transactions and documents certified by him.

Article 2
In his work and its environment, the notary shall dissociate from political activity, refrain from declaring his political beliefs and engaging in political campaigns. The notary shall play an active role in the nation’s public life and must perform the tasks and functions assigned by the Meeting of the Chamber of Notaries, the Presidium thereof and Commissions.

Article 3
Being a representative of the oldest profession, the notary shall fortify the prestige of the Chamber of Notaries and his office. While exercising the powers entrusted to him by the state and being a trustee of the state, the notary shall contribute to the development of the rule of law.

Article 4
The notary must maintain dignity befitting his position and encourage his family members and friends to abide by the same norms.

Article 5
The notary shall adhere to the principle that one cannot be stripped of honour but fail to save it. If he breaches his oath, the notary shall resign.

Article 6
The notary shall always be tactful with regard to his client and shall act as an impartial advisor to him. A negative decision shall be presented in a form which is not offensive to the client, and a written motivated response shall be issued explaining the procedure of lodging an appeal in cases and in compliance with the procedure established by law.

Article 7
The notary shall not advertise his professional activity and shall comply with the principles of fair competition.
Unfair competition first and foremost constitutes the following elements:
7.1. Prior agreements with natural persons and legal entities who bring in clients to the notary in a professional or any other way violating the principle of a free choice;

² In the interest of stylistic clarity, the masculine form is used in this document and is understood to designate both women and men.
7.2. Attraction of clients by offering them onetime or regularly lower fees, as compared to other notaries, for the work performed.
7.3. Proactive position of a notary who makes an effort to remove a colleague who is tasked to perform an act.
7.4. Carrying out acts outside his office which violate the rule of loyalty.
7.5. Referral of clients to other notaries for performance of notarial acts which are labour-intensive yet poorly remunerated leaving for himself only those notarial acts which are well paid.
7.6. Systemic provision of services which shows his position as transgressing decency and undermining the authority of the profession.

Article 8
The notary who concludes an agreement to conduct joint activities with other notaries cannot worsen the economic situation of his partners, other notaries.

Article 9
The notary shall not allow his family, public and other types of relations to influence his notarial acts or decisions or harm the lawful interests of other notaries.

Article 10
The notary shall always be objective and serve as the absolute guarantor of legal security of the parties concerned. He shall always remember that he protects and defends lawful interests of both parties and nothing, except for the law, can influence his decisions.

Article 11
The notary shall not protect his personal interests by abusing his position.

Article 12
The notary shall keep the promise he has given to his client. The notary shall be a man of his word.

Article 13
The notary shall be accurate in solving the issues presented to him.

Article 14
The notary shall honestly declare his income to the state and pay the established taxes.

Article 15
The notary shall keep notarial acts in secret and shall ensure security of notarial documents.

Article 16
The notary shall adhere to the principle of professional solidarity. Negative feedback about his colleagues in the presence of clients shall not be permissible. In the presence of clients, the notary shall address his colleague with the word ‘Notary’. The notary shall be loyal to and friendly with his colleagues and representatives of his professional environment.
The notary shall uphold the honour and prestige of his profession and show solidarity in protecting his colleagues from ungrounded criticism.
Article 17
The notary shall be respectful of his subordinates. In urgent matters, remarks to them in the presence of clients shall be made only in a tactful way.

Article 18
The notary shall constantly improve his qualifications, share his knowledge with less experienced colleagues and shall take part in developing methodological publications on the harmonisation of notary practice.

Article 19
The notary shall show care in keeping his seal, a symbol of powers entrusted to him by the state. In the event of the loss of the seal, he shall inform the Ministry of Justice and the Presidium of the Chamber of Notaries without delay.

Article 20
The notary shall always be loyal to his state. His loyalty shall be manifested by the following:
1) unbiased and objective application of the law, taking into account the will of the parties concerned and ensuring that state interests are not violated;
2) showing commitment in performing the functions of a notary, bearing in mind that conducting notarial acts is not a right and primarily the duty of a notary.

Article 21
The notary shall show respect for his former colleagues and shall help former staff of the notary office.

Article 22
In his private life, the notary shall avoid communication with persons of dubious reputation.

Article 23
The notary shall actively participate in activities of the Chamber of Notaries by meeting the requirements set forth in the Statute of the Chamber of Notaries and conscientiously discharging his public duties in elected bodies and commissions.
A notary tasked by the Presidium of the Chamber of Notaries to perform a function or task must discharge his duties using the best of his knowledge, abilities and experience.

Article 24
The notary shall adhere to the principle formulated by the International Union of Latin Notaries that without morality and honesty work in the notariate is impossible.

Article 25
The requirements of this code shall also apply to the representatives of notaries and candidates thereto (assessors).

Source: http://www.notarai.lt/?act=taktai (in Lithuanian)
TEACHERS’ CODE OF ETHICS

PURPOSE OF THE TEACHERS’ CODE OF ETHICS

The present Teachers’ Code of Ethics (hereinafter referred to as the TCE) shall establish the main norms of professional ethics,

- regulating relations between teachers and students and other members of the community of educational and training establishments;
- maintaining their human value and dignity;
- maintaining the quality of professional work of teachers and the honour of the profession;
- developing the culture of educational and training establishments based on trust, responsibility and justice.

Norms of the TCE shall apply to all the teachers of the Republic of Lithuania and all the staff of training establishments who work with children or youth.

SOURCES AND PRINCIPLES OF TEACHERS’ ETHICS

Norms of teachers’ ethics shall be defined on the basis of the general human and morality norms; democratic traditions of the Lithuanian school; constitutional provisions and legislation of the Republic of Lithuania; provisions of human rights and the rights of the child.

The basis of TCE norms shall be formed on the following key principles: humanity, justice, professionalism, responsibility, tolerance, democracy, partnership and solidarity.

MAIN NORMS

A. Teacher’s Personality

1. A teacher’s professional ethics require vocation, commitment to work and a sense of responsibility when performing his duties.
2. A teacher shall be demanding of himself and ambitious. He shall also be introspective, self-possessed and educate himself.
3. A teacher requires a constant upgrade of his knowledge. He shall take care of his education, upgrade of qualifications and look for better methods of work.

B. Responsibility

4. A teacher shall bear responsibility for the quality and results of the teaching (training) he is tasked to do.
5. A teacher shall bear responsibility for the physical, intellectual, emotional and spiritual protection of children placed under his supervision.
6. A teacher shall bear responsibility for the functions tasked and resources given by the administration.

3 In the interests of stylistic clarity, the masculine form is used in this document and is understood to designate both women and men.
C. Authority, Honour, Reputation

7. By his own conduct, a teacher shall uphold and guard the honour of this historical profession.

8. A teacher shall convey the cultural values of the nation and humankind to a younger generation and, to the best of his abilities, take part in cultural development processes. He shall not be allowed to engage in counter-cultural activities neither is his direct work nor outside the premises of the educational establishment where he works.

9. When communicating with his students and in all other cases a teacher shall be respectful, polite and discreet. He shall be aware of the etiquette required in every situation and shall abide by its rules.

10. The authority of a teacher shall be based on competence, fairness, tactfulness and care about his students. A teacher shall not create his authority in an indiscreet manner and shall not abuse it.

11. A teacher shall educate others by setting his own example. He shall not preach, shall not judge others or demand from them to abide by the rules which he is incapable of complying with himself.

12. A teacher shall have the right of personal privacy; however, his lifestyle should not undermine the prestige of the profession, distort relations with students and colleagues or otherwise interfere with his professional duties.

13. Abuse of alcohol and other intoxicating substances shall be incompatible with the profession of a teacher.

14. A teacher shall protect his reputation.

D. Relations with Other Persons

Teacher’s Communication with His Students

15. A teacher shall choose an appropriate style of communicating with students which is based on mutual respect.

16. A teacher shall be primarily demanding of himself. His strictness with a student shall be positive and well-motivated. A teacher shall always be moderate and self-possessed.

17. A teacher shall choose work methods that build up positive characteristics of his students and their interpersonal relations, including: independence, self-control, self-education, willingness to co-operate and help others.

18. While evaluating the conduct and achievements of students in marks, a teacher shall strive to build up their self-esteem and self-confidence, specify improvement possibilities and raise their motivation for education.

19. A teacher shall be unbiased, show equal good-will and be equally amiable with all students. If his evaluation groundlessly degrades the student, he shall try to rectify the mistake without any delay.

20. While evaluating achievements of students in marks, a teacher shall strive for objectivity and justice. He shall not be allowed to increase or decrease the marks
exercising his own discretion or, in an attempt to have artificially good results, correct mistakes of students during written examples or tests.

21. A teacher shall pay due care to the language he is using while communicating with students. His speech shall not contain swearwords, vulgar, rude or insulting phrases.

22. A teacher shall behave in a discreet manner. A teacher shall not be allowed to pass on to other persons information which the student confides to him personally, except for the cases established by law.

23. A teacher shall not abuse his position. He cannot abuse his students and require of them to render any services or other good offices to him.

24. For his work, including additional work, a teacher shall have no right to demand additional pay from his student. If a teacher engages in private practice, the conditions for his work remuneration shall be agreed upon in the beginning of his work and set forth in the agreement.

25. A teacher shall be tolerant towards the religious beliefs and political views of his students. He shall have no right to indoctrinate students with his personal views.

Relations between Teachers

26. Relations between teachers shall be based on collegial support, partnership and respect. A teacher shall guard the authority of his colleagues, as well as his own. He shall not degrade colleagues in the presence of his students or other persons.

27. Teachers shall avoid ungrounded and scandalous conflicts between themselves. If differences occur, they shall make attempts to solve them constructively.

28. Teachers of the same educational establishment shall avoid competition obstructing their partnership in performing common work. The inner link between teachers is their mutual support, assistance, openness and trust.

29. The obligation and right of a teacher is to assess the work performed by colleagues and the administration. It shall be prohibited to persecute a teacher for his criticism. Criticism should be internal, i.e. voiced among teachers within the educational establishment, rather than outside its scope. It shall be expressed face-to-face rather than behind someone’s back. A school or other educational establishment shall not tolerate gossip.

30. Criticism shall be expressed widely only if it receives no attention, if the administration starts persecution against the critic and it appears that a criminal act has been committed.

31. Criticism about the work of colleagues or the administration or assessing their actions, decisions, views and behaviour shall not degrade persons subject to criticism. Criticism shall be grounded, constructive, tactful, made in good-will and free of insults. The most important problems related to teachers shall be considered and solved in open and free discussions of teachers.

32. A teacher shall not cover up mistakes and offences committed by colleagues.
Relations with the Administration

33. An educational establishment shall be guided by the principles of freedom of expression and belief, tolerance, democracy and justice.

34. Educational establishments shall foster intercommunication based on mutual respect, good-will and consensus. Responsibility for maintaining such an atmosphere shall lie with the head of school or another educational establishment.

35. The administration of a school or any other educational establishment shall be tolerant about the variety of political, religious and philosophical views, tastes and opinions and shall create conditions to share views, negotiate and reach agreement. Different statuses of teachers, their categories of qualification and positions shall not become an obstacle for all the teachers to express their opinion and defend their beliefs on equal footing.

36. The administration shall not discriminate, ignore or persecute teachers for their beliefs or personal likes or dislikes. Relations of the administration with every teacher shall be based on the principle of equality.

37. The administration may not require or collect information about a teacher’s personal life which is not related to the work requirements.

38. Evaluation and decisions of the head of the school or another educational establishment shall be based on the actual merits of a teacher, real facts and shall be unbiased. Candidates for a higher category of qualification shall be chosen and supported irrespective of how close or obedient they are to the head of the administration.

39. Teachers shall be entitled to information received from the administration relevant to their work and the operation of the establishment. The administration shall have no right to conceal or slant the information having an impact upon the teacher’s career and work quality. The educational establishment shall make and disseminate decisions relevant to the community following the principles of openness and participation.

40. Intrigues, unresolved conflicts, doing harm to others, and disruption of the teachers’ community obstruct the educational establishment from performing its functions. The head of the school or another educational establishment who fails to resolve bitter and continuing conflicts should step down.

41. A school or another educational establishment shall cherish its reputation. If crimes or gross violations committed by teachers or responsible administrative staff become apparent, the head of the administration must resign.

Relations with Parents and Guardians of Students

42. A teacher shall give advice to the parents and guardians of students while trying to solve the problems related to bringing them up and shall cushion the conflicts between parents and children.

43. A teacher shall keep children’s opinion about their parents and guardians and vice versa in confidence. A teacher shall have the right to convey the opinion expressed by the person to another party only with the consent of that person.
44. Teachers shall show respect and goodwill in communicating with the parents of students. They shall not encourage parent councils to be offered hospitality or the like.

45. Relations of teachers with students’ parents shall not have any impact on the assessment of the child’s personality and achievements.

46. Relations of teachers with students’ parents shall not depend on the support of teachers or guardians to the school or another educational establishment.

E. Relations with Society

47. A teacher shall not only educate and train students but also educate the public, preserve its cultural values and be a decent and educated person.

48. A teacher shall strive to contribute to public concord. In public life, as well as private, he shall avoid conflicts, bickering and disagreements. He shall be ready more than others to foresee and resolve problems and differences and know how to deal with them.

49. A teacher is well aware of and performs his civic duties and social role. He shall avoid being exceptionally different yet he shall not conform to any environment, losing his identity.

F. Academic Freedom and Freedom of Speech

50. A teacher shall be entitled to using various sources of information.

51. While selecting and conveying information to students, a teacher shall adhere to the principles of objectivity, appropriateness and decency. Information shall not be slanted or its copyright changed.

52. A teacher shall exercise discretion is choosing educational activities and creating new ways of education as long as they are appropriate, professional and decent.

53. A teacher shall exercise his right of speech (written or oral) about the educational policy of school, local authorities or the state and about the actions taken by participants of education, yet his statements shall not be inaccurate, malicious or insulting.

54. A teacher shall not disclose confidential information used for internal matters of the school or another educational establishment.

G. Use of Information and Resources

55. Teachers and administrative staff shall be economical and efficient in using material and other resources of the school. They shall not use the property (premises, furniture, telephone, fax, computers, copying machines, other equipment, postal services, transportation, tools and materials) of the school or another educational establishment and their working time for personal needs. The exceptions in using the material resources and time shall be set forth in the rules of property protection of the establishment concerned.
H. Personal Interests and Self-exclusion

56. A teacher and the head of the school or another educational establishment shall be objective and unselfish. His official decisions shall not be influenced by his own personal interests or those of his family members, relatives or friends.

57. If a teacher is a member of the council, commission or working group which is due to make decisions that are of personal interest to him and hence he cannot be impartial, he shall inform the persons making the decision and refrain from voting or any other type of decision-making.

58. A teacher shall not represent his establishment in a case with another establishment, company or natural persons if he has any personal interests or accounts with the partners of the case and has personal interest in its outcome. He shall inform the head of the administration and persons considering the case about his private interest in relation to it.

I. Gifts and School Support

59. A teacher shall show integrity and strictly abide by the laws. Bribe-taking or bribe-giving shall not be compatible with the professional ethics of a teacher.

60. If a teacher sees the respect and willingness to thank him by students, their parents or guardians, he may accept their gifts of appreciation on certain occasions.

61. A teacher may accept gifts that (1) are given voluntarily, (2) do not and may not contain any intention of bribery, and (3) are rather modest, i.e. things made by students or their parents, their creative works, flowers, sweets, souvenirs or other inexpensive goods.

62. A teacher shall not make any hints, express wishes and shall not make agreements with other teachers to have them organise students or parents to make arrangements for such gifts to be given.

63. The head or a teacher of the educational establishment may accept from students’ parents any selfless support for the educational establishment. The public shall be informed about the provision of such support and those who provide the support shall be thanked publicly.

J. Employment and Promotion

While employing or promoting persons, the head of the school or another educational establishment shall be impartial. He cannot appoint a family member or a relative to be his deputy, head of a division or grant some other privileges.

64. A teacher may not pressure the administration to have as family member, a relative or a friend employed or promoted in the educational establishment where he works. When an appropriate decision is considered at the teachers’ sitting, he shall not participate.

65. It shall not be allowed to be remunerated in any form for employment, raising the category of qualifications, promotion, etc.

CODE OF PROFESSIONAL ETHICS AND CONDUCT OF POLITICIANS OF THE REPUBLIC OF LITHUANIA

SECTION I

GENERAL PROVISIONS

Article 1. Purpose and Goals of the Code of Professional Ethics and Conduct of Politicians of the Republic of Lithuania

1. The purpose of the Code of Professional Ethics and Conduct of Politicians of the Republic of Lithuania (hereinafter referred to as the Code) shall be to implement the constitutional principle of public authorities serving the people, improve democratic governance, strengthen public trust in public authorities, build up the responsibility of politicians for their actions and accountability to the public at large.

2. The Code shall set forth the principles of professional ethics and conduct of politicians of the Republic of Lithuania, the requirements and measures based on them, ensuring that professional ethics and conduct of politicians meet the requirements of the Code.

Article 2. Main Concepts used in the Code

1. Gift means any thing of material value, hospitality or other gain offered or provided to a politician free of charge or at unreasonably small cost when it is or is perceived to be of direct or indirect influence on his actions or decisions.

2. Conflict of interests means a situation where a politician when discharging his duties is obliged to or may make a decision, participate in decision-making or perform other actions in violation of public interests for the benefit of private interests or the private interests of persons close to him.

3. Politicians of the Republic of Lithuania (hereinafter referred to as politicians) mean:

   1) President of the Republic, members of the Seimas, Prime Minister, ministers, Chancellor of the Government, vice-ministers, mayors of municipalities, vice-mayors, and municipal councillors;

   2) persons registered as candidates for the post of the President of the Republic, members of the Parliament, mayors of municipalities, vice-mayors and municipal councillors;

   3) a former President of the Republic, former members of the Seimas, a former Prime Minister, former ministers, a former Chancellor of the Government and former vice-ministers within two years from the date on which they ceased to hold the aforementioned position;

   4) former mayors of municipalities, former vice-mayors, and former municipal councillors within one year from the date on which they ceased to hold the aforementioned position.
4. **Repeat violation** means violation of principles of professional ethics and conduct of politicians (Articles 4–12) within two years after violating one of the established requirements.

5. **Declaration of private interests of politicians** means provision of data about private interests of politicians to the Register of Private Interests of Politicians of the Republic of Lithuania.

6. **Register of private interests of politicians** means an accounting system of declarations and other data provided by politicians about their private interests.

7. **Persons close to a politician** mean a spouse, children, parents, and other persons related to the politician by property, personal non-property relations or consanguinity or affinity (Chapter IX, Part Four, Book Three of the Civil Code).

8. **Private life** means a politician’s personal life and activity unrelated to the politician’s professional activity and public life.

9. **Private interests** mean material or non-material interest of a politician or a person close to him which may be perceived as influencing the politician’s decisions in the discharge of his duties.

10. **Professional activity** means actions related to the duties of the politicians.

11. **Public life** means a politician’s conduct in public and his public activities, directly or indirectly related to his professional activity.

12. **Public interests** mean universally recognised goals and objectives of the Nation and the State that are in line with the legal and ethical norms as well as society’s interest in having politicians serve the people honestly, impartially and fairly.

13. **Damage to the public and state interests** means negative effect caused by a politician who violates the principle of professional ethics and conduct making persons suffer from material or non-material damage or there is other apparent violation of lawful interests of people, state institutions, business representatives, non-governmental organisations, as well as the state and the public.

**SECTION II**

**PRINCIPLES OF PROFESSIONAL ETHICS AND CONDUCT OF POLITICIANS**

**Article 3.** Principles of Professional Ethics and Conduct of Politicians

The main principles of professional ethics and conduct of politicians shall include:

1) integrity;
2) transparency;
3) honesty;
4) responsibility and accountability;
5) serving the public interest and refraining from abuse;
6) respecting the law and human rights;
7) impartiality and objectivity;
8) respect for persons;
9) setting an example.
Article 4. Integrity

Integrity shall comprise the following requirements:
1) in their professional activities, public and private life, politicians shall behave honestly, honourably, and refrain from degrading themselves, the nation, the state and its constitutional order;
2) politicians shall discharge their duties following the universally recognised norms of moral behaviour and shall be aware that they are expected to meet higher standards of conduct than other persons;
3) politicians shall refrain from participation in unlawful, dishonourable or immoral agreements and associations.

Article 5. Transparency

1. Transparency shall comprise the following requirements:
1) political activity, except for the case provided in paragraph 2 of this Article, shall be public, and conditions shall be provided for public monitoring, scrutiny and assessment of politicians’ speeches, actions and decisions;
2) requested by citizens and their organisations, a politician shall inform them about his rights and duties and provide them other information and explanations related to his decisions and actions;
3) a politician shall help persons to obtain information about them collected by the state authorities, except for cases when such information cannot be disclosed pursuant to the law;
4) a politician shall provide information to people about legal acts and bodies of the area he represents, help natural persons and legal entities learn about the rights of the latter and duties of the state authorities and public officials.

2. If he gains access to the information, in the course of his official duties, which pursuant to the law cannot be disclosed or disseminated, a politician shall have no right to use it in his personal life, against his political opponents or for the benefit of his own personal interests or the interests of other persons or groups thereof. This requirement shall also be effective after the politician leaves his post.

Article 6. Honesty

Honesty shall comprise the following requirements:
1) a politician shall receive the remuneration that is established by law and shall not obtain either directly or indirectly any other pay or gifts from persons who may be interested in certain actions or decisions of the politician;
2) a politician shall keep promises made, strive for the unity of word and action, shall not engage in fraud or deceit and avoid any dishonest means of gaining political advantage;
3) a politician shall not use any time dedicated for professional activity, work tools, financial and material resources provided by the state or municipality to satisfy his own personal needs or those of persons close to him.
Article 7. Responsibility and Accountability
Responsibility and accountability shall comprise the following requirements:
1) a politician shall perform his professional activities on the basis of personal responsibility for the outcomes of his decisions and activities, possible benefit and damage, short-term and long-term consequences;
2) a politician shall assume responsibility for his performance and shall not avoid it by alluding to joint decisions;
3) a politician shall be held accountable to the public, electorate, the state body he represents for his political activity, and he shall not destroy information about it and be ready to publicise it.

Article 8. Serving the Public Interest and Refraining from Abuse
Serving the public interest and refraining from abuse shall comprise the following requirements:
1) when developing, considering or making decisions or being engaged in any other political activity, a politician shall act solely in the public interest, he shall not use his position and influence for his own benefit or the benefit of persons close to him or those who have goals adverse to the public, he shall not use it for unlawful protection of his relatives, members of his political party, current and former colleagues;
2) a politician shall declare his private interests in a timely and accurate manner, he shall not create conditions for a conflict of interest to occur and if it happens, take measures to resolve it, giving priority to the interests of the state and society;
3) in discharging his duties, a politician shall not engage in commercial activities and shall not receive, directly or by impersonating others, any other additional remuneration, except for creative work;
4) a politician shall properly discharge his duties to the state and society, he shall develop, initiate and adopt legislation and other legal acts with regard to public needs, uphold the interests and aspire to the goals of the state and the public at large rather than short-term personal aims or those of a small group or political party.

Article 9. Respecting the Law and Human Rights
Respecting the law and human rights shall comprise the following requirements:
1) in his personal or public life, a politician shall act in accordance with the Constitution of the Republic of Lithuania, international treaties, laws and other legal acts and if confronted with violations of law by other persons, he shall take the necessary means to stop such actions and assess them;
2) without exceeding his powers, a politician shall play an active role in deliberating and adopting legal acts and aspire to have them in line with the universally recognised human rights, the Constitution of the Republic of Lithuania and international treaties;
3) a politician shall comply with the principle of separation of powers and shall not interfere with the judiciary;
4) in his speech, actions, suggested decisions, criticism of legal acts or state authorities, a politician shall not disregard human rights, undermine the state of Lithuania and its law, shall not foment legal nihilism in society and national or racial discord;
5) a politician shall exercise his powers to inform the public about human rights and ways to protect them; it shall not be allowed to uphold one’s position or improve one’s political situation by way of abusing people’s ignorance.

**Article 10. Impartiality and Objectivity**

Impartiality and objectivity shall comprise the following requirements:

1) a politician shall act objectively and abide by the principle of all persons equal before law; faced with different requirements of individual electors, political parties, interest groups, colleagues or other persons, a politician shall not make any ungrounded exceptions and he shall resolve conflicts putting state and public interests first;
2) when deliberating or adopting legal acts, appointing candidates to foreseen positions, confirming agreements or in other cases, a politician shall not defend his preconceptions with respect to an individual citizen, company, group of persons or an institution, and shall make decisions following clear-cut evaluation criteria, avoiding personal remarks, suppressing emotions and regarding the opinion of opponents, experts and non-governmental organisations as well as other objective factors;
3) if it is thought that the deliberated draft agreement, decision or legal act may enshrine corrupt motives or conditions for corruption to occur, a politician shall require that the draft be subject to anti-corruption review.

**Article 11. Respect for Persons**

Respect for persons shall comprise the following requirements:

1) a politician shall serve people within goodwill and in a tolerant manner, irrespective of their personal features, public status or class, he shall treat his colleagues and representatives of other institutions with courtesy, irrespective of their political views and party affiliation;
2) a politician shall hear people out and take all lawful measures to help them; he shall respond to the requests and suggestions of citizens and organisations;
3) in his speech, actions or suggested decisions a politician shall not discriminate against individual people or groups with regard to their sex, sexual orientation, age, race, religion, colour of skin, nationality, and marital status and shall take lawful measures to stop discrimination where it is noticed.

**Article 12. Setting an Example**

Setting an example shall comprise the following requirements:

1) in his professional activities, public or private life, a politician’s appearance, speech and behaviour shall be an example to others, and he shall abide by the universally recognised rules of conduct;
2) a politician shall care about the image of his institution and the whole country; he shall communicate with representatives of other nations and states showing due respect and honour and shall not undermine Lithuania;
3) a politician shall not show contempt for his colleagues, shall not insult or scold them and shall not use violence against them;
4) a politician shall not abuse alcohol, harass people, appear in public under the influence of alcohol and shall not swear.

SECTION III. ENSURING COMPLIANCE WITH THE PRINCIPLES OF PROFESSIONAL ETHICS AND CONDUCT OF POLITICIANS

CHAPTER ONE
CONTROL OF PROFESSIONAL ETHICS AND CONDUCT OF POLITICIANS

Article 13. Forms of Control of Professional Ethics and Conduct of Politicians
In the Republic of Lithuania, control of professional ethics and conduct of politicians shall take the following forms:
1) public control;
2) institutional (internal) control;
3) national control;
4) control of political parties and organisations.

Article 14. Public Control
When there is enough ground to assume that politicians have violated the Code, natural persons and legal entities, associations thereof, non-governmental organisations, and mass media shall have the right to bring such information for public scrutiny and address the bodies specified in the Code with a view to having such allegations examined and evaluated.

Article 15. Institutional (Internal) Control
1. Institutional (internal) control shall be carried as follows:
   1) the Seimas and the Seimas Commission on Ethics and Procedures shall control members of the Seimas, candidates thereto and former members of the Seimas enjoying the status of a politician pursuant to subparagraph 3, paragraph 9, Article 2 herein;
   2) the Chief Institutional Ethics Commission shall control ministers, the Chancellor of the Government, and vice-ministers as well as former ministers, a former Chancellor of the Government and former vice-ministers enjoying the status of a politician pursuant to subparagraph 3, paragraph 9, Article 2 herein; the Commission shall be set up and its regulations shall be approved in compliance with the procedure established by the Rules of the Chief Institutional Ethics Commission;
   3) professional ethics and conduct commissions of municipal councils shall control municipal councillors, mayors, and vice-mayors, candidates to those posts
and former municipal councillors, mayors, and vice-mayors enjoying the status of a politician pursuant to subparagraph 4, paragraph 3, Article 2 herein.

2. Institutional (internal) control of professional ethics and conduct of politicians shall be exercised and investigation of violations of the present Code shall be carried out as follows: with regard to members of the Seimas, in compliance with the procedure established by the Statute of the Seimas and Regulations of the Seimas Commission on Ethics and Procedures; with regard to ministers, the Chancellor of the Government, and vice-ministers, in compliance with the procedure established by the Rules of the Chief Institutional Ethics Commission; with regard to municipal councillors, mayors and vice-mayors, in compliance with the Operational Regulations of Municipal Councils and Rules of Municipal Professionals.

**Article 16. National Control Bodies**

National control bodies shall include:

1) Professional Ethics Council of the State Authorities of the Republic of Lithuania;

2) Chief Institutional Ethics Commission.

**Article 17. Professional Ethics Council of the State Authorities of the Republic of Lithuania**

1. The Professional Ethics Council of the State Authorities of the Republic of Lithuania shall provide recommendations as to the present Code and other legislation regulating issues related to professional ethics of state authorities and implementation thereof; it shall also make summaries of implementation of such legal acts and proposals concerning improvement thereof. The Council shall perform the functions established in the regulations, ensuring compliance with the constitutional principle of state authorities serving the people.

2. The Professional Ethics Council of the State Authorities of the Republic of Lithuania shall be comprised of people of impeccable reputation who do not enjoy the status of a politician or a civil servant. The composition of the Council shall be approved by the Seimas on the recommendation of the President. The procedure for selecting candidates to the Council shall be set forth in the regulations of the Professional Ethics Council of the State Authorities of the Republic of Lithuania.

3. The regulations of the Professional Ethics Council of the State Authorities of the Republic of Lithuania shall be approved by the Seimas.

**Article 18. Chief Institutional Ethics Commission**

1. Practical application of the principles of professional ethics and conduct of politicians shall be ensured, methodological support and expertise shall be provided by the Chief Institutional Ethics Commission.

2. The procedure of composition of the Chief Institutional Ethics Commission, operation thereof and the procedure for the approval of regulations thereof shall be established by law.
Article 19. Control of Political Parties and Political Organisations

Pursuant to the present Code and Article 2 of the Law on Political Parties and Political Organisations, political parties and political organisation shall established in the statutes thereof the ways of exercising control of professional ethics and conduct of politicians over the members thereof, as well as the means of deliberating statements about violations of principles of professional ethics and conduct of politicians and sanctions applied.

Article 20. Declaration of Private Interests of Politicians and the Register

1. Politicians shall be obliged to declare their private interests in compliance with the procedure established by law.
2. Politicians shall register their private interests with the Register of Private Interests of Politicians.
3. On the basis of declarations of private interests of politicians and verified data thereof, the Register of Private Interests of Politicians shall register and keep records of the following data on politicians and persons close to politicians: their assets, income, expenditures, gifts received and other material or non-material benefit when the amount thereof is subject to declaration in compliance with the law.
4. The Register of Private Interests of Politicians shall be established and administered by the Government.
5. The procedure of administration of the Register of Private Interests of Politicians, provision of data thereto and the use, filing and storing thereof shall be established by the regulations of the Register of Private Interests of Politicians. The regulations shall be approved by the Government, submitted by the Chief Institutional Ethics Commission.

CHAPTER TWO
INVESTIGATION PROCEDURE OF ALLEGATIONS OF NON-COMPLIANCE WITH PRINCIPLES OF PROFESSIONAL ETHICS AND CONDUCT OF POLITICIANS

Article 21. Stages of Investigation Procedure

Investigation of allegations of non-compliance with the principles of professional ethics and conduct of politicians shall be carried out in the following stages:
1) presentation of allegations of non-compliance;
2) verification of allegations;
3) adjudication.

Article 22. Presentation of Allegations of Non-compliance

1. If a politician has violated principles of professional ethics and conduct, every natural person or legal entity shall have the right to file a complaint (statement) with an appropriate investigation body established in the present Code.
2. Allegations of non-compliance shall also be considered information provided in reports of state and municipal bodies, non-governmental organisations, as well as in mass media, internet and other official or public information containing
allegations of non-compliance with the principles of professional ethics and conduct by the politician.

3. If the complaint (statement) was submitted by a person who works in the same institution as the politician, it shall be prohibited to disclose the identity of the complainant unless the latter gives written consent thereto.

**Article 23.** Verification of Allegations by Bodies of Institutional (Internal) Control

1. Allegations of non-compliance with the principles of professional ethics and conduct established in the present Code shall be verified as follows:
   1) the Seimas Commission on Ethics and Procedures shall verify allegations of violation with regard to members of the Seimas, candidates thereto and former members of the Seimas enjoying the status of a politician pursuant to subparagraph 3, paragraph 9, Article 2 herein;
   2) the Chief Institutional Ethics Commission shall verify allegations of violation with regard to ministers, the Chancellor of the Government and vice-ministers, as well as former ministers, a former Chancellor of the Government and former vice-ministers enjoying the status of a politician pursuant to subparagraph 3, paragraph 9, Article 2 herein;
   3) professional ethics and conduct commissions of municipal councils shall verify allegations with regard to municipal councillors, mayors, vice-mayors, candidates to those posts and former municipal councillors, mayors, and vice-mayors enjoying the status of a politician pursuant to subparagraph 4, paragraph 9, Article 2 herein.

**Article 24.** Powers of the Chief Institutional Ethics Commission

1. Upon receipt of grounded allegations about the non-compliance on the part of the President of the Republic or the Prime Minister or persons acting as them and enjoying the status of a politician pursuant to subparagraph 3, paragraph 8, Article 2 herein, the Chief Institutional Ethics Commission shall address the Board of the Seimas asking it to initiate the setting up of an ad hoc commission to investigate the allegation and shall submit its opinion to it.

2. Upon receipt of grounded allegations about non-compliance on the part of other politicians, the Chief Institutional Ethics Commission shall address the following bodies: the Seimas Commission on Ethics and Procedures to investigate the conduct of politicians referred to in subparagraph 1, paragraph 1, Article 23 herein; the Professional Ethics Commission of the Government asking it to investigate politicians specified in subparagraph 2, paragraph 1, Article 23 herein; and professional ethics and conduct commissions of municipal councils asking them to investigate conduct of politicians specified in subparagraph 3, paragraph 1, Article 23 herein.

**Article 25.** Deadline for Commencing Investigation and Consequences of Failure to Meet it

1. Investigation shall start not later than within ten days following the presentation of the allegations of non-compliance (submission or receipt of a complaint or a state-
ment). A decision about commencement of investigation or refusal thereof shall be communicated to the complainant. The Chief Institutional Ethics Commission shall also inform the latter about submission of the complaint (statement).

2. The Chief Institutional Ethics Commission shall investigate allegations of non-compliance and shall adjudicate itself if the Professional Ethics Commission of the Government and professional ethics and conduct commissions of municipal councils fail to respond within ten days to the complaint (statement) submitted by it or other persons. If there is no response to the complaint (statement) submitted by it or other persons from the Seimas Commission on Ethics and Procedures, the Chief Institutional Ethics Commission shall report it to the President of the Republic, the Speaker of the Seimas and the Professional Ethics Council of the State Authorities of the Republic of Lithuania.

3. If the omission of duties (failure to investigate) on the part of the ethics control commissions specified herein the rights of persons result in a violation of persons' rights, an action shall be lodged in compliance with the procedure of the Law on Administrative Proceedings.

Article 26. Adjudication

Adjudication with regard to allegations of politicians shall be made by the appropriate bodies which performed verification (Articles 23 and 24 and paragraph 2, Article 25 herein). Verification of allegations and the adjudication procedure shall be provided for, in compliance with the present Code, in the Statute of the Seimas, regulations of the Seimas Commission on Ethics and Procedures, the Chief Institutional Ethics Commission, the Professional Ethics Commission of the Government, professional ethics commissions of municipal councils and work regulations of municipal councils.

Article 27. Types of Adjudication

The body which verified the allegations shall adjudicate as follows:

1) not to verify allegations of non-compliance on the part of the politician as grounded;

2) to establish that the politician concerned has violated the principle of professional ethics and conduct referred to in the Code, yet bearing in mind the small significance of non-compliance, refrain from further investigation and do not impose a fine;

3) to establish that the politician concerned has violated one the principles of professional ethics and conduct established in the present Code and impose one of the possible fines and, where deemed necessary, make him assume one of the obligations established in paragraph 2, Article 28 herein;

4) to establish that a politician has violated one of the principles of professional ethics and conduct of the Code and impose one of the fines, if deemed necessary, make him assume one of the obligations established in paragraph 2, Article 28 herein, and address the Chief Institutional Ethics Commission with a request
to lodge an action with the court concerning the termination of the labour contract or the transaction or declaration thereof as invalid (when adjudication is not made by the Chief Institutional Ethics Commission);

5) to establish that a politician has violated one of the principles of professional ethics and conduct of the Code and impose one of the fines; if deemed necessary, make him assume one of the obligations established in paragraph 2, Article 28 herein; and lodge an action with the court concerning the termination and declaration as invalid of the labour contract or the transaction which was concluded in violation of the Code (when adjudication is not made by the Chief Institutional Ethics Commission).

CHAPTER THREE
LIABILITY OF POLITICIANS FOR NON-COMPLIANCE WITH THE PRINCIPLES OF PROFESSIONAL ETHICS AND CONDUCT

Article 28. Sanctions and Obligations

1. Failure to comply with one of the principles of professional ethics and conduct of politicians established in Article 4-12 herein shall result in one of the fines specified in Articles 31-39 herein.

2. In conjunction with a fine, a politician may be subject to an obligation, which differs depending on the type of violation, either to discontinue certain activity that contravenes with the principles of professional ethics and conduct or to perform certain actions.

3. Imposition of fines set forth in paragraph 1 of the Article herein shall not become a hindrance for competent authorities to take any other actions against the politician in cases and in compliance with the procedure established by law, as follows: removal from office, impeachment, criminal prosecution, administrative, civil actions or other disciplinary sanctions. Application of these sanctions shall not be considered a breach of *ne bis in idem* principle.

4. Imposition of a sanction for non-performance of a duty or an obligation shall not release the politician from performance of the obligation established by the principles of professional ethics and conduct and termination of activities prohibited by the principles. Failure to fulfil the obligation properly or to discontinue the impermissible activity shall mean that a repeat violation has been made.

Article 29. Mitigating Circumstances

Mitigating circumstance with regard to the politician’s liability shall include:

1) the politician has voluntarily, prior to adjudication, indemnified for the material or nonmaterial damage caused;

2) the politician publicly pleads guilty, regrets and apologises;

3) the politician co-operates during investigation to find the truth.

Article 30. Aggravating Circumstances

Aggravating circumstance with regards to the politician’s liability shall include:

1) the politician has made a repeat violation during one year;
2) the politician has publicly undermined the principles of professional ethics and conduct;
3) the politician has obstructed investigation, fails to submit the requested documents which are in his possession or provides misleading information.

Article 31. Sanctions for Violating the Principle of Integrity
Failure to comply with the principle of integrity (Article 4 of the Code) will result in the following disciplinary action:
1) a verbal or a written warning;
2) limitation of the politician's rights for up to two months without pay or a fine not exceeding the amount of 20 minimum subsistence levels (MSL) in the case of a repeat violation or substantial damage to the public or the state interests.

Article 32. Sanctions for Violating the Principle of Transparency
Failure to comply with the principle of transparency (Article 5 of the Code) will result in the following disciplinary action:
1) a verbal warning, if the politician has failed to comply with the requirements established in paragraph 1 of Article 5 of the Code;
2) limitation of the politician's rights for up to one month without pay or a fine not exceeding 10 MSLs in the case of a repeat violation or failure to meet the requirement specified in paragraph 2 of Article 5 of the Code;
3) limitation of the politician's rights for up to two months without pay or a fine amounting from 10 to 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

Article 33. Sanctions for Violating the Principle of Honesty
Failure to comply with the principle of honesty (Article 6 of the Code) will result in the following disciplinary action:
1) a written warning or limitation of the politician's rights for up to one month without pay or a fine not exceeding the amount of 10 MSLs;
2) limitation of the politician's rights for up to two months without pay or a fine amounting from 10 to 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

Article 34. Sanctions for Violating the Principle of Responsibility and Accountability
Failure to comply with the principle of responsibility and accountability (Article 7 of the Code) will result in the following disciplinary action:
1) a verbal or a written warning;
2) limitation of the politician's rights for up to two months without pay or a fine not exceeding the amount of 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

Article 35. Sanctions for Violating the Principle of Serving the Public Interest and Refraining from Abuse
Failure to comply with the principle of serving the public interest and refraining from abuse (Article 8 of the Code) will result in the following disciplinary action:
1) a verbal warning or limitation of the politician’s rights for up to one month without pay or a fine not exceeding the amount of 10 MSLs;
2) limitation of the politician’s rights for up to two months without pay or a fine not exceeding the amount of 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

**Article 36. Sanctions for Violating the Principle of Respecting the Law and Human Rights**

Failure to comply with the principle of respecting the law and human rights (Article 9 of the Code) will result in the disciplinary action:
1) a verbal or a written warning or, limitation of the politician’s rights for up to one month without pay or a fine not exceeding the amount of 10 MSLs;
2) limitation of the politician’s rights for up to two months without pay or a fine not exceeding the amount of 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

**Article 37. Sanctions for Violating the Principle of Impartiality and Objectivity**

Failure to comply with the principle of impartiality and objectivity (Article 10 of the Code) will result in the following disciplinary action:
1) a verbal or a written warning;
2) limitation of the politician’s rights for up to two months without pay or a fine not exceeding the amount of 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

**Article 38. Sanctions for Violating the Principle of Respect for Persons**

Failure to comply with the principle of respect for persons (Article 11 of the Code) will result in the following disciplinary action:
1) a verbal or a written warning, limitation of the politician’s rights for up to one month without pay or a fine not exceeding the amount of 10 MSLs;
2) limitation of the politician’s rights for up to two months without pay or a fine not exceeding the amount of 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

**Article 39. Sanctions for Violating the Principle of Setting an Example**

Failure to comply with the principle of setting an example (Article 12 of the Code) will result in the following disciplinary action:
1) a verbal or a written warning, or removal from the meeting room as well as limitation of other rights of the politician up to 1 month without pay or a fine not exceeding 10 MSLs;
2) limitation of the politician’s rights for up to two months without pay or a fine of 20 MSLs in the case of a repeat violation or substantial damage to the public or the state interests.

Source: [http://www3.lrs.lt/cgi-bin/preps2?Condition1=196440&Condition2=](http://www3.lrs.lt/cgi-bin/preps2?Condition1=196440&Condition2=) (in Lithuanian)
CODE OF ETHICS OF LITHUANIAN SOCIAL WORKERS

FOREWORD

The roots of social work in Lithuania lie in the harmonisation philosophy, religion and ideals of democracy. From the old times Lithuanians have possessed such characteristics as love of one's neighbour, patience, forgiveness, good neighbourliness, fellow-feeling, self-possession, equity, wisdom, hope, diligence, and empathy. These characteristics and values have helped them to respond to difficult challenges and to maintain national integrity. Social workers are committed to serving the people of Lithuania and they strive to develop their self-expression, improve their professional competence and contribute to public development.

The Code of Ethics of Lithuanian Social Workers shall be based on the following values:

- working for the good of the public;
- helping an individual and a family in solving their problems;
- striving for social justice.

The main idea underlying social work is protection of a human being as an individual and a value in itself and promotion of their self-determination and self-expression. The goal of this Code of Ethics of Lithuanian Social Worker is to give more ground to the general provisions of social work. This Code shall be assessed from the point of view of self-regulatory conduct on the part of a social worker.

ARTICLE 1. GENERAL PROVISIONS

A social worker shall seek to provide assistance to his client (a person or a group of persons, i.e. a client of services). With that aim in mind, a social worker shall:

- be an expert with a good professional background and exhibit morality;
- be constantly raising his qualifications and improving knowledge to excel at the values of social work;
- make his best effort in applying his professional knowledge and skills to implement the values of social work;
- seek the welfare of his client and put their interests above his own;
- speak against discrimination of people or groups of people and inhuman treatment thereof;
- be held responsible for the quality of services provided;
- be intolerant to the abuse of position and shall not abuse his client.

4 In the interest of stylistic clarity, the masculine form is used in these documents and is understood to designate women and men.
ARTICLE 2. SOCIAL WORKER’S ETHICAL RESPONSIBILITY TO THE CLIENT

A social worker of Lithuania shall respect the dignity of his client and his right to make a free decision. Guided by this principle, a social worker shall:
- recognise all persons requiring his assistance, irrespective of their age, sex, nationality, religion, political beliefs, skin colour, civil status, sexual orientation or other features;
- shall provide services and protect all clients, grounding relations with them on sincerity and dedication to them; showing interest in helping the client competently to deal with the difficulties of life;
- disclose and evaluate the client’s ability to solve the problems in his life independently;
- inform the client about the possible provision of assistance;
- provide full information to the client about the rights, opportunities and related duties of the latter;
- resort to the assistance of experienced specialists when this is in the interests of the client;
- discontinue his relations with the client, with the consent of the latter, when all the possibilities have been expended or when assistance is no longer necessary;
- not disclose confidential information about the client without the consent of the latter to third persons, except for the cases established by the legislation of the Republic of Lithuania;
- receive payment (fee) for the work performed only after making sure that it is correctly calculated and corresponds to the rates of social services approved in Lithuania and to the ability of his client to pay for the service;
- when conducting scientific research, think over its theoretical and practical importance; collect data about clients and other persons and use them only after making sure that persons involved in the research do so upon their free will and that they will be protected from any physical or psychological danger, stress or any other discomfort.

ARTICLE 3. SOCIAL WORKER’S ETHICAL RELATIONSHIP WITH COLLEAGUES AND OTHER SPECIALISTS

In discharging his professional duties, a social worker shall co-operate with other social workers and specialists of other areas. In this case, a social worker shall:
- respect the knowledge and experience of colleagues and other specialists;
- be loyal to them;
- responsibly deal with the matters of his colleague’s client;
- critically assess the conduct of colleagues who have violated ethical norms of a social worker.

ARTICLE 4. RELATIONS BETWEEN SOCIAL WORKER AND EMPLOYER

A social worker shall:
- strictly and honourably comply with the agreements and obligations to the organisation which hired him;
constantly improve the activities of his organisation and the efficiency of the assistance it provides; honestly and soundly use the organisation’s financial and material resources allocated for social assistance.

ARTICLE 5. SOCIAL WORKER’S ATTITUDE TOWARDS HIS PROFESSION
A social worker shall actively promote and protect his professional honour. With that in mind, a social worker shall:

propagate the meaning of social work, its goals, measures and ethics principles;
actively protect the significance and dignity of his profession if doubts arise concerning social work as a professional activity;
forestall any unqualified or unlicensed practice of social work;
object when unqualified, incompetent, theoretically and practically ungrounded information about social work is advertised seeking a market share or for any other reasons;
impartially follow the job description while performing an examination in another body of social work and assessing the work of his colleagues.

ARTICLE 6. SOCIAL WORKER’S ETHICAL DUTY TO THE PUBLIC
A social worker shall serve for the social welfare of the public. Guided by this principle, a social worker shall:

provide conditions for positive self-expression of persons, protection of their social guarantees and satisfaction of their personal needs;
make sure that representatives of national, religious, cultural and other minorities are provided the necessary social assistance;
act in developing opportunities for all clients to choose the necessary assistance;
initiate community social services and support service providers;
be familiar with the Lithuanian social policy, primary and secondary legislation and shall seek positive changes helping to improve social protection of residents and administration of social justice;
express his opinion about problems of social welfare via mass media.

The conduct of a member of the Lithuanian Association of Social Workers who has failed to comply with the principles and norms of the present Code shall be discussed at the Ethics Commission of the Group of Association. The Lithuanian Association of Social Workers may propose to the body of social work that the activities of their employee should be temporarily suspended and require from him a certificate proving that he has raised his professional competence.

CODE OF ETHICS OF LITHUANIAN JOURNALISTS AND PUBLISHERS

Fair and honest journalism is when a journalist exercises freedom of the press guaranteed by law, is aware of the role of mass media in modern society and assumes responsibility for his work. Unfortunately, under conditions of competition some means of mass media forget about the principles of objective journalism seeking one-day popularity and profit.

Therefore, we, participants of the general meeting of journalists, representing the Union of Lithuanian Journalists, the Society of Lithuanian Journalists, Lithuanian Radio and Television, the Association of Lithuanian Radio and Television, and the Journalists’ Centre of the Open Society Fund – Lithuania and abiding by the Constitution of the Republic of Lithuania, the European Convention on Human Rights, and the Resolution of the Parliamentary Assembly of the Council of Europe “On the Ethics of Journalism” adopt this Code of Ethics of Lithuanian Journalists and Publishers and promise to follow it.


I. Truth, Honesty, Decency

1. The ability to receive and disseminate information is one of the fundamental freedoms of an individual. Developers of public information should not consider it either their property or merchandise.

2. Respectful of the human right to access information, a journalist shall publish accurate news and a variety of opinions.

3. News shall be deemed to be the facts and data based on truth that might be established in accordance with appropriate means of verification and evidence.

4. Opinions shall be expressed by the journalist authorised by the editorial staff or any other individual publicising the notes and comments on general ideas and news. Although opinions inevitably tend to be subjective, the author must ensure that an opinion is presented honestly and ethically, without deliberate distortion of facts or data.

5. News and opinion should be clearly separated.

6. Respectful of the diversity of opinions, a journalist shall present as many opinions as possible of people who are independent of each other. This is particularly important when mass media addresses urgent, vague or contradicting issues of life.

7. A journalist shall assess his information sources in a critical way, scrutinising facts with due diligence on the grounds of at least several sources.

8. Journalists shall show solidarity in defending each other against persecution for criticism.

9. A journalist shall make his or her best efforts in collecting information from all the accessible sources making sure that it is fair, full and impartial.

10. Information shall be collected in ethical and legal ways.

11. Asking for information, a journalist shall introduce himself or herself, specify the editorial staff and his or her position, warn the individual that their state-
ments may be published in the media, except where officially inaccessible or hidden information is collected.

12. The journalist has no right to use pressure or offer any compensation in exchange for information to the source of information.

13. The journalist and publisher must assess the obtained information from the individual under stress or shock, who occurred in a helpless position or the individual who for the first time communicates with the representative of public mass media, with particular care.

14. The journalist should not use audio and video recording means for direct citing, if the individual providing the information is opposed to it or if he is under stress, shock or has obvious physical defects.

15. The journalist should identify the source of his information. For this reason he must obtain permission to refer to the informant’s name. If the source of information requests not to disclose his or her name, the journalist has no right to disclose it.

16. In preparing news for publication, the journalist has no right to supplement it with invented facts, to distort it or omit material facts.

17. The journalist shall distinguish the news necessary for public knowledge from that which satisfies human curiosity.

18. Disputable or insignificant facts or events should not be presented as sensational or as material matters.

19. Rumours and reports of anonymous informants should not be published, except in the case the news is of vital importance to the public and shall be presented as unverified.

20. The journalist and publisher shall not violate human rights and dignity.

21. The journalist shall not humiliate or mock the individual’s family name, race, nationality, religious convictions, age, sex or physical deficiencies even in the case when the individual has committed a crime.

22. Journalists shall not publish artificially distorted photo arrangements or untrue signatures under photos that might insult the portrayed individuals. The journalist shall not publish audio and visual arrangements that distort the ideas or facts of the informant. This provision shall not be applied to publication of caricatures, cartoons or comic plots.

23. The journalist should not publish critical works, the arguments of which are based on factual events of their life, by giving the impression that he is settling an old personal score.

24. On quoting a speech of any individual, the journalist shall attempt to retain not only its essence but also the manner of speaking.

25. The mass media shall correct any mistakes and inaccuracies it has made without delay that might insult particular persons, based on the demands of the insulted individuals.
26. In the event it becomes obvious that the information in any mass media contains untrue facts, the information shall be specified or erroneous facts denied immediately, by publishing them in an appropriate place in the next issue, radio or television program.

27. The criticised individual shall always have the right to justify himself or herself and to explain. If no such possibility exists, the public shall be informed of it.

28. It shall be necessary to announce the evaluations of the Ethic Commission of Journalists and Publishers.

II. Independence of Journalism and its Responsibility

29. The journalist shall not carry out assignments of any authorities, private structures or separate individuals and shall be engaged only in the assignments given by the managers of the mass media.

30. The journalist shall not have the right to accept gifts or free of charge travels, to go on paid vacations or to receive any other acts of benevolence that might affect his independence. If, in exceptional cases, the journalist travels free of charge (on business matters), he should state this fact in his work.

31. The journalist cannot receive any fringe benefits from anybody except his editorial board, a professional union, and non-profit public organisations.

32. People have the right to know the owner of the mass media and his or her economic interests.

33. The journalist and publisher shall not use professional information for their personal benefit.

34. Mass media shall clearly distinguish commercials, advertising, and ordered articles from the works of journalists.

35. It shall be forbidden to publish commercials by covering them with impartial information. The journalist shall not receive compensation for concealed advertising.

36. The journalist should consider if it is appropriate to use his name, image and voice for advertising, except in the cases when such advertising aims at humanitarian goals instead of commercial ones.

37. Not only mass media shall be free but its journalist shall also be free. He or she must refuse to perform an assignment given by the manager of the editorial staff in the event it contradicts national legislation, the ethics of the journalist, and his or her personal convictions. The journalist has the right not to undersign his work in the event it has undergone material changes without his consent and this resulted in distortion of the idea of the work and emerged ideas not belonging to the author.

38. The journalist shall have professional qualification.
III. Protection of Personal Honour, Dignity and Privacy

39. The journalist shall not have the right to publish facts about an individual's private life without his consent, except in the case they are related to a high-level official and these facts are important to the society or criminal actions are being fixed.

40. The journalist shall comply with the presumption of innocence. Only the courts shall have the right to accuse an individual on its enforced decision.

41. In case in the interest of society it is necessary to disclose the name of the individual who has committed a crime and afterwards the fact of the crime is not proved, the journalist shall immediately make this known.

42. The journalist and publisher shall not publish groundless, unverified accusations.

43. The journalist should not publish the names of victims, particularly in the case of sexual aggression.

44. The journalist and publisher should consider if it is worthwhile to publicise the names of delinquents even in the case their fault has been proved in a court of law.

45. It shall not be proper to publicise the names of individuals who committed minor crimes and have been lightly punished, except in the case when such individuals are high-level officials.

46. The journalist should not bring up an old crime committed by an individual who has served his sentence. This rule shall not apply to an individual in the event of undoubted recidivism and if this individual continues the work that was related to the serious crime he committed and claims a high position in the society.

47. The journalist should consider if it is worth publishing facts about family scandals.

48. The journalist and publisher should not overdo pictures of catastrophes, accidents or violence that might hurt the feelings of relatives as well as the sensitivity of readers and spectators.

49. The journalist should be particularly careful in publishing facts about suicides or attempted suicides, avoiding mention of the family names.

50. On publishing private letters, the consent of the author of the letter and addressee or their lawful inheritors shall be obtained.

51. The journalist shall not publicise medical information that has not been verified.

52. The journalist shall show particular respect to the rights of children and adults with physical or mental incapacity.
IV. Relations among Journalists

53. In their business relations journalists should maintain the balance between fair competition and professional solidarity.

54. The journalist should not impede his colleague from gathering information, intentionally mislead him or report him to the authorities.

55. Neither individual journalists nor separate editorial staffs shall settle old scores with each other via mass media. Such behavior does harm not only to their prestige but also to the prestige of their profession.

56. Plagiarism shall be deemed to be one of the most serious offences in the journalist profession.

57. The journalist should identify the primary source of information in the event he referred in his work to the facts used in any other author’s work even in the case he has not quoted them but adapted the work of the colleague.

58. The journalist should not work in mass media that tolerates the principles of dishonourable journalism or unfair competition.

59. The journalist shall not write about any other individual or sign the work written by him.

60. The journalist shall not have the right to offer his work to any other mass media without the agreement of the chiefs of the editorial staff.

61. In the event a freelance offers the same work to several editorial boards, he shall warn the latter about it.

62. The journalist shall keep in confidentiality secrets of the editorial staff that are not related to violations of laws and the Code of Ethics.

63. The journalist shall protect his professional honour and prestige.

http://www.lzs.lt/pagen.php?page_id=30 (in English, the text has been proof-read)
UNITED STATES OF AMERICA CODE OF ETHICS FOR GOVERNMENT
(Adopted on 11 November 1958)

Resolved by the House of Representatives (the Senate concurring), that it is the sense of the Congress that the following Code of Ethics should be adhered to by all Government employees, including officeholders.

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to Government persons, party, or department.
2. Uphold the Constitution, laws, and legal regulations of the United States and all governments therein and never be a party to their evasion.
3. Give a full day’s labor for a full day’s pay; giving to the performance of his duties his earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by the dispensing of special favors or privileges by anyone, whether for remuneration or not; and never accept for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.
7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
8. Never use any information coming to him in confidentiality in the performance of governmental duties as a means of making private profit.
9. Expose corruption whenever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

Source: http://www.nlpc.org/code.htm
UNITED NATIONS CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS
(Adopted by General Assembly Resolution 34/169 of 17 December 1979)

Article 1
Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

Commentary:
(a) The term “law enforcement officials,” includes all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention.
(b) In countries where police powers are exercised by military authorities, whether uniformed or not, or by State security forces, the definition of law enforcement officials shall be regarded as including officers of such services.
(c) Service to the community is intended to include particularly the rendition of services of assistance to those members of the community who by reason of personal, economic, social or other emergencies are in need of immediate aid.
(d) This provision is intended to cover not only all violent, predatory and harmful acts, but extends to the full range of prohibitions under penal statutes. It extends to conduct by persons not capable of incurring criminal liability.

Article 2
In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

Commentary:
(a) The human rights in question are identified and protected by national and international law. Among the relevant international instruments are the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide, the Standard Minimum Rules for the Treatment of Prisoners and the Vienna Convention on Consular Relations.
(b) National commentaries to this provision should indicate regional or national provisions identifying and protecting these rights.
Article 3
Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Commentary:
(a) This provision emphasizes that the use of force by law enforcement officials should be exceptional; while it implies that law enforcement officials may be authorized to use force as is reasonably necessary under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used.
(b) National law ordinarily restricts the use of force by law enforcement officials in accordance with a principle of proportionality. It is to be understood that such national principles of proportionality are to be respected in the interpretation of this provision. In no case should this provision be interpreted to authorize the use of force which is disproportionate to the legitimate objective to be achieved.
(c) The use of firearms is considered an extreme measure. Every effort should be made to exclude the use of firearms, especially against children. In general, firearms should not be used except when a suspected offender offers armed resistance or otherwise jeopardizes the lives of others and less extreme measures are not sufficient to restrain or apprehend the suspected offender. In every instance in which a firearm is discharged, a report should be made promptly to the competent authorities.

Article 4
Matters of a confidential nature in the possession of law enforcement officials shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise.

Commentary:
By the nature of their duties, law enforcement officials obtain information which may relate to private lives or be potentially harmful to the interests, and especially the reputation, of others. Great care should be exercised in safeguarding and using such information, which should be disclosed only in the performance of duty or to serve the needs of justice. Any disclosure of such information for other purposes is wholly improper.

Article 5
No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.
Commentary:
(a) This prohibition derives from the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly, according to which: “[Such an act is] an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights [and other international human rights instruments].”
(b) The Declaration defines torture as follows:
“... torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.”
(c) The term “cruel, inhuman or degrading treatment or punishment” has not been defined by the General Assembly but should be interpreted so as to extend the widest possible protection against abuses, whether physical or mental.

Article 6
Law enforcement officials shall ensure the full protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required.
Commentary:
(a) “Medical attention”, which refers to services rendered by any medical personnel, including certified medical practitioners and paramedics, shall be secured when needed or requested.
(b) While the medical personnel are likely to be attached to the law enforcement operation, law enforcement officials must take into account the judgement of such personnel when they recommend providing the person in custody with appropriate treatment through, or in consultation with, medical personnel from outside the law enforcement operation.
(c) It is understood that law enforcement officials shall also secure medical attention for victims of violations of law or of accidents occurring in the course of violations of law.

Article 7
Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts.
Commentary:

(a) Any act of corruption, in the same way as any other abuse of authority, is incompatible with the profession of law enforcement officials. The law must be enforced fully with respect to any law enforcement official who commits an act of corruption, as Governments cannot expect to enforce the law among their citizens if they cannot, or will not, enforce the law against their own agents and within their agencies.

(b) While the definition of corruption must be subject to national law, it should be understood to encompass the commission or omission of an act in the performance of or in connection with one’s duties, in response to gifts, promises or incentives demanded or accepted, or the wrongful receipt of these once the act has been committed or omitted.

(c) The expression “act of corruption” referred to above should be understood to encompass attempted corruption.

Article 8
Law enforcement officials shall respect the law and the present Code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them. Law enforcement officials who have reason to believe that a violation of the present Code has occurred or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial power.

Commentary:

(a) This Code shall be observed whenever it has been incorporated into national legislation or practice. If legislation or practice contains stricter provisions than those of the present Code, those stricter provisions shall be observed.

(b) The article seeks to preserve the balance between the need for internal discipline of the agency on which public safety is largely dependent, on the one hand, and the need for dealing with violations of basic human rights, on the other. Law enforcement officials shall report violations within the chain of command and take other lawful action outside the chain of command only when no other remedies are available or effective. It is understood that law enforcement officials shall not suffer administrative or other penalties because they have reported that a violation of this Code has occurred or is about to occur.

(c) The term “appropriate authorities or organs vested with reviewing or remedial power” refers to any authority or organ existing under national law, whether internal to the law enforcement agency or independent thereof, with statutory, customary or other power to review grievances and complaints arising out of violations within the purview of this Code.

(d) In some countries, the mass media may be regarded as performing complaint review functions similar to those described in subparagraph (c) above. Law en-
Law enforcement officials may, therefore, be justified if, as a last resort and in accordance with the laws and customs of their own countries and with the provisions of article 4 of the present Code, they bring violations to the attention of public opinion through the mass media.

(e) Law enforcement officials who comply with the provisions of this Code deserve the respect, the full support and the co-operation of the community and of the law enforcement agency in which they serve, as well as the law enforcement profession.

BIBLIOGRAPHY AND OTHER SOURCES

LITERATURE

SUPPLEMENTARY MATERIAL

LEGISLATION
INTERNET SOURCES

http://www.stt.lt – Special Investigation Service of the Republic of Lithuania. Information about Lithuanian anti-corruption legislation, international initiatives of fighting corruption and who to report to if you are extorted a bribe.

http://www.tils.lt/ – internet website of Transparency International’s Lithuanian Chapter (TILC). This Chapter was established on 6 June 2000 by the Open Society Fund-Lithuania. Anti-corruption news in Lithuania and the world, information about initiatives of the TILC.


http://www.greco.coe.int – internet website of a Group of States against Corruption (GRECO). GRECO was established in 1998, when a group of states signed the Criminal Law Convention against Corruption. It has already been signed by 15 countries. Lithuania signed it in 1999. GRECO monitors implementation of this legal instrument. This internet source contains information about GRECO’s anti-corruption initiatives, material of the meetings of member states, etc.

http://www.worldbank.org – internet website of the World Bank, an international financial organisation which pays a lot of attention to combating corruption.

http://www.oecd.org – internet website of the Organisation for Economic Co-operation and Development (OECD). The OECD puts major efforts and resources into reducing the level of corruption in the world.

http://vmc.ppf.ktu.lt/ – internet website of the Management Training Centre of the Panevėžys Institute of Kaunas Technological University. It contains information about general principles and requirements of public ethics the purpose of which is to ensure public trust in state authorities and promote the integrity of politicians and civil servants.
Corruption Studies in Higher Education Schools

Views, Problems and Possible Solutions
This methodological material has been developed pursuant to the National Anti-Corruption Programme of the Republic of Lithuania and under the project of the United Nations Development Programme, “Preventing Corruption through Education, Information and Consciousness Raising”.

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“Corruption Studies in Higher Education Schools: Views, Problems and Possible Solutions” is methodological material for teachers and students of higher education schools. This publication shows the result of the two-year project, “Preventing Corruption through Education, Information and Consciousness Raising”: discipline programmes and expanded plans of lectures reflecting the opportunities of anti-corruption education in the programmes of social science studies. The project, funded by the United Nations Development Programme and the Government of the Republic of Lithuania, was implemented following the provisions of the National Anti-Corruption Programme. The aim of the publication was to contribute to one of the key objectives of the Programme, i.e. “by various means promote intolerance to corruption (...), develop and incorporate anti-corruption curricula in the education system”.

The readers will be able to use the teaching programmes developed. In addition, they will find more information about corruption, its spread in Lithuania and the world, its manifestation in the system of higher education, the views of teachers and students towards corruption and the concept of corruption. At the end, it contains a glossary of the main terms, a bibliography and a list of other information sources.

All of this material is copyright works of the project participants. Each author developed their programmes in line with the requirements of the appropriate school, particularities and opportunities offered by the discipline taught. The project participants and authors of the programmes consider their work as a pilot and hope that teachers of other higher education schools and disciplines will use this publication to build new and original programmes and create their own models.

DAIVA PENKAUSKIENĖ

The Compiler
**Corruption Phenomenon**

**Introduction**

Recently, we have been hearing, seeing and almost involuntary feeling how corruption, some sort of mist, is covering every angle of our state and even courtyard. The question arises right away: is it an epidemic or another ambiguity of post-modern existence? In this case, the mass media, and television in particular, plays a key role. Almost every day we are informed about manifestation of corruption in various levels of state and private life. This shows that at present the topic of corruption is particularly relevant. The abundance of information and personal experience makes the Lithuanian population and business representatives agree that corruption is a huge obstacle for our state and business development. Paradoxically, asked about their readiness to give a bribe, the majority of the population and businessmen say “Yes” without giving it much thought (Lietuvos korupcijos žemėlapis 2004:13). Hence the question arises as to the definition and explanation of this multi-layer and even ambiguous phenomenon of corruption and the role played by the civil society.

The purpose of this article is to examine problems of the definition of corruption, to identify prospects for a theoretical analysis of corruption, to discuss diagnosis of corruption as one of the most effective ways of corruption control and prevention, and to explain the systemic view held by Jeremy Pope towards prevention of corruption and the role of civic society. Chapter One deals with the aspects of the definition of corruption and the role of legislation, public interest and public opinion in its definition. Chapter Two focuses on the analysis of problems that arise while trying to define corruption. Chapter Three looks at two theoretical perspectives. The first is held by Arnold Heidenheimer, one of the most influential researchers of corruption, who examines a variety of forms of corruption and performs a comparative analysis of them. The second is a view about the represented and the representative which explains what happens when the represented delegate their powers to the representative. Chapter Four deals with the diagnostics of corruption, which helps to identify vulnerable areas of this phenomenon and hence contributes to developing effective anti-corruption programmes. Chapter Five discusses the role of civil society and the systemic view of Pope towards prevention of corruption. Finally, there is a summary of all the insights discussed.

**Searching for a Definition of Corruption**

Norwegian scientists researching corruption say that this complex phenomenon should be examined in the multidisciplinary context (Andvig 2000:9), applying various theoretical models, performing surveys, and analysing separate cases and scandals.
of corruption in closer detail. In a broader sense, “the authors researching corruption and writing about it could be divided into three groups” (Heidenheimer 2002:6-7).

1. The majority of scientists use the definition of corruption provided in the Oxford English Dictionary, which is related to the concept of public duties.
2. Another group of scientists have formulated a definition of corruption which is based on the concept of need, consumption and exchange originating from economic theory.
3. The third group talks about corruption using the idea of public interest.

Defined simply, corruption is improper conduct of public officials. A non-governmental organisation Transparency International defines corruption as “the misuse of entrusted power for private benefit” (Pope, 2000, p. 1). It is one of the most common definitions of corruption in the world.

The following forms of corruption could be mentioned: bribery, nepotism, favouritism, clientelism, unlawful lobbying, unlawful appropriation and re-appropriation of public resources, illicit privatisation, collection of unlawful charges, tax evasion, vote buying, illicit funding of political parties, etc.

As previously mentioned, corruption is often described as improper or non-compliant with rules and standards conduct of civil servants. James Scott, professor of political science at Yale University, also shares the view that corruption is a deviation from certain standards and raises the question: “What criteria should we use to establish those standards?” (Gardiner 2002:29). Let us proceed by discussing legal, public interest and public opinion aspects.

The role of legislation in defining corruption

While answering Professor Scott’s question, one would naturally resort to the clear-cut criteria set in the legal instruments. For example, an action of a public official prohibited by law is considered unlawful, i.e. corrupt. Otherwise, such an action is not corrupt, even if its elements include abuse or violation of ethics. Lawyers appreciate such formally clear definitions. Obviously, both civil servants and ordinary citizens should be aware of such requirements or prohibitions.

Although legislation of different countries clearly defines corruption, James Scott is concerned about the following issues:

- Is it really true that what is lawful is always compliant with the norms of ethics?
- There is a threat that due to different legal framework identical actions in different countries will be understood in their own way.
- It is difficult to compare corruption in countries with different-sized public sectors (for example, in some places the majority of people work in the public sector and in other places they predominantly work in the private sector) (Scott 1972:5).
The Aspect of Public Interest in defining Corruption

Let us start with two examples presented by John Gardiner illustrating the problem of the legal definition of corruption.

- In Nazi Germany during World War II, Jews were forbidden by law to emigrate. If a passport inspector took DM 1000 from a Jewish family and approved its departure, could it be called ‘corruption’? The inspector would take money in exchange for an unlawful decision, but can it be considered corruption? Can we justify the inspector’s action? The majority of people would probably say that imposing stricter legislation for Jews was an evil and the above-mentioned disregard of the law, i.e. approving their departure, was an ethical act.

- The situation described above shows that unlawful actions are not necessarily corrupt and the second example illustrates the opposite situation, i.e. that lawful actions may be considered corrupt. In 1950-1960, when US towns were suffering from a crisis, the Congress developed an Urban Revitalisation Programme according to which state agencies recognised the land in the destructed zones as improper, demolished the buildings on it and sold it. Pursuant to that programme, the majority of land plots were “revitalised”. In most cases, the land belonged to poor people and representatives of racial minorities. In those places, new luxuries houses and institutions were built. Admittedly, public officials followed all the necessary procedures. Were these lawful actions corrupt? According to Scott, the Urban Revitalisation Programme was beneficial to middle and higher class people. Did this programme in fact help to solve economic problems in the towns? Obviously, poor people suffered and rich people became richer. It could be said that “this Urban Revitalisation Programme embodied corruption in the US political life.” (Gardiner 2002:31). On the other hand, it is not good to use the term corruption every time we talk about political processes offering unequal opportunities and benefits. The first example is not a highly disputable matter, whereas the second one shows different attitudes towards “corrupt practices”.

Hence the question arises, What, on the basis of these examples, could we say about the definition of corruption? Simply put, it is an action:

- causing damage to public interest corrupt, even if it is lawful?
- which is beneficial to society not corrupt, even if it is against the law?

Both examples, i.e. consequences of two official national documents, can be looked at both on the individual level (families trying to emigrate; residents whose houses were demolished) and the wider public level. To summarise, “consequences of corruption of public interests may be analysed separately from a number of aspects” (Gardiner 2002:32).

Analysis of corruption phenomenon is inseparable from the context of the political process. It is good to think that everything depends on legislation, yet it is worthwhile holding a critical view that corruption, like any other unlawful practice, weakens or even...
invalidates the objectives of legislation. Yet if we admit that lawmakers are able to develop bad laws, especially when they consistently ignore, as a state practice, the interests of a certain social group or pay no attention to public opinion, then we could claim that corrupt practices are inevitable. “This allows us to combine the public interest aspect with the definition of corruption” (Gardiner 2002:32). Such a combination is also not clear-cut and rarely associated with a single answer that satisfies all. Yet it allows important questions to be raised when assessing cases, situations and adopting decisions.

The role of public opinion in defining corruption

If there is an apparent gap between the definition of corruption contained in legislation and the perception of people, it may happen that civil servants will be more inclined to pursue the values cherished by the general public rather than follow the law. Besides that, according to Gardiner, effective anti-corruption actions are not possible or difficult to implement if there is a yawning gap between public opinion about corruption and its legal definition.

Prosecutors and investigators are aware that citizens concerned about corruption are more eager to:

• report crimes;
• co-operate while conducting investigations;
• vote for honest politicians and against swindlers;
• follow the laws and not offer bribes.

“Due to these reasons public opinion about corruption is rather important when talking about effective anti-corruption actions of law enforcement” (Gardiner 2002:33).

Problems in Defining Corruption

No matter how hard we think, it is obvious that while defining corruption we inevitably face difficulties. Theorists identify the following key problems:

• there is a difference between the way national legal instruments define corruption, its impact and the way it is perceived by the public;
• significant discrepancies occur due to the different ways in which various countries define and perceive the aforementioned problems (Gardiner 2002:25).

Further, the article will present some thoughts about different definitions of corruption. A classic definition was provided by Harvard Professor Joseph Nye, who said that corruption is “behaviour which deviates from the formal duties of a public role because of private-regarding (personal, close, private clique) pecuniary or status gains” (Nye, 1989:966). Some of the aspects of this definition are particularly important. The majority will agree that this definition highlights the element of public role. Corruption is possible only when a public official performs his public role. What about the pri-
vate-regarding mentioned by Nye? The author highlights abuse because of pecuniary or status gains. This definition talks about the money pocketed by public officials or their relatives, yet it ignores the cases of abuse when a public official seeks benefit for a political party, an ethnic group or similar to which the public official belongs. Another drawback of this definition is that Nye says that corruption is “behaviour which violates rules against the exercise of certain types of private-regarding influences” (Gardiner, 2002:26). However, it determines various interpretations of the spread of corruption in different countries. In some states, there are no formal rules regulating the conduct of civil servants; other states consider the fact that politicians and public officials may mix their official duties with private matters. Does that mean that certain actions in some countries fall within the limits of the formal definition of corruption provided by Nye and in others do not? That is the question raised by Professor Gardiner.

Another important category is the abuse of public power by public officials. It is probably impossible to define it exactly. Ken Gibbons, a political scientist from Canada, has identified actions which could be considered as “abuse of power”:

- a civil servant employs his relative in the civil service rather than a candidate with higher qualifications (nepotism);
- a political party which wins the elections removes from office all the officials who supported the opposition party (patronage);
- representatives of the legislature manage the resources of an iron ore company and vote for the draft law offering tax relief for similar types of companies (legislative conflict of interest);
- government officials use the knowledge and information they have to provide consultations to private clients (bureaucratic conflict of interest) (Gibbons, 1989:778).

Gibbons’ list could be expanded to include the following:

- concluding agreements with the government favouring friends and political supporters;
- lying to the mass media and the public;
- various other forms of funding political campaigns, etc.

To finish the category of abuse of power, it should be noted that the ambiguity in defining it is particularly relevant. Some forms of abuse of this kind are prohibited in certain countries. If this is true and if the second requirement of Nye’s definition is satisfied (i.e. the official obtains private-regarding gains), they can be considered equal to other forms of corruption. Even in countries where these forms of abuse are considered lawful, the actions and conduct of public officials are at least considered unethical and people show their discontent with them.

These are theoretical doubts concerning the definition of corruption. We could talk and discuss them extensively, particularly on the international comparative level.

We will proceed by discussing the possible theoretical analyses of corruption. The view of Arnold Heidenheimer is associated with the macro-analytical level, and the represented-and-representative model, with the micro-level theory.
Perspectives of Corruption Theoretical Analysis

Systemic view: Arnold Heidenheimer

The view held by Arnold Heidenheimer, a researcher of corruption, is one of the most influential. It is referred to when examining different sorts of corruption or performing its comparative analysis.

The basis of the concept of corruption used in the works of Heidenheimer is public service. Besides that, he uses public opinion surveys that help him to explain specific types of corrupt behaviour.

Heidenheimer examines the spread of corruption in different societies and makes forecasts about which type of corruption will be mostly apparent in a certain society. According to the types of relations of political commitments, the author divides societies into four groups:

- traditional family society (for example, the Montegran community described in the works by E. Banfield);
- traditional society of guardians and the guarded (owners and clients) (Sicilian and Greek communities which were explored by anthropologists J. Boissevain and J. K. Campbell);
- modern society of supervisors and subordinates (big American cities during the first half of last century);
- society of civic culture (mid-size American and British cities and their suburbs) (Heidenheimer 2002:143).

This model shows the spread of a certain political behaviour among civil servants and ordinary citizens that the Western elite define as corruption. It also allows us to make an assessment of how (strictly or tolerantly) a certain society or its elite regards behaviour which is officially regarded as corruption. Hendenheimer identifies the three types of corruption as follows:

- petty;
- routine;
- aggravated (Heidenheimer 2002:150-152).

This division is based on the criteria of frequency and scale of the spread of corruption; it also shows the effect of its spread in society and whether corrupt behaviour is customary in different systems of political commitments and relations.

Bearing in mind how the elite and general society evaluate certain activities in different political systems, Heidenheimer has divided corruption into three categories:

- black;
- grey;
- and white (Heidenheimer 2002:152).

Black corruption is actions which both the elite and the majority of the public consider as corruption. The in-between concept of grey corruption includes actions concerning which there is no clear opinion or it changes depending on whether citizens tend to think that such actions should be punishable or not. Certain groups, usually the elite, consider certain behaviour unlawful and seek it to be punishable, whereas the
other social groups think differently. The opinion of the majority is simply undefined. According to Heidenheimer, in cases of grey corruption, the elite usually show their discontent and the general public remain indifferent. White corruption, according to professor Heidenheimer, is a phenomenon when the elite and the majority of the public tolerate certain corrupt behaviour and actions targeted against them do not always receive active support from the two groups.

Having combined those types of societies and corruption, Heidenheimer says that in modern society of civil culture, cases of aggravated corruption are rare or simply non-typical and should be referred to as black corruption. In the remaining three types of societies the situation is quite the opposite: routine corruption occurs accidentally (except in cases when clients are committed for votes) and is described as black corruption. Cases of gift-giving and nepotism, if transactions are collective (for example, political party funding), are regarded as grey corruption. Petty corruption is also more frequent and is also regarded as grey.

A Swedish scientist, Andersson, says that when applying Heidenheimer’s corruption analysis model, one should bear in mind that the majority of corruption characteristics come from Southern Europe, America and Great Britain. This means that the hypotheses raised by Heidenheimer should be verified and the applicability of the theory expanded. A few years ago, Heidenheimer noted the impact of global changes. He said that with globalisation, the perception of corruption becomes more patchy and ambiguous. It means that the model describing black, grey and white corruption loses its strength in showing the true picture of corrupt behaviour.

To summarise, we should reiterate that Heidenheimer’s view is suitable both for comparative studies and case studies. One of the key advantages of the theory is that the author is not bound by the legal definition of corruption and that he looks at the wide perception of this phenomenon. This aspect allows us to explore different types of corruption. The disadvantage of this view is that the classification of the system is rather old-fashioned and there is insufficient regard to the context and the actors. Further we will discuss another view, where actors and information is the core.

**Micro-level: A Represented-and-Representative Model**

The core of this model lies in one of the branches of the exchange theory: in a theory of rational choice, which is attributed to the theories of maximum choice. Having regard to the economic prospects, a theory of rational choice analyses an individual’s strategic actions by which he or she seeks welfare or satisfaction of material needs. The focus is placed on the specific situation of the individual (for example, a corruptor) who is weighing the ‘pro’ and ‘against’ arguments.

The primary purpose of this model is to analyse the relations of employees and employers in the private sector. However, apparently it can also be applied in the public sector. The attitudes of the represented and representatives were used in research of the corruption phenomenon done by US scientist Rose-Ackerman, economists Klitgaard and Jain, and others.
The views held by the represented and representatives belong to the micro-level theory, which explains what happens when the represented delegate their powers to a representative. Representatives usually have the information or capacities which the represented lack. While choosing the model, it is worth remembering that the interests of the representatives and the represented should not necessarily coincide. “The problem with representation occurs when the interests or priorities of the represented and the representative differ, and also when the representative may obtain fuller or better information than the represented” (Andersson 2002:38). In certain cases, the represented, before or after delegating their powers, resort to defence.

In a modern democracy, a political system is described in terms of delegation of power to all levels of the government. Therefore, the key advantage of this theoretical perspective is the possibility of analysing the chain of powers. It also allows us to examine the reasons for strong and weak elements in the chain of powers. While exploring the process of delegation of powers, a few interesting questions are raised, as follows:

- Do the represented actually know that the representative holds the office prescribed for him?
- Is the representatives’ information about their activities correct?

Those questions make us think how representatives should report back to the represented and how should they be controlled by the represented so that the latter maintain their trust in the former. In this case, the determining factor is access to information. Usually the delegating party has less information than the party which is delegated the power.

Though subject to some criticism (Lambsdorff 2001:19), the theory of the represented and representative is becoming more and more popular in examining corruption. According to Andersson, questions determining the choice of individuals, as compared to institutional factors, should be considered distinct, yet they can support or explain the prospective goal. Corruption is not perceived as a result of a certain individual choice lying outside the boundaries of the context. On the contrary, in the decision-making process, social context is important. In corruption studies, the majority of represented-and-representative models have their antecedents in economic models. The first point of analysis is asymmetry of information, the rule of reward in mutual relations, decisions or choices among various types of prices: evaluation price, commitment price and losses.

The majority of represented-and-representative models are applied in public administration. While examining the danger zones of corruption in Sweden, Andersson applied the model to analyse the chain of delegation of powers and to identify the deficiencies of public administration. He said that while looking at the overall structure of the chain of delegations, apart from the potential benefit and price to a specific actor, the theory of represented and representative helps to better understand the danger zones of corruption and supplement the ways of studying corruption phenomenon oriented towards process and quality rather than quantity (Andersson 2002:42).
Corruption diagnostics

One of the most effective mechanisms of corruption control and prevention is corruption diagnostics, which helps to identify the most vulnerable areas of corruption and thus contributes to the development of effective anti-corruption programmes. Let us discuss the most prominent surveys of corruption conducted worldwide and in Lithuania.

International level
Corruption Perceptions Index
One of the key methods applied globally in diagnosing corruption is the Corruption Perceptions Index (CPI). Since 1995 it has been conducted annually by an international non-governmental organisation, Transparency International (TI). The CPI is a composite index based on surveys of business representatives and other experts. It is “a survey surveys”, grouping countries according to the spread of corruption within them. Based on the applied index, Lithuania fails to join the list of the “cleanest” countries scoring more than 5. In 2003, Lithuania scored 4.7 out of ten, ranking 41 out of 133 countries surveyed; in 2004, she scored 4.6, ranking 44 out of 146 countries.

Bribe Payers Index
Another survey of TI is the Bribe Payers Index (BPI), which was first conducted in 1999. The BPI provides information about:
• the propensity of multinational corporations to bribe;
• the business sectors most contaminated by bribery;
• the awareness of executives of major corporations overseas of the OECD Anti-Bribery Convention;
• the degree to which major corporations are enforcing compliance with the OECD Anti-Bribery Convention;
• the perceptions of unfair business practices used by firms to gain contracts.
The BPI represents perceptions of business leaders. In 2002, it was conducted in the following fifteen countries: Argentina, Brazil, Colombia, Hungary, India, Indonesia, Mexico, Morocco, Nigeria, the Philippines, Poland, Russia, South Africa, South Korea and Thailand.

These countries are involved in trade and investment projects with multinational firms. Lithuania was not part of the BPI survey.

Corruption in Enterprise-State Interactions in Europe and Central Asia
1999-2002, was presented in 2004. It describes trends of corruption over time and seeks to explain the changes which are occurring.

The first report was developed using the data of the 1999 survey of businessmen and company operations as well as interviews of more than 4,000 company owners and executives from 24 transitional countries (including Turkey) about corruption. The second phase of the survey took place in 2002, interviewing 6,500 company owners and executives from 26 transitional countries (including Turkey).

The survey groups countries according to the scale of *administrative corruption* (which is measured by the frequency of bribery) and *state capture* prevailing in them. The latter type of corruption, which has an impact upon the “rules of the game” of the state, is assessed according to its damage to enterprises.

Eastern and Central European states, as well as Armenia, suffer from a relatively low level of those types of corruption. In Lithuania, as in the Czech Republic and Estonia, the index of administrative corruption stands at 2.2 and state capture at 0.32 (Anticorruption in Transition 2, 2004).

**Other surveys**

In addition to the aforementioned surveys, it is worth mentioning *TI Global Corruption Barometer 2003* involving 47 countries and a survey conducted in late 2003 by the World Economic Forum which interviewed business leaders from 102 countries. On 9 December 2004, a new *Global Corruption Barometer* was published, conducted jointly by Transparency International and Gallup International.

All of these and similar kinds of surveys play a significant role in determining the spread of corruption on the international, regional and national levels. While this is an important positive characteristic, these surveys do not show the problems faced by specific countries. With this in mind, we will proceed by focusing on diagnostic surveys of corruption conducted in Lithuania and give an overview of their findings.

**National level**

**Lithuanian Corruption Map**

In 2001-02, Transparency International’s Lithuanian Chapter initiated the first diagnostic survey of corruption in Lithuania called the *Map of Corruption*. The sociological monitoring targeted two groups: Lithuanian residents and business representatives. The purpose of the survey was, based on national social surveys, to carry out institutional and geographical monitoring of the spread of corruption and identify the areas most vulnerable to corruption and Lithuanian institutions which are its hot spots. The latest *Lithuanian Corruption Map* was presented in November 2004.

The survey examined the following:
- the attitude of respondents towards corruption, its level and role in society;
- personal experience with corruption (bribery);
- sources of information about corruption;
- attitude towards anti-corruption measures.
It turned out that the specifics of the spread of corruption (and primarily its main form – bribery) in Lithuania cannot be determined by institutional monitoring alone. “Both Lithuanian residents and businessmen pay unofficially for specific services rendered and to representatives of concrete institutions. Such services may be provided by representatives of several institutions and the respondents are not always able to identify the institution which they paid unofficially.” (Korupcijos apraiškos 2004:6).

**More Comprehensive Surveys of Corruption**

In 2002, an *In-depth Survey of Corruption* was conducted to identify bribery mechanisms involved in performing important social life and business functions. The findings showed the importance of the survey and complemented the Lithuanian Corruption Map. In 2004, another survey, *Manifestation of Corruption on a National Scale in Selected Counties and Local Authorities*, was performed. It was initiated by the TI Lithuanian Chapter and the Special Investigation Service of the Republic of Lithuania. The purpose of the survey was to identify the level and means of effecting unofficial payments for important social services.

**Local Level**

With a view to identifying the attitude of residents towards corruption, determining its level and role in society as well as personal experience with corruption (bribery) at the local level, the TI Lithuanian Chapter is developing special methodology which allows measuring the spread of corruption in local authorities and the effectiveness of their anti-corruption efforts. It is due in mid-2005.

**Survey findings**

We will give an overview of the findings of corruption surveys recently conducted in Lithuania.

**Lithuanian Corruption Map 2004**

The social survey was conducted in March 2004, interviewing 1,015 Lithuanian residents and 1,047 businessmen on an anonymous basis. The representational surveys of Lithuanian residents and company managers were performed by a joint British-Lithuanian public opinion and market research company, *Baltijos tyrimai*. The survey findings were compared with analogous surveys of 2001 and 2002 (Corruption Maps of Lithuania 2001 and 2002). Analysis of the survey data and a follow-up report was developed by an expert of the TI Lithuanian Chapter, Aleksandras Dobryninas. The survey highlighted several key points.

**Opinion about the Scale of Corruption**

- As compared to the survey findings of 2001 and 2002, there were more company managers in 2004 who believed that corruption does not constitute a major ob-
stacle to business and that its scale remained the same or decreased in Lithuania over the last five years.

- In 2004, there were fewer people who saw institutions such as the Government, the Seimas, courts, and non-governmental organisation as “very corrupt”. However, there were more respondents who considered the President’s Office and the mass media as ‘very corrupt’.

- Lithuanian residents and businessmen still claim that a bribe helps to solve problems and two-thirds of the respondents were prepared to give one. However, as compared to 2002, there were many more company managers in 2004 who thought that a bribe does not help to solve problems and thus refused to give it.

- The year 2004 saw further growth in the role of television, identified by the respondents as the main source of information about corruption.

**Experience**

- Representatives of business enterprises give bribes in the following institutions most frequently:
  - traffic police;
  - customs;
  - state tax inspectorate;
  - town and regional authorities;
  - vehicle technical inspection centres (experience of company managers).

- Residents mostly give bribes to the following bodies:
  - out-patient departments;
  - local and national hospitals;
  - traffic police;
  - vehicle technical inspection centres.

As compared to 2002, the 2004 survey showed a significantly smaller number of bribery cases reported by respondents.

**Bribe demands, initiative and effectiveness.**

Company managers were mostly asked to give a bribe and most frequently gave it to traffic police officers. Bribes were identified as the best “facilitators” in customs. Residents were mostly asked to give a bribe and gave it in national hospitals. Their bribes proved to be the most ‘effective’ in vehicle technical inspection centres.

**Anti-Corruption Potential**

- Both residents and business representatives think that more responsibility lies with the bribe-taker;

- The absolute majority of company managers and residents have not given a bribe in recent years for of the following reasons:
they managed to solve their problems without it;
- it was not desired.
Refusal to give a bribe because it is illegal was mentioned by only nine per cent of company managers and three per cent of residents. Another 18 per cent of company managers and 12 per cent of residents said that bribe giving is against their principles.
- Both company managers and residents are more in favour of preventive rather than criminal anti-corruption measures.

Survey ‘Manifestation of Corruption on a National Scale in Selected Counties and Local Authorities’
This social survey of Lithuanian residents was conducted in March 2004 by a public opinion and market research centre, Vilmorus. It included 3,026 Lithuanian residents, aged 18 and above, from 18 towns and 56 villages. The respondents were interviewed at home. The statistical error of the survey findings did not exceed 1.8 per cent, with 95 per cent reliability. The data were analysed and the report was developed by Mr. Dobryninas. The survey highlighted several key matters.

Opinion about the Spread of Corruption
Compared to the findings of the 2002 survey, the number of those who witnessed widespread corruption in Lithuania decreased. However, almost two-thirds of the respondents were still pessimistic about its scale. According to Lithuanian residents, corruption is rampant in all areas of public administration, undermining the trust in our state held by both citizens and foreigners.

Causes of Corruption
Lithuanian people think that corruption is caused by the following:
- lack of responsibility and accountability of public officials and other civil servants;
- lack of moral responsibility of public officials and other civil servants;
- weak legislative framework.

Unofficial Payment for Services
Unofficial payments are mostly spread in health establishments, traffic police and bodies that provide services related to the examination and decision taking concerning requests of restoration of title to the remaining real estate.
To summarise the ‘techniques’ used, most payments are given to middle level officials; the most popular form of unofficial payment is cash; the initiators of these payments are people themselves who act in this way usually following their own opinion or the opinion of others.
The survey findings show that Lithuanian people would be willing to make those unofficial payments in the future if they were to solve similar kinds of problems.
In summarising the survey findings, corruption remains rampant. Apparently, the majority of residents and businesses are determined to give a bribe “if need be”.

Theorists say that citizens intolerant of corruption are more inclined to report crimes of corruption and help investigate them. The electorate disapproving of corruption choose to vote for honourable politicians rather than swindlers. Finally, values of citizens and their perception of corruption determine their own behaviour: to bribe or to act in accordance with laws. More and more often, as one of the key corruption control and prevention methods, strengthening of civic society is mentioned. Therefore, we should look once again at the anti-corruption potential of Lithuania and think what we should do to promote higher intolerance of corruption by Lithuanian citizens.

Involvement of Civic Society

Anti-Corruption Potential Today

Attitude towards Corruption

While conducting the 2004 survey Lithuanian Corruption Map, residents were asked which of the attitudes listed mostly correspond to their opinion. Apparently, the majority of the respondents agree that corruption is a major obstacle or simply an obstacle in public life (See Fig.1).

![Bar chart showing residents' attitude towards corruption from 2001 to 2004.](image)

**FIG. 1.** Residents’ Attitude towards Corruption (2001-2004, %)
Information Sources

The Lithuanian Map of Corruption allows us to see public views and attitude towards corruption and what their experiences are while confronting corruption practices. Most often, people make their judgement about various phenomena from what they have read about it, heard or seen in mass media. Yet the latter tends to undermine or hyperbolise the majority of social problems, including corruption. The main sources of information for Lithuanian people about corruption are shown in Fig. 2 below. The obvious leader is television, followed by experiences shared by friends and acquaintances. Lithuanian residents have lost their trust in the national press telling them about the corruption situation.

**FIG. 2. Sources of Information about Corruption (2001-2004, %)**

Bribery Experience

As mentioned before, mass media tend to underestimate or overestimate the majority of social problems. Therefore, the opinion of residents about corruption formed by television does not necessarily reflect the reality. A weightier argument is this respect would be experience *with corruption* on the part of residents. Lithuanian residents were asked whether they had given a bribe in the last five years (See Fig. 3 below).
FIG. 3. Distribution of answers given by residents to the question about their bribe-giving experience in the last five years (2001-2004, %)

The survey results showed that 36 per cent of Lithuanian people had given a bribe in the last five years. We should also bear in mind that sometimes residents were victims, i.e. a bribe was demanded of them, and in other cases they were initiators, i.e. they were interested in moving away the obstacles confronted in a non-legal and the fastest possible way. The number of citizens who said they had not given a bribe increased and the number of those who gave no response decreased.

Further, the residents who refused to give a bribe where asked to state the reason (See Fig. 4).

FIG. 4. Distribution of answers given by residents to the question why they refused to give a bribe (2004, %)
The majority of people claimed that they had never encountered a situation where a bribe was demanded of them. One-third of residents simply managed to solve their problems without bribes. However, moral principles were mentioned by only 12 per cent of Lithuanian residents. Another figure looks even more threatening, as only three per cent of people respect the laws.

As we know, the law prescribes liability both for the bribe-giver and the bribe-taker. Only one-fourth of the respondents see both parties as equally liable. One-half of the respondents are certain that the liability of a bribe-giver is greater (See Fig. 5 below). Perhaps this is the reason why the number of people willing to give a bribe hasn’t been decreasing for a number of years (See Fig. 6 below).

![Fig. 5. Distribution of answers given by residents to the question about the greater burden of liability in case of bribery (2004, %)](image_url)

![Fig. 6. Distribution of answers given by residents to the question about their attitude towards bribe-giving (2002 and 2004, %)](image_url)
It appears that *every sixth citizen of Lithuania is determined to give a bribe “if need be”*. They continue to think that bribes help to solve problems. The actual anti-corruption potential, i.e. people who would not give a bribe because of their respect for the law or morality, accounts for *about 15 per cent*. That is the reality as seen by citizens who care. What can we conclude? One of them is to look at the findings of public surveys. Lithuanian residents do not trust the legislative government, political parties, do not particularly trust law enforcement and other authorities, i.e. those pillars of the government which are supposed to serve the public interest, ensure public security and well-being. Thus a natural question arises: What shall we do about it?

**Role of Civic Organisations**

Corruption prevention and control involves civil society groups, which are becoming more and more active. One example is a non-governmental organisation, Transparency International (TI), established in 1993 in Berlin. TI has developed a simple code of conduct based on work done by the International Chamber of Commerce and the United Nations. The government of Ecuador and TI applied the code to public officials and private companies taking part in public contracts (Klitgaard 2000:13). Companies promised they would not give bribes and public officials promised they would not demand or take them. Companies are interested in others abiding by the same principle. The companies which signed the Code of Ethics can also regulate the operation of other companies and, if necessary, ensure that the latter are subject to punishment or other means of investigation.

It shows that international organisations like TI and other international bodies such as the World Bank, the Organisation of Economic Development and Co-operation and the United Nations, whose work is to stimulate intolerance towards corruption and pursue anti-corruption activities, offer various ways of preventing corruption. One of the most appreciated undertakings today is *strengthening civic society*.

Corruption researchers say that the success of various reforms and the effectiveness of anti-corruption programmes depend on a strong and mature civic society that does not fear changes. Corruption control will not be effective if the total responsibility for the cure of this social illness is left to the state authorities or other responsible bodies to deal with and if civil society refrains from becoming actively involved in the process.

One of the first ideologists of TI, Pope said that civic society has the competence and powers to pay attention to public problems, including corruption. Therefore, the real role of civil society is to *claim and defend its own core values, and not leave this integral function to those in power* (Pope, 2000, p. 133-135).

Looking through the eyes of ordinary citizens we see that corruption raises concern, increases the sense of insecurity and undermines community values. Therefore, it is essential to gather together citizens who are not indifferent to openly and clearly showing their intolerance towards corruption. What concrete actions could they take? Here are some examples of corruption prevention taken in Hong Kong:
1. Establish an independent *Commission of Concerned Citizens* to share their ideas, concerns and proposals.

2. Involve *people that are respected and known to the public* in corruption control. Interest them and encourage them to be active; appoint them as advisors or independent evaluators on anti-corruption matters.

It is equally important to:
- emphasise the importance and public benefit of *whistleblowers* performing their duty as citizens in reporting corrupt practices;
- raise awareness about transparency as a public value and talk about it.

We can see in the concept of the National Integrity System introduced by Pope that society’s values and public awareness are the foundation of a corruption prevention system.

**Holistic Approach towards Corruption Prevention**

Jeremy Pope, a founding father of TI, while presenting the concept of the National Integrity System, also presented a holistic viewpoint towards corruption as a phenomenon. It is oriented towards prevention rather than punishment. Describing the “national integrity system, the author identifies eleven elements” (Pope 2000:35) (See Fig. 7 below): legislature, executive, judiciary, auditor-general, ombudsman, watchdog agencies, public service, media, civil society, private sector and international actors.

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**Fig. 7.** A National Integrity System
As seen from this picture which looks like a Greek temple, there are three round balls: “sustainable development”, “rule of law” and “quality of life”. The temple is built on the foundation of “society’s values” and “public awareness”. If public awareness is high and values are strong, both will support the “pillars” which rest on them. However, if the public is apathetic or if the values are widely lacking, the foundations will be weak and the “pillars” will be empty and ineffectual. Pope notes that although these “pillars” are interdependent, they may be of different strengths. If one pillar weakens, an increased load is thrown onto one or more of the others. If several pillars weaken, their load will ultimately tilt, so that the round balls of “sustainable development”, “rule of law” and “quality of life” roll off, crash to the ground and the whole edifice collapses into chaos. (See Fig. 8 below).

FIG. 8. Collapse of the National Integrity System

One must consider that the pillars shown are different in different societies: some of them are stronger, others weaker. However, there is always a balance. For instance, “In Singapore, insufficient freedom of speech is outweighed by intrusive and active anti-corruption agencies” (Pope, 2000, p. 36).

Pope says that the National Integrity System is constructed not just of institutional pillars, but also of core rules and practices. These rules and practices comprise the toolkit underpinning various institutions. The absence of core rules and practices are clear
indicators of weakness. They are not confined to any single pillar, for example, that the state control is accountable to society, that mass media provides access to information, that the legislature ensures fair elections, that ombudsmen deal with complaints and feedback, that anti-corruption and other watchdog agencies deal with implementation of legislation, etc.

According to Pope, the institutional pillars together with the rules and practices comprise a basic National Integrity System. This systemic approach unlocks a new form of diagnosis and potential cure. The concept of National Integrity suggests that instead of looking at separate institutions (e.g. the Judiciary) and measures applied by them (e.g. criminal punishment), we should create autonomous programmes and implement independent reforms. Pope urges us to look at the following:

- inter-relationships;
- inter-dependence; and
- combined effectiveness.

Conclusions

It the end it is worthwhile reiterating that recently corruption researchers and practitioners have been paying a lot of attention at the following two types of corruption control and prevention:

- corruption diagnostics;
- strengthening civil society, encouraging it to declare and defend its most important values.

Emphasis is placed on the systemic attitude towards corruption control and prevention which is seen as combined effectiveness in a holistic approach, inter-dependence and inter-relationships. The phenomenon of corruption is analysed and explained no longer in a subject matter of law and criminal justice, but also in a wider political, social, economic and cultural context. It is also worth mentioning that:

- there are many definitions of corruption;
- while defining corruption, various aspects of it are identified – public service, public interest, need, exchanges, etc.;
- difficulties arise when corruption as a legal concept does not coincide with its perception of society because legal bases are different for different countries, etc.;
- theoretically, micro and macro possibilities of analysis exist, allowing exploration of different types of corruption or performance of their comparative analysis (a systemic view) and explanation of the consequences of delegating power (an attitude of the represented and representative), etc.

The theoretical and empirical insights discussed in this article open up new aspects of corruption as a multifaceted phenomenon and promote further theoretical and empirical studies of corruption, looking at it from the perspective of time and space and bearing in mind its ever changing and more sophisticated forms.
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NATALIJA RUMIANCEVA
TAXONOMY OF CORRUPTION IN HIGHER EDUCATION

Introduction

Corruption has become a widespread phenomenon in higher education institutions in countries of the Commonwealth of Independent States (CIS). Both formal, (WorldBank, 2002, 2003) and informal, reports posit that bribes are increasingly necessary to gain admission into university programs, as well as to obtain high marks for academic achievements. Diplomas and dissertations are available for purchase and academic mentors charge their students for consultations. Corruption in higher education is not limited to the CIS region. According to the evidence presented by The Chronicle of Higher Education, corruption in academe is a worldwide phenomenon (2002). Developing countries appear to stand out on this measure; however the developed ones are not immune to it either.

Flourishing of educational corruption has a negative impact on society. It undermines public trust in higher education, exacerbates the quality of education, prepares unqualified young professionals and teaches them distorted values and culture. The media, student testimony, and a limited body of research on educational corruption (World Bank, 2002, 2003) suggest that corruption in education may be a far reaching occurrence. Despite the serious consequences that educational corruption forces on society and its possible pervasiveness around the world this observable fact only recently started to gain the attention of educational researchers. Although significant progress is observed in the field, insight into the structure and processes of educational corruption is still limited.

Similar to other contributions, the goal of this paper is to increase the awareness of the educational research community about the existence of educational corruption and its far reaching consequences for higher education and society. In addition, this paper attempts to gain new insights into the aforementioned problem by developing a new taxonomy of educational corruption. If a general understanding of the structure of corruption in the educational sector, as well as agreement on their definition and identification can be reached, then the issue can be addressed more effectively in the future.

Definition of corruption

How does one define corruption? Contemporary literature gives multiple definitions of corruption, all of which take into account one or another particular aspect but none can account for its complexity. As a result, some definitions are limited and only
applicable in a narrow range of cases. The opposite also occurs when the definitions become too broad and as a result useless (Waite & Allen, 2003). Additional research and scholarly discussion is essential to develop a better understanding of corruption. In the short term, however, use of multiple definitions illuminating different aspects of the phenomenon appears to be an acceptable solution for the analysis of the educational corruption.

The most commonly used definition of corruption is the “abuse of authority for material gain” (Anechiarico & Jacobs, 1996). A similar definition of modern corruption is described as a violation of the legally established barriers that exist between public office and private interests or as an abuse of authority for private gain (Nye, 1967). The obvious virtue of this definition is that it provides a starting point for analysis of corruption by explicitly mentioning the separation of public and private interests. An alternative definition of corruption is the exchange of wealth for power, where the power is rooted in a public position (Jain, 2001). This definition may be expanded by adding the possibility of exchanging power for power as a form of corruption. This paper draws on both definitions of corruption and applies them to education related corruption.

Corruption in the public sector is a widespread occurrence around the world. The media often reports cases of corruption in various countries and social subsystems, including police, customs, political system, courts and business. Corruption has also become a subject of multiple research studies. Substantial efforts have been made by scholars of corruption who tried to understand the costs of corruption in customs (Larmour & Wolanin, 2001), police (Bouza, 2001), political systems (Kotkin & Sajo, 2002); and more specifically, effect of corruption in one public sector (e.g. political) on other public sectors (e.g. health and education) (Gupta, Davoodi, & Tiongson, 2000), and adverse consequences of corruption on economic development (Theobald, 1990). Some interesting studies try to identify the antecedents of political corruption (Fjeldstad, 2003).

The educational system is not immune to corruption, and limited evidence suggests that corruption may be a widespread incident in this sector. The Chronicle of Higher Education and Transparency International regularly reports facts and testimonies on educational corruption in different countries. For a review of cases of educational corruption around the world see Rumyantseva (Rumyantseva, 2002).

Corruption in higher education deserves attention for many reasons, but in particular because of the negative impact it has on society. For example, analysis of newspaper articles and TV news programs about countries in the CIS region implies that corruption in higher education undermines employers’ and general public trust in the country’s colleges and universities. Many employers in Russia and Ukraine explicitly state in job advertisements that only graduates from certain universities are welcome to apply. The locals explain: this is because they do not trust other institutions due to corruption. When it applies to professional certification, corruption in education can
be detrimental to public health and safety by allowing incompetent doctors, teachers and other professionals, who have purchased their grades or licenses, to practice. Furthermore, it undermines the sources from which countries select future leaders when it interferes in the selection process in higher education. It diminishes the effectiveness and quality of higher education and inhibits access for the poor. As reported in the study conducted by the World Bank, the correlation between perceptions of quality and corruption in education in Kazakhstan is -0.27 and correlation between access and corruption is -0.25 (World Bank, 2003).

Corruption distorts civic culture by scarring the reputation of fairness normally associated with an educational establishment and breeding a culture of cynicism about the nation and its claimed civic virtues. When higher education is corrupt, young people come to believe that cheating and bribing is an acceptable way to advance their careers. Corruption undermines incentives that motivate young people to work hard, while teaching them that there are easier ways to achieve success. In essence, educational institutions characterized by corruption weaken, rather than strengthen, a nation’s social cohesion (Heyneman, in press). Despite its negative impact and pervasiveness, corruption in education has remained a neglected research topic; scholars of higher education only recently began exploring this issue.

**Corruption in Higher Education**

Corruption in higher education may take multiple forms and permeate all areas of the system. Heyneman (in press) (Heyneman, in print) provides an overview of the categories of corruption in higher education and distinguishes between corruption in selection, corruption in accreditation, corruption in procurement, professional misconduct, and corruption in educational property and taxes. Chapman (Chapman, 2005, in press) provides a broad classification of corruption in secondary and higher education, which breaks down various illicit activities into groups by the level of occurrence and type of activities. To summarize, Chapman’s classification suggests that corruption occurs in the following level of educational system: Ministry of Education, region/district, school level, classroom/teacher level, international agencies. It manifests itself through the following activities: favoritism in procurement, favoritism in personnel appointments, ghost teachers, selling admissions and grades, private tutoring, skimming from project grants to name a few. Waite and Allen dedicate an article to corruption in educational administration, where they provide several examples of such corruption (Waite & Allen, 2003). In his overview of corruption in academe Altbach (Altbach, 2004) distinguishes between professorial corruption and corruption in examinations. The first category includes favoritism in hiring and promotion while second category includes paying bribes for examination grades. Janashia (Janashia, 2004) describes corruption in higher education in the Republic of Georgia that occurs
in admissions, regular examinations, and in the process of private tutoring. According to some anecdotal evidence “the price for university admission may range anywhere from $200 to $10,000, depending on the prestige of a university department and a student’s qualifications” (Janashia, 2004). Bray (Bray, 2003) raises the issue of supplementary private tutoring as a possible subset of corrupt activities. He brings the fact that supplementary private tutoring is an issue widespread in East Asia, Africa, and Eastern Europe.

Every article on educational corruption reviewed here formulates recommendations on how to reduce the level of corruption in education. In the present paper, I argue that any suggestions may be premature and misleading it is made before the complexity of the structure of educational corruption is thoroughly understood. Developing a deep and solid understanding of the structure of educational corruption is necessary for building strong theories on its potential causes and regulatory mechanisms. This paper intends to expand upon the existing understanding of educational corruption by developing a new taxonomy to better describe this phenomenon, and to distinguish qualitatively between different types of corrupt activities. In other words, this taxonomy acknowledges the complexity of educational corruption by qualitatively deconstructing corruption, rather than recognizing it as simply one large phenomenon. This method seeks to identify categories of corruption that are unique to education, as well as isolate those that are common to education and other public sectors. The usefulness of such a classification is based on the idea that understanding a particular type of corruption provides more insight regarding its causes and consequences. Therefore, by distinguishing between conceptually different types of educational corruption this taxonomy serves as a starting point for future studies on its antecedents, consequences and policy recommendations on anti-corruption measures. In addition, a new classification may become a starting point for the development of vocabulary on educational corruption that will facilitate future discussion and research on in this area.

**Taxonomy of corruption in higher education**

What is unique to educational corruption? Does it deserve special attention or can it be viewed as a subset of corrupt practices common to any public sectors? Perhaps the best way to answer these questions is to analyze the consequences of corruption in higher education on society by comparing them to outcomes of corruption in other public sectors. Chapman (2005, in press) distinguishes two different types of consequences of educational corruption. First, educational corruption leads to waste of the financial resources. This is similar to corruption’s consequences in other public sectors. Second, costs of educational corruption are incurred when children are denied access to schooling because of corruption in admission, when misallocation of talent occurs as a result of bribery in examinations and tracking process, when propagation of cul-
ture of corruption, manipulation and favoritism among the new generation of citizens occur as they personally participate in corruption. This type of consequences is not common to just any public sector. On the contrary, these consequences are interwoven with essential functions of higher educational system and therefore, the corruption that produces them is education specific.

Education is the public sector that possesses the greatest ability to influence the destiny and success of society’s youth. It is perhaps the only public sector that has the greatest influence upon the young’s values and beliefs about good and evil, right and wrong, legal and illicit. Moreover, higher education has strong influence on the selection of the elite and thus, the nation’s future leadership. The importance of these functions of higher education for the well being of society is tremendous. When corruption interferes with the core tasks of higher education it tends to undermine the welfare of society by ultimately affecting its youth.

Does educational corruption always interfere with the core functions of the educational system? Does any type of corruption directly affect a student’s opportunities in life, or change his/her values and beliefs? An affirmative response will perhaps be an unreasonable exaggeration. Some types of corruption, primarily those occurring in administrative or ministerial levels (Chapman, 2005, in press), may prove harmful for system’s financial wellbeing or accreditation status; but it may be too remote from the students to directly affect their values, beliefs and opportunities. I argue that, the corruption that most profoundly affects the student body tends to involve them directly.

As a result of this discussion two types of educational corruption emerge: corruption that involves students as agents and has direct affect on their values, beliefs and life chances and corruption that does not involve students as agents and has limited direct affect on them. To clarify these definitions consider the following two hypothetical scenarios. Situation 1: A faculty member demands a bribe in exchange for a grade or admission to a university. Consequences: The student faces two choices. If the student cannot pay, then his/her chances of acquiring a university degree are threatened, or the student receives an unfair grade that does not properly reflect his/her knowledge. If the student pays for a grade, it puts him/her in an unfair comparative advantage over other students and develops a belief that there is no need to study to get a good grade. Both of these choices have the potential to mislead a possible employer, grant giving agencies and other parties interested in students’ merit. Ultimately, the result of this situation damages low income students’ future opportunities and nurtures the belief in all students that academic success may be purchased and hard work is a worthless investment.

Situation 2: An administrator embezzles school funds. Consequences: Public funds are not used effectively and the overall amount of resources available to the university has diminished. This type of corrupt activities influences students through the damages done to the institution’s finance. Fewer scholarships may be available to students or the quality and/or quantity of essentials such as books, technology or equipment
available to students may diminish. Although the effect on students is present, it is indirect and is realized through various mediating factors. Figures 1a and 1b provide visual representation of the two types of corruption and its effect on students.

**FIG. 1.** A model of effects of educational corruption with student involvement on students

### Educational corruption that directly involves students

The remaining discussion on taxonomy of corruption is focused upon corruption that involves students as agents that will be termed from now on as *education specific corruption*. Although identification of a subset of corrupt activities that involve students as agents of corruption is a useful tool for analysis, it does not provide sufficient precision in definitions. Students may be involved in many different subcategories of education specific corruption. A student may be asked for, or voluntarily offer, to pay a bribe to a faculty member for a grade or in order to pass an exam; a student may be coerced by an administrator to pay a “fee” for a good grade on a number of examinations (this may be paralleled with cases when a student seeks an administrator’s help to obtain satisfactory grades); or a student may be asked to pay a bribe to a librarian for the right to borrow a book. Depending on the participants involved in education specific corruption, I distinguish between the following types of educational corruption: student–faculty exchange, student–administrator exchange, student–staff exchange. Examples of all types can be found in Table 1.

*Student–faculty exchange* occurs in the classroom, admissions (this is especially pertinent to educational systems where faculty are involved in admission process), examinations, and routine tests. Material gifts, money and favors get exchanged for grades and other academic achievements. By definition participants in this exchange are students and professors. The exchange may be either student driven or professor driven.

*Student–staff exchange* occurs in the area of student services such as in the library, in the student dormitories, the acquisition of transcripts, and gaining access to student benefits (stipends or scholarships, discounted tickets for recreational events, etc.). Material gifts, money and favors are exchanged for favors to obtain access to student services. By definition the participants involved in this type of corruption are students and members of the staff. It may be student driven or staff driven.
Student-administrator exchange may occur both in academic and service areas. By definition the participants are students and administrators. The objects of exchange are academic achievements and privileges in using student services and receiving favorable treatment of the administration. The currency of exchange may be money, gifts and favors. When an administrator charges a student for a guaranteed admission into the university, we say that an exchange occurred in the academic area of the university. When an administrator charges a student for a guaranteed spot in a university dormitory (this is especially relevant to the countries where dormitory access is limited) this is classified as corruption occurring in the area of student services. Full taxonomy of corruption in higher education is presented in Figure 2.

Although it may seem at first that the last category is an extension of the first two, it is in fact different. Student-administrator exchange clearly sets aside the cases of corruption that are mediated by administrators as opposed to those initiated by professors or staff members. Cases involving a faculty member deciding to take a bribe in exchange for an undeserved grade raise issues regarding norms of academic profession as well as formal and informal codes of conduct (Goode, 1957) and professional misconduct (Braxton & Bayer, 1999). Cases involving the coercion or invitation to collaborate of a faculty member by an administrator to give an undeserved grade demand a discussion on administrative ethics, quality of leadership and distribution of power between administrators and professionals. A similar (but not identical) distinction may be drawn in cases when administrators bypass, coerce or collaborate with staff members on education specific corruption. Although both staff and administrators violate the law when engaged in corruption, involvement of an administrator indicates the depth of penetration of corruption in the organization and decayed leadership of the university. It is clear that this distinction has consequences for future studies in educational corruption as well as choices of intervention mechanisms.

FIG. 2. A model of effects of educational corruption which does not directly involve students
Three types of education specific corruption possess similarities that allow for re-grouping them into two categories based on the area where exchanges occur. First, student–faculty exchange and some cases of student-administrator exchange occur in the area directly related to academic activities. These cases might be grouped into a category termed *academic corruption*. On the other hand, student–staff and some cases of student-administrator exchange occurs in the area of student services and may be termed *corruption in services*.

**Educational corruption that does not involve students as agents**

Corruption that does not directly involve students is demonstrated by the following examples: corruption in procurement, corruption in hiring, and the misuse of public funds for private purposes to name a few. These will be described as *administrative corruption*. The importance of understanding this type of corruption cannot be emphasized enough due to the consequences it tends to bear on educational systems. It is likely to lead to financial waste and misallocation of resources. At the same time, administrative corruption is qualitatively different from corruption involving students in a way that it is not education specific. Unlike corruption unique to education, administrative corruption does not imply direct student contact with illegal activities. It affects students indirectly. In this respect, it resembles corruption in public and private enterprises (e.g. politics, banking, state oil companies). Administrative corruption has gained substantial interest in the literature and has been a primary focus of research in this area.

**Conclusions**

Corruption in higher education is a worldwide occurrence and is particularly common in developing countries. It has detrimental consequences on the quality of education, the student’s morals, the future opportunities for students, and quality of future leadership. Even though corruption is widespread, the issue has not gained substantial attention by scholars in the field of higher education. As a result, the complexity of educational corruption has not been fully addressed in the literature. However, understanding the nature and the structure of corruption in higher education is essential if any research is to be done in this area.

This paper builds on the available literature and author’s knowledge to build a new taxonomy describing corruption in higher education by distinguishing education specific and general (administrative) corruption. Five overlapping subcategories were identified within education specific corruption depending on the participants involved in the act of exchange and the area of its occurrence. Different types of cor-
Corruption may require different theoretical and methodological approaches if research is to be conducted on educational corruption. This taxonomy deconstructs educational corruption and serves as a tool for further research.

**TABLE 1**

<table>
<thead>
<tr>
<th>Type of corruption</th>
<th>Example</th>
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<tbody>
<tr>
<td>Student–faculty exchange</td>
<td>Student offers money for examination grade and professor accepts and gives a good grade although the student does not know the subject.</td>
</tr>
<tr>
<td></td>
<td>Faculty member sells a student a term paper.</td>
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<tr>
<td></td>
<td>Professor gives a low grade to a student who knows the subject and recommends private tutoring. Later he/she passes the student regardless of how much the student learned.</td>
</tr>
<tr>
<td>Academic corruption</td>
<td>An administrator “helps” a slow learner to obtain good grades in all subjects by ordering relevant faculty members to do so. Of course, student pays an administrator a “service fee”.</td>
</tr>
<tr>
<td></td>
<td>Administrator charges student’s family a fee for guaranteed admission to his/her university.</td>
</tr>
<tr>
<td>Student–administrator exchange</td>
<td>Administrator charges a student a fee for guaranteed access to the university hostel bypassing the official waiting period.</td>
</tr>
<tr>
<td>Corruption in Services</td>
<td>A librarian charges student a fee for the right to borrow a book, when the number of copies of this book is limited.*</td>
</tr>
<tr>
<td></td>
<td>An administrative assistant charges a student for transcripts that are supposed to be free of charge.*</td>
</tr>
<tr>
<td>Student–staff exchange</td>
<td>Dormitory staff member charges a student a fee and promises him/her the accommodation in the dormitory without official waiting period.*</td>
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**Bibliography**


CORRUPTION IN HIGHER EDUCATION SCHOOLS OF LITHUANIA: VIEWS, PROBLEMS AND POSSIBLE SOLUTIONS

“Corruption is a social phenomenon more or less characteristic of all societies. Its scope can be reduced but so far no one has managed to eradicate it completely,” we often read in analytical literature and statements of organisations fighting corruption. Comprehensive comparative research shows that Lithuania is still among the countries which face big corruption problems. Is this malignant phenomenon characteristic of higher education schools in our country? The latest quantitative studies undoubtedly prove that. As revealed by the study initiated by the Lithuanian National Union of Student Representations, 33% of the respondents admitted to having bribed teachers. According to the data of Spinter research, the same was stated by 40% of the respondents. The numbers are striking and for many – primarily the administrations and teachers of higher education schools – must be very unpleasant. This is proved by the feverish and categorical response of many higher education schools to the research data. Professedly, the research methodology is not perfect, the respondents’ answers are biased, etc. Certainly social surveys (which are not carried out by saints) are often characterised by errors related to selection of the respondents and reliability of data collection but corruption is still an obvious fact in the life of higher education schools. Various reasoning intended to downgrade this problem encourages us not only to question whether higher education schools are determined to eliminate manifestations of corruption but first of all to ask whether they are even ready to admit them. And maybe for some school staff and students corruption is no problem? To analyse those hypothetical questions the Modern Didactics Centre implementing the project on Preventing Corruption through Education, Information and Consciousness-Raising initiated quantitative

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1 For more information see the research reports of Transparency International on Lithuania at http://www.transparency.lt
3 Questionnaires to teachers of higher education schools. As corruption is a latent phenomenon loaded with negative emotional and institutional implications, the choice was made in favour of a targeted, or so-called available-case, survey of respondents. Although it does not provide for statistical significance parameters and is limited to descriptive statistics, it still allows discussing prevailing trends in the phenomenon in question. Moreover, the choice of targeted selection was also determined by limited research resources. The total number of respondents was 90 teachers from 10 higher education schools (7-12 respondents from each school). The data collected was processed using the SPSS/10 statistical data package.
and qualitative research to discuss the analysis of the corruption concept in higher education schools. The qualitative research data also has a partially quantitative dimension because repeated answers of the respondents are to be valued as a widely represented opinion. The research results bring better understanding of the attitudes of teachers and students and their position towards corruption and at the same time allow forecasting possibilities of preventing this phenomenon. Below is a brief presentation of the research results and conclusions.

**Relation of Higher Education Schools with Corruption**

According to the data of questionnaires, corruption, as expected, is one of the most latent phenomena in higher education schools and teachers feel quite uncomfortable when openly evaluating it. This is seen from the fact that the larger part (two-thirds) of the respondents have heard about or faced corruption in their higher education school but any information about it is usually spread indirectly and informally: through conversations with students (44%) or colleagues (42%) but not by the administration or, for instance, the school press. In assessing corruption in higher education schools, the respondents are undoubtedly influenced by the mass media – it has been the source of information about corruption in other higher education schools for five times as many respondents as those who learn about corruption in their own school.

The interview data supports the latent nature of corruption which was highlighted in the questionnaires – speaking openly about it, documenting its manifestations or all the more talking about personal relation to it is quite tricky for many respondents, even if the survey is anonymous. In general the answers of both teachers and students are quite similar but students are more open. In some cases feedback from teachers and students of the same higher education school was essentially opposite: while the students stated that corruption existed, the teachers denied it. Interviews highlighted a tendency that private higher education schools demonstrated a more open view of this phenomenon. Some of the answers showed that private schools devoted sufficient attention to prevention of corruption both in the process of establishment as well as in the course of their activities later. One could consider that higher education schools in a competitive environment have more prominent undertakings as regards prevention of corruption.

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4 Semi-structured interviews with teachers and students of higher education schools. Those interviews are based on open questions which are elaborated on and specified during the interview. This method allowed collecting qualitative information important for disclosing the diversity of the notion of corruption among representatives of higher education schools. The data collected was divided (nominated) into certain groups. The total number of interviewees was 20 teachers and 25 students from 25 higher education schools (seven of them were non-public schools).
Notions of Corruption in Higher Education Schools

According to the data obtained from questionnaires, one could assume that in the teachers’ opinion corruption is now not among the most important problems in higher education schools. Many think that in other schools it is somewhat higher (27%) than in their own school (19%). Having regard for the level of corruption in higher education schools captured by quantitative research, such an opinion shows that some members of the academic community underestimate the impact of this malignant phenomenon. Such an opinion could also have been determined by the fact that the respondents often narrowed corruption to direct bribery and, for example, offering and selling personal publications to students or small gifts given to teachers prior to examinations were not regarded as manifestations of corruption.

The interview data shows that a certain share of both teachers and students follow quite a relativised notion of corruption without clearly defined limits. Small gifts (including small amounts of money) given at the students’ initiative or help to relatives of colleagues are often (and again primarily in public higher education schools) seen as a part of human relations. One respondent stated, “Is perfume at an examination or 50 litas corruption? What corruption? It’s ridiculous.” There are more opinions like that:

“In my opinion, corruption is huge financial flows, wheeling and dealing with them, and gifts or sometimes even helping to enter may be regarded as human help.”

“Corruption is gifts which are provoked, demanded but not initiated by students.”

“Gifts are not corruption.”

“Depends on the value of the gift.”

“Corruption and bribery – who knows if these are one and the same thing. I associate corruption with a decision taken by a public official which depends on a bribe. Teachers have no such opportunities.”

“I have to pay for any certificate obtained at a public institution and resitting for an examination is not chargeable. So why should a box of chocolate given by students be regarded as corruption?”

“In the sense I understand it, there is no corruption in higher education schools. Maybe if the boss asked to give someone a better score, I would hold it as corruption. In this case the one corrupted would be the boss, not me.”

The teachers who formulated the opinions quoted above should be seen as subjects of corruption spread in higher education schools. However the administration of higher education schools seems to be not yet mature enough to fundamentally evaluate the responsibility of such employees.

On the other hand, about half of all answers reveal the categorical attitude of some teachers to the phenomenon in question without any reservations – corruption is any gifts, customer relations, blackmailing of students, distribution of publications, favouritism and privileges. Here are some of the examples:
“I view any gifts as an attempt to influence the teacher. If the teachers forces students to buy his or her publications, it’s corruption. Teachers may look for contacts seeking personal benefits – I also see this as corruption.”

“An attempt to bribe a teacher with gifts, money, cheques, discounts, offering services, inviting to events. Where those events are attended by students themselves, this, of course, is not corruption, but if the event is organised exclusively for teachers, it already gives rise to suspicions, especially if the party is organised for the examination board before the examination.”

“Anticipatory gifts, monetary gifts, distribution of publications by insistently offering to buy them, connections with acquaintances, selling and buying term and final papers.”

“I view gifts before the examination as corruption.”

“Ruining somebody at the exam and saying that there are other ways to pass it. When the teacher does not tolerate independent thinking of students. Some teachers enclose students into some limits: what they know themselves is what students must repeat – no more, no less. Here I envisage some potential for corruption to develop.”

“I would view corruption as looking for acquaintances seeking personal benefit. It includes provision of privileges motivated by personal relations or feelings.”

“Relations with relatives and acquaintances when some discounts apply to them to enter a higher education school or in studies.”

“Favouring persons who are someone’s acquaintances or relatives.”

Students’ opinions are distributed in a similar way as those of teachers. They also often stick to a relativistic position: some think that corruption is not a problem and its limits are not clear while the attitude of others is high-principled like that of teachers. Thus we can state that there two groups of opinions regarding this issue shaped in higher education schools.

Answers to questionnaires reveal that the respondents are more likely to attribute responsibility for this phenomenon to students: it’s their own fault because they want to get a good score with less effort (65%). This is also proved by the second most popular reply – “if nobody gave, nobody would take” (44%). An opinion such as this can be seen as an obvious manifestation of ethical relativism and lack of moral maturity (if not breakdown): who, if not teachers and the administration, should primarily shape formal and informal general rules in a higher education school and they are the ones who are the most responsible for them. According to the interview data, teachers often see students as agents, initiators and organisers of corruption and students think these are teachers and the administration staff. Both groups also had respondents who pointed out two-way initiative. Qualitative observations (tone, accents, confidence of the respondents) constitute grounds for thinking that some higher education schools have quite a well-established procedure of corruption: it is clear how, when and who should be thanked to the satisfaction of both parties. Some forms of corruption mentioned by
the respondents (for example, envelopes left, gifts given openly, etc.) show that some higher education schools exist in a corruption-tolerant environment. Highly problematic circumstances are those under which the students unable to “thank” teachers suffer and where corruption becomes as if an understandable, natural phenomenon. So at first corruption is relativised and later it is justified (one student stated, “I can’t always attend lectures…A couple of times I thanked the teachers for that…I repeat, it’s not corruption, it’s mutual relations between people.”).

During interviews teachers mostly associated the causes of corruption with the financial difficulties of higher education schools and themselves, lack of honesty in some employees, “exaggerated” competitions, groundless strivings of students to acquire a prestigious profession, or the tradition of “thanking” inherited from Soviet times; students emphasised such causes as the difficult financial situation of teachers and willingness to contribute to their finances that way, as well as non-transparent study rules. The statement that in their own school corruption was not a big problem was expressed by more than half of the respondents but such an assessment reveals certain rationalisation as the comparison is made with the anticipated general level of corruption in other units of their school or in general in Lithuania thus downgrading the problem in question. The most significant damage done by corruption which was mentioned by the respondents was degrading the image of higher education schools, formation of a distorted attitude towards studies, and decreasing competence of trained specialists.

**Ways to Prevent Corruption**

In the questionnaires, the respondents primarily mentioned legal prosecution of corruption, tightening administrative control, anti-corruption education, enhancing social security of teachers and improvement of the educational process as measures to prevent corruption. The interview data in fact highlight the same aspects: tightening administrative sanctions and control, enhancing social security of teachers to ensure that they would appreciate their work more, and to increase publicity. A problematic circumstance is that a part of the respondents don’t see the necessity to avoid corruption.

The data of this research proves the outcomes of previous quantitative studies exposing the multi-directional spread of corruption and shows relativised understanding and justification of corruption by some members of the academic community (mainly representatives of public higher education schools). This hinders prevention of this phenomenon because it becomes unclear what manifestations to fight. Considering this trend, it is meaningful to encourage more active discussions in higher education schools. These schools as educational institutions, along with other functions, must cultivate moral values and adequate social skills of their students rather than shape deviational, socially deleterious behaviour. Unless higher education schools pay sufficient attention to corruption, we can hardly hope that the state will have competent and ethically pure specialists.
INTEGRATION OF ANTI-CORRUPTION EDUCATION INTO HIGHER EDUCATION STUDIES
ARŪNAS POVILIŪNAS

CORRUPTION IN TERMS OF SOCIOLOGY OF DEVIATION

Course Module of Sociology of Deviation

GOAL OF THE MODULE
To analyse the phenomenon of corruption in terms of sociology of deviation.

OBJECTIVES OF THE MODULE
1. To clarify differences in the interpretation of deviations.
2. To define objectivistic and subjectivistic explanations of deviations.
3. To describe the phenomenon of corruption as a deviation.
4. To present the variety of explanations of corruption.
5. To clarify factors on which various explanations of corruption depend.

LECTURE 1. OBJECTIVE AND SUBJECTIVE CONCEPTS OF DEVIATION

Sociology deals with social relations. Sociologists study how people come to common definitions and explanations of their situation; how groups are formed based on those definitions; how behaviour rules are set; how some attribute social roles to others and make them follow their rules. All these issues examined by sociologists are a part of a broader question – how does a social order (system) appear (or is created?) and how is it maintained?

Deviation is non-observance or violation of social norms. By analysing deviations one can acquire a better understanding of peculiarities of the social order. Examination of deviations clearly shows how “deviated” life models appear and on what they depend.

Deviation as a social phenomenon may be examined from at least two different angles. The first one regards deviation as an objective datum while the other one treats it as a consequence of interaction of subjects. The first notion of deviation is called the objective one, and the second notion – the subjective one.

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Objective Concept of Deviation

Sociologists treating deviation as an objectively existing phenomenon define public norms and regard any digression from them as deviation. They normally rely on three assumptions:

1. Professedly the society essentially agrees on norms, which is why, in the opinion of supporters of this approach, any deviation is relatively easy to notice and name.
2. Deviations are normally related to sanctions. Examples of such sanctions may be neglect, slander, legal action, etc.
3. Punishment imposed on a deviator once again proves to the group that its members are united by certain common norms.

The following crucial questions arise from the objective concept of deviation:

1. What social and cultural circumstances cause deviations?
2. Why do people violate norms despite impendent sanctions?
3. What would allow minimising and controlling deviation?

These assumptions and questions give rise to several procedures to examine deviations:

Step One. To list what the society or the group “is allowed to do” and what it “is not allowed to do”.

Step Two. To analyse official documents and other materials about persons violating rules and norms established in the society.

Step Three. To speak with the people referred to in those documents and consult representatives of social control institutions such as the police and judges.

Step Four. To clarify how different deviators are from non-deviators (for example, the former may more often come from broken homes) to be able to identify social and cultural conditions under which deviant activities would be more likely.

Step Five. To develop a theory to explain deviations and later apply it to prevent and correct this phenomenon.

Assessment of the Objective Concept of Deviation

The advantage of the objective concept of deviation is clearly formulated questions while the disadvantages are related to key assumptions. The society consists of so many various groups and ways of thinking that people often cannot agree what is to be regarded as a norm. For that reason as well as because some people get into the network of social control institutions while others escape, it is often difficult to establish who is a deviator and who is not. Moreover, the majority of social control institutions work with selected groups, which is why certain groups of people have more opportunities to be punished for deviations than others. It means that the nature, causes and consequences of deviations are neither simple nor equal.
**Subjective Concept of Deviation**

Assumptions made by sociologists focusing on social differentiation of deviators are usually different.

1. They claim that people and groups interact and communicate with one another by using common symbols (verbal and body language, clothing style, etc.). The symbol communication allows people to establish certain types, attributing one another to those types and acting accordingly.

2. They make the assumption that deviation is best understood and explained through the interaction of some with others and their attribution to a certain type and that labels of a deviator are symbols which differentiate and stigmatise people.

3. Supporters of this approach think that people’s behaviour relies on such definitions. Thus people hold suspected deviators different and act differently with them.

Sociologists supporting this concept mainly focus on social definitions and their impact on social interaction (communication).

On the one hand, they go deep into the approach and actions of those who define a person as a deviator. They analyse:

1) circumstances under which a person has the most chances to be attributed to deviators and labelled as such;

2) how the role of a deviator is attributed to a person;

3) what actions are taken by others relying on such a definition of that person;

4) what the consequences of those actions are.

On the other hand, the sociologists are also deeply interested in the approach and reactions of the person regarded as a deviator. They examine:

1) how a person reacts to such a judgment announced to them;

2) how they accept the role of a deviator;

3) how this changes their relations with the group members;

4) how this changes the deviator’s self-perception.

**Assessment of the Subjective Concept of Deviation**

The interactive concept means that deviation is treated not as a phenomenon objectively existing somewhere beyond human will but as a result of human interaction. Thus, deviators are to a certain extent regarded as socially typified people. Such typification is usually related to attempts to understand obviously atypical (deviated or abnormal) actions and to give them some meaning. Trying to comprehend such actions and acts people normally start stereotypically interpreting and define the actor as a certain type of personality (freak, cuckoo, boozers, psycho, etc.) who evaluates the deviator’s motives from a moral point of view as well as how to behave with them.

**Comparison of the Objective and Subjective Concepts of Deviation**

The objective concept of deviation is primarily focused on peculiarities characteristic of the deviator or conditions which caused actions or behaviour inconsistent with
the norms while the subjective one elevates definitions and actions of deviators proper and people sticking the labels of deviators on to them as well as the interaction of both. Therefore the latter concept is called interactive.

**LECTURE 2. WHITE-COLLAR CRIMES**

At the joint event of the American Society of Sociologists and the American Association of Economists held in 1939 one American sociologist gave a lecture entitled *White-Collar Crime* (the English term “white-collar” refers to office work; physical work is accordingly called “blue-collar”; it is sometimes translated into Lithuanian word by word). *White-collar crimes* are crimes committed in offices related to office activities. Another important feature of these crimes is that criminals are quite respectful people often belonging to a higher social stratum. Thus, persons working in offices and most frequently committing financial crimes are called white-collar criminals and their offences are referred to as white-collar crimes.

Studying white-collar crimes, Edwin Sutherland together with his colleagues developed the Differential Association Theory which is based on the following nine postulates:

1. Criminal behaviour is learned.
2. Criminal behaviour is learned in interaction with others persons in a process of communication.
3. The principal part of the learning of criminal behaviour occurs within intimate personal groups.
4. When criminal behaviour is learned, the learning includes techniques of committing the crime, which are sometimes very complicated and sometimes simple, and the specific direction of motives, drives, rationalisations, and attitudes.
5. The specific direction of motives and drives is learned from definitions of the legal codes as favourable or unfavourable.
6. A person becomes delinquent because of an excess of definitions favourable to violation of the law over definitions unfavourable to violation of the law. Here we directly encounter differential association. A person becomes delinquent because they constantly face cases of criminal behaviour and see fewer and fewer examples of non-criminal behaviour in their environment.
7. Differential associations may vary in frequency, duration, priority, and intensity.
8. The process of learning criminal behaviour by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other learning. Thus criminal behaviour is not just imitation or simulation.
9. While criminal behaviour is an expression of general needs and values, it is not explained by those general needs and values, since non criminal behaviour is an expression of the same needs and values.
The society views white-collar crimes as less dangerous than street crimes such as robberies, rapes, thefts, etc. However the truth is the opposite – white-collar crimes are more dangerous because their consequences involve not only huge financial losses but may cause many deaths and injuries.

Four types of white-collar crimes can be defined:

1. Corporate crimes. Most of them are committed by the company staff or clients. They include thefts by employees at their workplaces. The following features are characteristic of them:
   - Staff thefts are more frequent in larger and less personalised companies. Stealing from a large company is as if stealing from no one.
   - Such thefts are more frequent in companies where employees feel abused, undertrained or receive too few incentives. Employees perceive theft rather as certain merited remuneration or compensation for their work.
   - Employees may start stealing to diversify their monotonous work.
   - Employees stealing at their workplaces do not consider themselves criminals.

2. Crimes against employees. Companies must ensure a secure and healthy working environment but they often disregard those requirements. Such behaviour is followed because:
   - maximum and prompt profit is sought while the security and health of the staff are often ignored because they require additional costs;
   - employees are depersonalised and viewed as quickly-replaceable components of the production process;
   - public institutions devote too little attention to these crimes.

3. Crimes against customers. These crimes are very different. The most frequent are customer fraud, misleading commercials, sale of goods dangerous for health, fraud, and price agreements.

4. Crimes against the public. They are mostly related to pollution of the environment.

Losses incurred through white-collar crimes may be divided into three groups:

1. Economic losses. These crimes cause huge financial losses. They mostly affect people of lower strata and older age.

2. Physical losses. Physical losses caused by white-collar crimes are more complicated, less personal and more difficult to investigate than damage done by street criminals.

3. Social losses. White-collar crimes weaken social institutions, undermine confidence therein, depress the public morale, and fuel social discord.

White-collar crimes are different from street crimes in the sense that they are rationally planned for, thoroughly performed, and bring large profit. Factors determining the uniqueness of these crimes:

1. Crime victims are not even aware that they co-operate in performing crimes planned in offices.
2. The public is relatively indifferent to white-collar crimes.
3. A relatively small number of white-collar crimes are investigated because the criminals are politically and economically influential persons.
4. White-collar criminals don’t resemble stereotypical criminals but rather respectful, influential people and regard themselves as such.

Motives for which the crimes are committed are explained in three ways:
1. psychological factors (desire to behave against the rules, inability to resist, neurotic striving to take leadership and earn money at any price, etc.) are emphasised;
2. differential association (according to Sutherland, a person learns criminal behaviour if in a group which they belong to, such behaviour is more typical than non-criminal behaviour) is followed;
3. criminal behaviour is neutralised (delinquent persons do not tend to regard themselves as real criminals and rationalise or neutralise their actions in their own way). Matza, author of Delinquency and Drift recently published in the Lithuanian language, defines the following five ways of neutralisation:
   - responsibility is negated. The criminal thinks they are helpless to resist social forces and circumstances: the ones guilty are parents, alcohol, the employer, the company proper, etc.;
   - damage is negated. The criminal states that damage done by them is very insignificant;
   - the victim is negated. The criminal claims that they render justice and punish the victim;
   - law-enforcement structures are negated: “They are criminals themselves”;
   - a higher position is highlighted. Legal requirements are overridden by other things: need to help the family, friends, etc.

**LECTURE 3. DEFINITION OF CORRUPTION**

Although almost all researchers agree that corruption is a phenomenon characteristic of all societies, systems and countries, research shows that opinions regarding the definition, assessment and interpretation of corruption are different. Empirical research constantly faces two things which can hinder proper understanding of the phenomenon of corruption:

1. A precise definition of corruption is missing. Like many other concepts of social sciences, the concept of corruption is not constant; it is changing and dependent on historical, social and cultural conditions.
2. The scope and understanding of corruption normally change depending on the social context. The assessment of the scope of this phenomenon as well as norms based on which it is defined and assessed change with place and time.
In different countries definitions are essentially different; this problem was first raised by cultural anthropologists identifying differences determined by the unequal social, religious and cultural context. Moreover, corruption is a specific political phenomenon, which makes it even more difficult to define. Definitions of political scientists differ from the concepts of corruption defined in modern criminal codes.

**Definitions in Social Sciences**

Very different definitions of corruption found in social sciences can be divided into three major groups. These are definitions focusing on:

1) the civil service;
2) market relations;
3) public interest.

Definitions of Corruption Focusing on the Civil Service

The majority of political scientists conventionally select definitions orientated towards behaviour or practices which violate legal or formal norms regulating the activities of the civil service.

Definitions focusing on the civil service could help to unravel this complicated phenomenon limiting the congeries of corruption down to the most visible and most obvious cases. In fact the norms which are used as a basis for definitions in this group are little different from the norms of criminal codes. Very often legal reforms seeking to reduce corruption are attempts to do away with the facts of the spreading corruption. Where certain cases of corruption spread and become difficult to control, norms regulating the civil service are revised or tightened. This increases the public’s distrust in politicians and authorities.

Definitions focusing on the civil service are stable, objective and thus quite popular among political scientists. Legal reductionism simplifies regulatory aspects. Legal norms are said to convey the system of real and thus tangible values which *a priori* can be viewed as an expression of public customs and the ethical and legal structure of a certain time.

**Criticism**

However, even then it is impossible to avoid interpretation differences and imperfection of legal norms and changes thereof emerging in the course of time. The question arises as to which definition of the norms regulating the civil service should apply.

In the opinion of many authors, the criteria of the definition of corruption should be searched for in the regulatory discourse of lawmakers, courts and other authorities. However it should be borne in mind that legal norms probably mostly reflect the ethical norms and standards of a specific group – the ruling elite – which is why they may be socially questionable and changed.
Definitions focusing on the civil service can be superior to other definitions because it is easier to compare different countries, societies and systems but still many things remain undefined and thus unexplained.

Definitions of Corruption Focusing on Market Relations

Many fewer scientists explaining corruption derive their assumptions from the economy theory, i.e. explain corruption as political decisions which are obtained in exchange for money and sought by private actors and which civil servants can sell (supply) evading responsibility but may also be caught while doing this (liability). The definition is based on the statement coming out of the public choice theory that all social agents rationally seek benefit from their privileged official position (minimisation of taxes) whenever they have the occasion or opportunity.

The definition seems to be convincing when it refers to cases of corruption where the legal criterion is not so clear (bribery, sharing of illegally obtained money with a superior official). Corruption is essentially perceived as exchange between civil servants and private business representatives.

Criticism

However, if corruption is defined as rational behaviour seeking the maximum personal benefit, what should then encourage one to accept monetary remuneration if the law stipulates punishment for that? The definition also ignores “the moral price” (condemnation on behalf of the society, discontent of the management and colleagues and personal moral norms), which has an impact on logical arguments of social agents to become entangled in corruption. Some supporters of definitions focusing on market relations admit the existence of the moral price of violating the laws but do not provide any clear indication as to what that moral price is.

In following market concepts it is forgotten that norms and principles binding on and obliging civil servants and selected officials are different from principles and norms applicable to market players. The corruption market – a questionable notion – can be defined as parallel exchange where petty “goods” are distributed at an illegal price other than that set by the authorities and public policy is influenced (i.e. the black market). Such a definition is not even compatible with the free market mechanisms. The very description “black”, i.e. unclear and punishable, contradicts the freedom of choice characteristic of the market economy.

Definitions of Corruption Focusing on Public Interest

Lately representatives of social sciences more frequently tend to think that the definitions of both types described above have been understood in a narrow way. On the one hand, definitions focusing on market relations are handy when we deal with corruption of transactions but are insufficient when we talk about non-pecuniary social exchange and moral consequences and meanings thereof. On the other hand, some
opposition has been shown to the trend of treating corruption as norms and rules regulated by civil service applicable to a limited number of ways of behaviour, mainly of criminal nature. The classic concept of public interests has been revived and it is being proved that when explaining the essence of corruption, public interests are not only a useful but also an inevitable criterion. Public interest encourages people to overcome egoism and selfishness and to co-ordinate their own preferences and needs with the needs of others, assessing the right to choose without interest and impartially.

Criticism

This immediately provokes the question as to “whose moral norms” determine “who is corrupt”. Morality is perceived as a social construction and what is corruption and what is not corruption depends on the opinion of the commenter. However, if “public interest” is replaced with a still more obscure and worse established concept of “public opinion”, it brings no additional clarity.

Critics state that public interest is a weak reference because the term is often not defined: the concept of publicity is difficult to explain while the interest is another jargonism of pluralistic theories of the state. This concept lends itself to numerous interpretations, which is why it is normally rejected in comparative valuations. The notion “public interest” – its values, opinions and laws – differs in different societies and depends on what is listed as manifestations of corruption. Still, this should not be a hindrance in explaining why societies defining corrupt practices or behaviour use different norms or why those norms change in the course of time.

LECTURE 4. EVOLUTION OF THE CORRUPTION INTERPRETATION

Corruption as the Fall of the “Fair State”

For such pioneers of Western political thought as Plato or Aristotle corruption could mean the degradation of fair systems where countries are managed to achieve “universal good” and “benefit for all” down to systems where countries are managed to achieve personal benefits (i.e. tyranny, oligarchy, demagogics). This tradition survived through the entire formation of Western political thought from Thomas Aquinas to J. J. Rousseau, from Ch. L. Montesquieu to E. Burke, from the decadence philosophers of the 20th c. (R. C. Aron, A. Malraux) to modern theoreticians of democracy (R. A. Dahl, J. Sartori). The theoretical weakness of the moralistic approach is that empirically it remains unclear what norms and standards define corruption. Clarity has been sacrificed for the sake of brevity to such an extent that it is too indirectly explained how and why behaviour is deviant and from which norms.

What is more, the decolonisation which commenced after the Second World War brought to the world political map many new entities whose democratic values were not necessarily the same as those historically relied upon by Western democracies.
Corruption in Terms of Modern Social Theories

By attributing corruption studies to certain theoretical schools or directions, we do not seek to oversimplify the diversity of methods and approaches, which helps to grasp the complexity of this phenomenon.

Typification is intended to help those who are not familiar with the subject or who face these problems when carrying out research to perceive their interaction with each of the possible alternatives as well as the insufficiency and partiality of their evaluations determined by their own choice.

The specifics of each theoretical approach essentially depend on the definitions selected for the interpretation of the phenomenon. Their evolution shows how the ways of defining and explaining the phenomenon have been changing.

Functionalistic Approach

In the opinion of functionalists, corruption is another form of political influence. In the 1960s, functionalism tolerated certain forms of corruption claiming that they strengthened economy and political integration. A calmer feeling came together with cultural relativism because it claimed that corruption was a characteristic feature of a specific culture or society.

Here it is easy to envisage the political vision of Machiavelli. This thinker of Florence noticed that the fight for power, use of power and its retention opened doors to various general strategies of democratic and authoritarian systems which were not necessarily limited to the legal and ethical norms established in the society and functionalists moved still further claiming that corruption, although an amoral thing, had a positive impact on the political system. Corruption “lubricated the system wheels” in the countries where the bureaucratic administration apparatus was overloaded and helped to retain unstable systems.

Criticism

Today it would be difficult to prove the benefit of conventional forms of corruption in the countries where toleration of such practice has contributed to the spread of corruption and its institutionalisation in other spheres of public life and prepared the soil for the collapse of the political system. Furthermore, the opinion that in underdeveloped economies such as Latin America, Asia and Africa corruption promotes economic growth, political involvement and more efficient administration has historically proved to be erroneous. Functionalists have never managed to explain the long-term negative impact of corruption.

Market Approach

The market approach is essentially based on corrupt transactions of the bureaucratic level. Thus the theory of economics is combined with neoliberal theories of the state. Although deeply criticising the functionalistic approach to the benefit of corrup-
tion for development, these theoreticians have also sought to circumvent the issues of morale, directing their utilitarian arguments towards the rational choice of individuals to enter into corrupt transactions. This means that corruption depends on two crucial factors – structures of available alternatives and incentives.

The crisis of the welfare state and the collapse of the socialist economy created a favourable medium for conceptualisation of corruption as illegitimate compromise of the public and private sectors. Attempts have been made to prove that corruption spreads where the state is trying to penetrate the market directly – through intervention policy and property – and indirectly – through “obstructive” market regulation. The suggested measures were too simple: if the spread of corruption was determined by the excessive intervention of the state and regulation of the market economy, it meant that privatisation and non-regulation were needed. At the end of the 1990s supporters of the market approach tended to support the neoliberal statement that “the less of the state, the less corruption” not so actively. The global processes of privatisation and non-regulation created new opportunities for corruption and new factor structures promoting it. The contribution of political economists into corruption studies does not hinder neoliberal state theories from interpreting motivation of corrupt behaviour as public choice.

Criticism

Theoretically the concept of rational choice has devalued personal ethical norms constraining the public official’s “choice” or willingness to engage in corruption. In fact norms of honesty of every person which we could call the ethos of the civil service step over calculations of benefit and costs and constitute an important element of explaining what corruption is. Still the theoretical weakness of this interpretation of corruption is more associated with the disadvantages of neoliberal state theories.

Systemic (or Neoclassical) Approach

Supporters of this approach avoid simplified and mechanical interpretation of the democratic process and claim that democracy is not only a set of procedures and institutions but also a system of norms with ultimate goals which must be realised in the society. Modern literature on the theory of democracy thoroughly analyses regulatory aspects and peculiarities as well as their pathology and measures stopping it from degradation. This is so not because in democracies corruption would be more frequent than in non-democracies but because its consequences do more harm to the fundamental principles of democracy: equality, responsibility and transparency of public decisions and legitimacy of political institutions are more important than the state apparatus.

The revived moralistic approach comes along with the strengthening belief that in recent years ethical fundamentals of democracy have been degrading. Since the Cold War academic interest all over the world in the increasing corruption has been closely related to the processes of the state collapse and consolidation of democracy in Central
and Eastern Europe as well as with the crisis outlived by the liberal democracy model: political involvement and solidarity have weakened and the crisis of parties and the party system, the rule of law, and the welfare state is underway.

Corruption is viewed not as an accidental “rotten apple” but rather as a systemic phenomenon, often more successful than the legitimate political system from which it takes its resources. This seems to be not the exception but rather the rule: corruption threatens the principles of democracy, causes institutional crisis, destabilises the global economy, helps organised crime, promotes public contempt for political life and undermines the idea of the society or the common good. Corruption worships the union of power and economy: money increases the opportunities to acquire power while the power is enriching.

Social theoreticians are encouraged to take a critical view of their definitions and include regulatory aspects in empirical interpretations of corruption. The political crises of institutions and the reform have been the key conjuncture peculiarities bringing about the need to carry out regulatory analysis of corruption and this has not been unrelated to the global economic breakdown at the beginning of the 1990s. Society is no longer willing to tolerate political corruption: although the economic boom in the 1980s was favourable for an overly perfunctory approach to corruption, the negative changes of the last decade and the increasing social inequality encouraged us to pay attention to this phenomenon.

At the beginning of the 1990s corruption was condemned at all decision-making levels: local, regional, national and international. Some imbalance became more prominent between legal, formal norms or standards and norms followed in general by the entire society. The majority of democracies became involved in media exposures, scandals, political investigations and court proceedings. Authorities, even those which had held corruption as “someone else’s problem”, responded by implementing various controls and sought to make political life more moral.

With the strengthening of international governmental (the Council of Europe, the European Union, the Organisation for Economic Co-operation and Development, the World Bank, the International Monetary Fund) and non-governmental (the International Chamber of Commerce, etc.) organisations, concern with corruption coincided with other issues and problems on the international scale such as the devastation of the environment and human rights.

**Corruption and Public Policy**

The research took special interest in how corruption affected the ability and effectiveness of the authorities in decision-making having regard to the organisational and approach peculiarities characteristic of a specific country. In brief, corruption and good management are incompatible.

Corruption is a problem of not only moral but also of public policy. It prospers where the public ethics has degraded, where no clear rules exist based on which the public affairs would be carried out and where the public and private activities lack
proper ways of regulation guaranteeing that adequate and proper impact would be made on social processes. The changing nature of the state and the disappearing difference between publicity and privacy in the last years constitute the axis of the corruption problems, which encourages decision-makers to pay attention to the need for strengthening control and revising the norms of public life.

The complexity of the modern decision-making process (different layers, actors, political influence mechanisms) given the lack of public decisions and transparent procedures has created conditions for privileged use of public resources and undermined the public trust in democracy.

The price which the society pays for corruption is incalculable. Apart from the fact that corruption is a burden on taxpayers, it also enhances ineffectiveness and ignorance. The market prices of public services and goods provided to market players directly or under agreements, thus promoting clientism and killing fair competition. Corruption creates conditions for political favouritism cherishing incompetence and ignorance, which is why the politicians of many countries have tried to regulate and control the situation favourable for corruption.

The United Nations continuously speak about corruption and condemn it as the inability to manage and the outcome of poor policy at all levels. International organisations (the OECD, the International Monetary Fund, the World Bank) also understand that their programmes will not be realised by simply hiring qualified economists and that it is necessary to take into account specific social, cultural, political and institutional factors determining development. Financial aid to countries lagging behind instead of contributing to their growth helped the corrupt elite to retain the authority. The European Commission insistently states that the criterion which allows distinguishing economies lagging behind in the financial sense and providing for trading privileges for them should be good management. Evaluating corruption practices in the European Union institutions and in the European Commission in particular, the European Parliament also sticks to the reciprocity position.

**LECTURE 5. EMPIRIC RESEARCH INTO CORRUPTION**

Corruption research carried out in Lithuania can be reviewed at the web-site of the Lithuanian branch of Transparency International at www.transparency.lt.

Lithuania continuously has dual empiric corruption studies. It is already six years that the Corruption Perceptions Index (CPI) is measured (see Table 1), and since 2001 the research of the Lithuanian Corruption Map has been carried out.

The Corruption Perceptions Index shows to what extent the country in question perceives the existing corruption among civil and municipal servants and politicians. The CPI is a composite indicator established based on surveys of business representatives and other expert studies. International political institutions and business and financial structures regard the CPI as an important source of information.
TABLE 1. Corruption Perceptions Index in Lithuania in 1999–2004

<table>
<thead>
<tr>
<th>Year</th>
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<th>Number of studies</th>
<th>Total countries, position of Lithuania</th>
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<td>99/50</td>
</tr>
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<tr>
<td>2004</td>
<td>4.6</td>
<td>9</td>
<td>146/44</td>
</tr>
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</table>

The goal of the Lithuanian Corruption Map research is institutional and geographical monitoring of corruption spread carried out on the basis of surveys of the Lithuanian population and business representatives. It covers: 1) the analysis of the view of corruption of the Lithuanian population and business people, its level and role in the society; 2) the summary of personal experiences of the Lithuanian population and business people in facing manifestations of corruption (bribery) and sources of information on corruption; 3) assessment of the anticorruption capacity of the Lithuanian society.

Which country is more corrupt? Was corruption spread more at the end of the 20th century than during the ninth decade? Representatives of social and political sciences are becoming more and more concerned with assessing corruption as an action leading to a broader, empirically justified comparative interpretation of this phenomenon.

The primary goal is to evaluate the level of corruption but there are some difficulties. Attempts to evaluate corruption in various countries following very different legal and moral norms were criticised as an academic stereotypical tool. The problem of stereotyping arises at the level of operationalisation but is also related to comparable parameters. How could one cover as many cases as possible without losing cohesion and comparability? Various countries are governed following different rules and norms, which gives rise to the question whose standards or norms should be regarded as a reference point when comparing.

Thus we return to the problems previously highlighted in comparative works – how to avoid “cultural relativism”. It is necessary to take into account the specific features of cultures although it often allows tolerating certain forms of corruption where they are viewed as professedly useful for the society. Therefore, experts emphasise that when evaluating the perception of corruption in a certain country one should refer to the CPI score rather than the position taken by the country. Both the score and the place can be corrected by overall changes in the research methodology.

Representatives of social and political sciences recommend using this Corruption Perceptions Index despite its undoubted methodological shortcomings and relying on it as a reference point when further specifying and interpreting corruption.

Unfortunately, there have been few attempts to assess the level of corruption at a good quality level, to describe the systems of corruption controls and evaluate the efficiency thereof. Finally, as a matter of politics corruption is a part of the cumulative
learning process where previous experience is accumulated through corruption control assessing its success and failures.

The variety of available definitions which are sometimes controversial may become a handicap when carrying out empiric research. An alternative is to operationalise the concept, which is not easy.

When defining the level of corruption empiric research very often relies on legal, or formal, criteria. Normally they are viewed as continuous and precise indicators of the level of corruption in a certain society and at certain time. However even legal norms are not homogeneous. The concept of corruption as it is defined in many criminal codes is not much different from other crimes such as fraud, blackmail and robbery. There was also a tendency to broaden the definition of corruption in order to cover more phenomena (for example, to include non-monetary incentives, to distinguish between passive and active initiatives, valid and invalid results).

Legal criteria are not a precise indicator either: the majority of corrupt transactions are invisible and secret. The changed scope may result from more efficient criminal prosecution. The removal of the public reaction from the concept of corruption creates the risk of causing legal dichotomy (for example, not corrupt in legal terms and corrupt – in non-legal terms). Besides, not everything what is legitimate is morally supported by citizens.

Corruption is also related to opinions. For many people it can mean different things and without cease be used as a political weapon. Another aspect of condemnation by the public opinion is that in spite of established legal norms different patterns of behaviour are seen as corruption. A better understanding by the society essentially depends on how and which obvious examples have been made visible for the society. The public opinion is unstable and easily influenced politically. In most cases it is an insufficient criterion based on unstable, vague and maybe even contradictory standards which cover various views of the public but criticism is not comparable with a flexible alternative of how to evaluate qualitative differences.

Still the interpretation based solely on the public opinion is not a solution either. To what extent the public opinion is important to understand changes in the ethical and legal structure is the extent to which condemnation of corruption is not just a matter of opinion. Public accusations go further that suspicions raised by popular newspapers, the rhetoric of election campaigns or passionate parliamentary debate, and condemnation may turn into criminal prosecution.

Corruption cannot be defined using only legal or public opinion criteria. As deviant behaviour, corruption is also related to breaking rules or norms which regulate the civil service and to the violation of unencoded, broadly recognised ethical norms.

References
4. www.transparency.lt
**TADAS TAMOŠIŪNAS**

CORRUPTION AS A FORM OF DEVIATION

**A Course Module on Social Organisation**

The course of social organisation deals with social order and disorder. From the point of view of those aspects it looks at social institutes, social agents, social structures and phenomena and issues of social conduct. The course presents corruption as a determining factor of disorder, as a form of deviation (intolerable behaviour). Such behaviour is analysed on the basis of the concept of deviation, which has already been discussed during the course of social organisation. The discipline is meant for students of social sciences (primarily sociology and political science). The course covers six hours of classroom activities and eight hours of individual work. Students are tested at the end of the course.

**OBJECTIVES OF THE INTEGRATED COURSE**

1. Familiarise students with the concept of corruption and its manifestation in various areas of social life; examine it in the context of deviation analysis.
2. Build students’ ability to recognise manifestation of corruption and strengthen their position on anti-corruption.

**COURSE STRUCTURE**

**TOPIC NO. 1 “Concept of Corruption”**

Definitions of corruption. Types of corruption. Factors of corruption: international economic globalisation, privatisation, public procurement, relativity of values, lack of transparency in funding political parties and campaigns, tradition of nepotism, etc. Corruption perception relativity. Assessment of corruption from functional (arguments ‘for’) and dysfunctional (arguments ‘against’) points of view, looking at integral elements of deviation (behaviour, norms and evaluator).

**TOPIC NO. 2 “Methodology for Measuring Corruption and the State of Corruption in Lithuania”**

Findings of sociological surveys and their development in recent years. Controversial and uncertain public attitude towards corruption. Views of international organisations towards corruption in Lithuania. The main consequences of corruption in the country: decreasing efficiency of investment, limited competition, smaller amount of taxes collected, weakening trust in state institutions, etc.
TOPIC NO. 3 “Prevention of Corruption”


Bibliography


ANNEX. A Pro-active Exercise “Functions and Dysfunctions of Corruption”

Analysis of different forms of deviation often involves discussions about their functions and dysfunctions, while the former are perceived as positive influences from the social life point of view and the latter as negative. Discussing functions and dysfunctions while examining the phenomenon of corruption is helpful in understanding it better and gaining a more critical view towards stereotypes which are particularly prevailing in public life. This pro-active approach suits the first topic of the module. The duration is 45 minutes.

PROCESS

1. The teacher announces the topic of discussion: possible functions and dysfunctions of corruption. Students are divided into several groups, which elect a rapporteur and a note-taker to record all the statements made by the group. The teacher should decide on the number of groups, taking into account the number of students present (each group should be comprised of 4-6 persons). The number of groups should be even. The groups are given large pieces of paper. One part of them is tasked to write down the functions of corruption and the other group(s) should put down the dysfunctions of corruption. Some space should be left between the statements for comments.
2. The groups have 15 minutes to discuss the arguments for or against certain functions and dysfunctions and write them down on the pieces of paper. The rapporteurs present the statements and arguments discussed. The other groups are asked not to comment on the presentations.

3. After the presentation, the pieces of paper with the statements about the dysfunctions of corruption are given to the group(s) which made the statements about the functions of corruption and vice versa. The following task is to find counter arguments to the statements made by the opposing group and to write them down under them. The students are given 15 minutes to perform this task.

4. The students take turns in presenting the counter arguments. This time they are allowed to react and get involved in the discussion. At this stage, it is desirable to highlight and project the consequences of corruption and the indirect impact of it, which is not always seen. For example, students may give an argument (function) that corruption speeds up personal business matters. In this case, it is worthwhile discussing the indirect consequences of such behaviour or later outcomes, for instance, asking a question about increasing business costs, etc. The success of the discussion depends a lot on the preparedness of the teacher because many potential arguments ‘for’ and ‘against’ may already be anticipated.
Commercial Law Course Module

PURPOSE AND SCOPE OF THE SUBJECT, ITS RELATION TO OTHER SUBJECTS

The subject consists of the fundamentals of law and commercial law and is intended for students of business management, tourism and hotel services. The students study the subject for two semesters (fundamentals of law in the fourth semester of the second year and commercial law in the fifth semester of the third year). The subject is awarded four credits and 160 hours in two semesters (56 hours of lectures, 56 hours of exercises, 74 hours of independent study). Sixty hours of the subject are earmarked for anti-corruption education.

The lectures will combine theory and practice. The study of the subject is expected to improve the general ability of the students and is therefore related to other subjects, including introduction to entrepreneurship, management, career management, finance, international marketing, and work safety.

GOALS AND TASKS OF THE SUBJECT

To provide the students with knowledge of legal theory, Lithuanian constitutional, labour, civil, administrative, criminal, and commercial law. To improve the logical reasoning of the students, develop understanding of regulatory acts, to introduce them to Lithuanian anti-corruption policies, and encourage civic maturity and awareness.

METHODS OF TEACHING

A scheme consisting of animation, understanding and reflection exercises is used during the lectures. Theory is combined with practical assignments of the students in order to reflect on theory, discussions are held as an encouragement to look for answers, analyse and solve problems.

EVALUATION

Assignment – 10 per cent.
Independent work – 20 per cent.
Tests – 20 per cent.
Examinations – 50 per cent.
LECTURES 1-6. LAW THEORY (6 academic hours)

TOPIC 1 – Law sources and their types. Regulatory acts (2 academic hours)
Goals and tasks of the lecture
  1. Introduction to law sources.
  2. Understanding the importance of regulatory acts, ability to find and analyse them.
  3. Improvement of the logical reasoning of students.

Methods
  Lecture, work with sources, analysis, discussion.

Animation
  At the start of the lesson the students are asked what they know about law sources and their differences; a discussion follows.

Understanding the meaning
  Lecture scheme:
  1. Principal law sources in law history (custom of law, legal precedent, regulatory contracts, regulatory act).
  2. Regulatory acts.
         Adoption of laws (right of legislative initiative, debate on a draft law, adoption and publication of law).
  2.2. Secondary legislation.
         General secondary legislation.
         Local secondary legislation.
         Institutional secondary legislation.

  Local organisational secondary legislation.

Reflection
  May law principles be attributed to law sources?
  What is the difference between legal acts of earlier and new edition?

Students answer the questions:
  1. What law sources are known in law history?
  2. What is the difference between a regulatory act and a regulatory contract?
  3. What is the difference between law and secondary law?
  4. What are the stages in the law adoption procedure?
  5. How is secondary legislation classified according to the scope and subjects?
Homework
1. Read from the book by P. Čiočys Teisės pagrindai the following topics: Teisės realizavimas and Teisėtumas ir teisėtvarka.

**TOPIC 2 – Corruption and laws (4 academic hours)**

Goals and tasks of independent work
1. Introduction to ways of implementing the law.
2. Introduction to the sources of legislation governing anti-corruption measures.
3. Explanation of corruption as a concept.

Methods
Conversation, discussion, comparative analysis, independent work.

Animation
Could you summarise in one word the contents of the following quotation: “...deliberate actions of an individual directly or indirectly promising, offering, giving, soliciting or accepting illicit reward seeking personal gain for oneself or others for performance or non-performance of certain functions.” (Raudonienė A., Modernėjanti klasikinio korupcijos apibrėžimo Lietuvoje kaita, in Jurisprudencija. Mokslo darbai, t. 32. Vilnius, 2002).

Understanding the meaning
Discussion “What have you heard about corruption?”
The students are introduced to the laws governing anti-corruption measures, including the Criminal Code of the Republic of Lithuania and the Republic of Lithuania Law on Prevention of Corruption.
The students are asked to compare the definitions of corruption.

**Corruption** (as defined in the Republic of Lithuania Law on the Special Investigations Service) means “a promise, offer or giving by a person of any illicit reward to a state politician, official or employee, also a direct or indirect request or acceptance by a state politician, official or employee of any illicit reward for himself or another person, or acceptance of an offer or promise of such a reward for performance or non-performance of certain functions, also a promise, offer or giving by a person of any illicit reward to any person who claims he may influence the decisions of a state politician, official or employee, a direct or indirect request by a person who claims he may influence the decisions of a state politician, official or employee for or acceptance of any illicit reward or acceptance of an offer or promise of such a reward, also complicity in committing the acts specified in this paragraph.”
Conversation on the principles of lawfulness: rule of law; integrity of lawfulness; universality of lawfulness; unavoidability of legal liability; combination of lawfulness and relevance; safeguarding of individual rights and freedoms.

Discussion on the following issues:

Why are rules of law enshrined in laws and secondary legislation?
- To implement their requirements.
- To make us aware of the existence of such rules.

Why is it necessary to adhere to the rules of law?
- In order not to violate the requirements set forth by the legal standards?
- To prevent us from illicit acts?

Is the observation of law mandatory?
- Is it allowed not to pay taxes?
- Is it allowed to drive in a drunken state?

Using the law means:
- the right to take advantage of the powers granted by a regulatory act;
- the right to chose an opportunity to conclude transactions.

Application of law means:
- implementation of the requirements set forth in the rules of law by competent public institutions;
- actions of persons in order to protect their infringed rights.

Are public authorised institutions the subjects of law?
- Only competent public institutions.
- The rights of citizens are limited.

Who and on what grounds may exercise coercion?
- Courts, prosecutor’s office, police, arbitrage, different government institutions with special authority.
- Citizens do not have such authority.

Are citizens entitled to participate in the application of law and if so, how?
- It cannot be said that citizens in general are not entitled to apply law.
- The right of citizens to apply law is limited to (in the court hearing of a case) the role of witnesses, criminal liability for concealing crimes, etc.

May citizens prevent violations of law and if so, how?
- Yes, they may warn or detain another person committing a violation of law.
- By reporting to relevant officials about a violation of law.

What is the importance of lawfulness in implementing the rules of law?
- It is understood as a practical implementation of the requirements of rules of law.
- It is understood as a general principle of law that means a requirement for all subjects of law to implement rules of law accurately and without divergence.
In which documents can you find the following definitions: bribery, corruption, bureaucracy, office abuse, subornation?

- Criminal Code.
- Law on Public Service.
- Republic of Lithuania Law on Operational Activities.

What are the main requirements for lawfulness?

- It must be observed not only by ordinary citizens and organisations, but in particular public institutions and officials.
- To implement the principles of lawfulness: uniform lawfulness, universality of lawfulness, rule of law, unavoidability of legal liability.

Reflection

Is corruption prevalent in our country?
Can we as citizens of our country fight against corruption and if so, in what way?

Conclusion

Corruption means abuse of public authority for personal gain.
Exercising the right means active actions implementing legal powers.
Implementation of law means the implementation of the rules of law, established requirements and opportunities in the practical activity of the subjects of law (public institutions, non-governmental organisations, officials, citizens). It is the only way to achieve the objectives of the rules of law and ensure the effectiveness of legal regulation.

Observation of law means the refraining from actions banned by the rules of law.
Application of law means a special way of implementing law where competent public institutions implement the requirements set forth by the rules of law adopting individual acts for application of the rules of law in order to implement the rules of law.

Execution of law means actions required by the rules of law. It is important that the principle of lawfulness be observed not only by ordinary citizens and organisations but especially by public institutions and officials. The actions by state officials, including bribery, subornation, office abuse, etc., are incompatible with this principle as they undermine the authority of the public institutions.
LECTURES 7-34. CONSTITUTIONAL LAW (28 academic hours)

TOPIC 1 – Fundamental human rights, freedoms and duties (2 academic hours)

Goals and tasks of the lecture

1. Knowledge of the rules of constitutional law and ability to analyse them.
2. Knowledge of the constitutional human rights, freedoms and duties.
3. Development of civic maturity and awareness of students.

Methods
Discussion, group work.

Animation
Discussion: “What do you know about human rights, freedoms and duties?”
“In developing open and coherent civic society and rule of law the law becomes an increasingly more important social value, a measure of human freedom. On the other hand, the level of human freedom depends on the extent the individual knows the Constitution, laws and other legal acts of the state and understands the necessity of observing the law.” (Prapiestis J., Namų advokatas. Vilnius, 2002).

Understanding the meaning
Group work. Reading and preparation for discussion on the following topics:
2. Personal rights and freedoms.
3. Political rights and freedoms.
4. Social and economic rights.
5. Personal duties.

Important to know
Article 28 of the Constitution of the Republic of Lithuania formulates a general principle that when exercising their rights and freedoms, persons must observe the Constitution and the laws and must not impair the rights and interests of other people.

The Constitutional Court observed in its ruling of 8 May 2002 that “the present Article of the Constitution enshrines one of the fundamental principles which means that lawful actions of an individual are not unrestricted and absolutely free. An individual, a social being, lives in a society among the likes of him and persons equal in their dignity and rights. Every person has his or her duties to the society, which is where a personality may develop freely and fully, and the underlying duty is not to restrict the rights and freedoms of other individuals.” (Birmontienė T., Jarašiūnas E., Kūris E. ir kt., Lietuvos konstitucinė teisė. Vilnius, 2002, p. 343).

Reflection
Are our rights and freedoms infringed?
Homework

TOPIC 2 – Legal guarantees of protection of human rights and freedoms (2 academic hours)

Goals and tasks of the lecture
1. Knowledge of the constitutional rules of law and ability to analyse them.
2. Knowledge of which competent public institutions to address in order to defend the infringed rights.
3. Encouraging students to analyse whether their rights are being infringed and if they fulfil their duties.

Methods
Discussion, analysis, group work.

Animation
Discussion on the following topics:
1. What cases of violation of children rights in Lithuania do you know?
2. Are human rights being violated in Lithuania?

Understanding the meaning
Discussion of the fundamental rights and freedoms of a child listed in the Republic of Lithuania Law on Fundamentals of Protection of the Rights of the Child: “(…) right to life and growth, right to good health, right to individual identity and its preservation, right to personal life, personal inviolability and freedom, right to living conditions, property rights of the child, right to a home, social rights (right to an education, copyright, etc.), right to state assistance and maintenance, right to rest and leisure, rights of children belonging to ethnic communities, rights of a refugee child, right of a child to take part in the child rights protection programmes” (Official Gazette, 1996, No. 33-807).

Group work. Students are divided into two groups.
The first group reads the Lithuanian Constitution and marks the relevant articles of human rights guarantees:
• Every person may defend his or her rights on the basis of the Constitution (Article 6).
• Institutions of power shall serve the people (Article 5).
• Any person whose constitutional rights or freedoms are violated shall have the right to appeal to court. The Law shall establish the procedure for compensating
material and moral damage inflicted on a person (Article 30).

- Every person shall have the right to defence (Article 31).
- Seimas controllers shall examine complaints of citizens concerning the abuse of powers by, and bureaucracy of, State and local government officers (with the exception of judges (Article 73).


Important to know

The Republic of Lithuania Law on State-Guaranteed Legal Aid was adopted in 2002. A person who is financially disadvantaged is entitled to use this law in order to receive adequate legal aid in civil and criminal cases and appeal to court concerning his or her violated rights.

Reflection

Could I defend my violated rights on my own and if so, how should I do this?

Homework

Free reading:

**TOPIC 3 – System of state government (2 academic hours)**

Goals and tasks of the lecture
1. Knowledge of the state government system.
2. Introduction to the constitutional status of the Seimas and competencies of the President, Government and Lithuanian courts.
3. Development of civic maturity of students.

Methods

Lecture, discussion.

Animation

Brainstorm: “Can the President of the Republic of Lithuania, being the head of state, bring about considerable changes in the country?”

Understanding the meaning

Lecture scheme:
2. Seimas.
   2.1. Constitutional status of the Seimas of the Republic of Lithuania (Articles 55, 64 and 67).
   2.2. Structure of the Seimas.
3. President of the Republic of Lithuania.
   3.1. President of the Republic of Lithuania – head of state (Article 77).
   3.2. Election and term of the President of the Republic of Lithuania.
   3.3. Competence and types of powers of the President of the Republic of Lithuania.

Reflection
Some of the political parties call for amendment of the Constitution in order to grant more powers to the President. Do you think that the President needs to be given more powers? If so, what powers?
Is the principle of power sharing suitable for Lithuania?

Conclusions
Organisation and activity of public institutions is based on certain principles – these are the main ideas and regulations for creation of the state mechanism. The principles are those of publicity and openness, representation of interests of the citizens, professionalism and competence, legitimacy, and power sharing and reveal the social content of public institutions, their principal goals and tasks.

Homework

TOPIC 4 – Lithuanian court system. Law enforcement institutions (2 academic hours)
Goals and tasks of the lecture
1. Knowledge of the court system and court competencies.
2. Knowledge of law enforcement institutions and their competences.
3. Development of student analytical ability.

Methods
Discussion, group work.
Animation

Read the task and answer the question:

“Two students were driving to a morning lecture. They were stopped by a traffic warden who said they were driving too fast, although the students had not exceeded the speed limit. The students, though indignant at such an outrageous attitude, could not miss the lecture so they gave LTL 20 to the officer and drove on to school. Where could the students complain about the unlawful actions of the police officer?”

Understanding the meaning

Group work.

The first group reads the Constitution of the Republic of Lithuania and prepares to discuss the new things they found out about the Lithuanian court system and court competencies.
- District courts
- Regional courts
- Court of Appeals
- Supreme Court
- Administrative courts

The second group reads the relevant laws and prepares to discuss the following issues:
1. Lithuanian Prosecutor’s Office and its main functions.
2. Lithuanian police.

Conclusions

The court system provides an opportunity to implement the constitutional right of the citizens of the Republic of Lithuania to a court defence against infringement of their rights and freedoms enshrined in the Constitution, laws and treaties. Under the Constitution a person is entitled to a fair trial by an independent and unbiased court. The court must ensure in all of its activities that the cases are heard observing equality, publicity and in as short notice as possible.

Reflection

Presentation of student works.

Assignment

Students write a 5-7 page essay on the given topics and prepare a presentation of their work.

TOPIC 5 – Social and economic rights (2 academic hours)

Purposes of the assignment
1. Knowledge of the legal acts governing social care.
2. Ability to work with different sources.
3. Ability of delivering a presentation to the audience in the classroom.
Methods
Independent work with sources, discussion.

Course of work
Students write an essay on the topic under analysis and prepare a presentation of their essay. Proposed scheme:
2. Right to social care.
   2.2. Legal acts governing social care.
3. Cultural rights.
   3.1. Right to education.
   3.2. Protection of persons belonging to national communities.
Discussion: “Is the principle that the citizens who demonstrate suitable academic progress are guaranteed education at establishments of higher education free of charge, as enshrined in the Constitution of the Republic of Lithuania, followed in reality?”
Presentation of the assigned work according to the questions presented by the teacher.

Conclusions
Social care is the total of social and economic measures as established by the state to provide its citizens with financial aid, benefits, and social services from specialised public funds under the circumstances of social risks recognised as important by the law.

Conventions of the International Labour Organisations govern different aspects of the right to work. The amended European Social Charter promulgates one of the main principles that every person shall have the opportunity to earn his living in an occupation freely entered upon.

Social support is understood as a set of measures embracing social services and financial support. The principal aim of social services is to satisfy the vital needs of an individual and provide living conditions worth human dignity when a person is unable to do so on his or her own. (an essay of business management students)

Literature
TOPIC 6 – Political rights and freedoms (2 academic hours)

Objectives of the assignment
1. Ability to find relevant law sources
2. Knowledge of the legal acts governing political rights and freedoms
3. Development of civic awareness

Methods
Independent work, discussion.

Course of work
Students write an essay in accordance with a proposed scheme and prepare a presentation of their essay.
1. Right to participate in the governance of the country.
2. Right to criticise actions of public institutions and officials, complain against their decisions.
3. Right to peaceful gatherings.
4. Right of unrestricted formation of communities, political parties or associations.

Discussion: “Do we have the right to participate in the governance of our country?”
Presentation of work according to the questions presented by the teacher.

Conclusions
The right declared by the Constitution of the Republic of Lithuania of the citizens to participate in the governance of their State both directly and through their freely elected representatives may be seen as one of the political rights. The right consists of the right to vote in the election, to initiate a referendum, right of legislative initiative, right of petition, right to criticise the work of public institutions or officials or appeal against their decisions. The right to freely form political parties and the right to work in public service on equal grounds are also considered to be political rights (see Article 33.1 of the Constitution of the Republic of Lithuania).

According to the Law on Administrative Proceedings (2000), complaints (applications) of citizens against the acts adopted or actions (i.e. failure to fulfil duties) by the officials of public institutions and local municipal institutions (services) may be heard by administrative courts or municipal, county or the Supreme Administrative Disputes Commission. Prosecution for criticism is not allowed (an essay by a business management student)

Literature
TOPIC 7 – Constitutional status of the State Control. Seimas ombudsmen (4 academic hours)

Objectives of the assignment
1. Ability to find relevant law sources.
2. Knowledge of the powers of the Seimas ombudsmen and the State Control.
3. Development of critical thinking.

Methods
Independent work, discussion.

Course of work
Students write an essay on the following topic “Constitutional Status of the State Control. Seimas Ombudsmen”.
A discussion is held on whether the work of the Seimas ombudsmen is useful and necessary to the citizens of the country.

Presentation of work in reference to the following elements:
1. System of the State Control system and its enforcement.
2. The main goals of the State Control.

Conclusions
The Republic of Lithuania Law on State Control stipulates that “the State Control of the Republic of Lithuania is the supreme state institution of economic financial control accountable to the Seimas of the Republic of Lithuania which supervises the legality of holding and use of state property and the State Budget performance process. The State Control is a legal person possessing a settlement account with the Bank of Lithuania and a seal bearing the Lithuanian State emblem and the name “Republic of Lithuania. State Control” (Article 2).

In its activities the State Control shall be guided by the Constitution and laws of the Republic of Lithuania, international treaties and agreements to which the Republic of Lithuania is a party, other legal acts (Article 3).

The Constitution also established the institution of the Seimas ombudsmen, whose principal task was to investigate the complaints of citizens against abuse and bureaucracy of state and municipal officials. The Seimas ombudsmen may not investigate the activities of the President of the Republic, members of the Seimas, the Constitutional Court and other courts, the Prime Minister, the Auditor General and the Government as well as activity of local municipal councils, or the lawfulness and validity of the procedural actions and decisions of prosecutors, investigators, and persons conducting an enquiry.

The Republic of Lithuania Law on Seimas Ombudsmen stipulates:
1. Every citizen shall have the right to file a complaint with the Seimas Ombudsman about abuse of office or bureaucracy of an officer of a state or municipal institution which comes within the competence of the Ombudsman.
2. The Seimas Ombudsman shall also investigate complaints of citizens of the Republic of Lithuania referred to him by members of the Seimas which are in conformity with the requirements of this Law and may also investigate complaints of foreign nationals and stateless persons.

The Republic of Lithuania Law on Seimas Ombudsmen makes it clear that an ordinary citizen may complain against a state official abusing his office and with the help of the staff of the Ombudsman institution the citizen may protect his or her interests (an essay of business management students).

Literature
5. Republic of Lithuania Law on State Control.

TOPIC 8 – Local government and governance (2 academic hours)
Objectives of the assignment
1. Ability to find and analyse relevant legal acts.
2. Knowledge of local government institutions and their competence.

Methods
Independent work, discussion.

Course of work
Students write an essay on the questions proposed by the teacher and prepare a presentation of their essay.
1. Definition of the local government and its legal framework.
4. Economic basis of local authorities.
5. Legal guarantees for the activity of local authorities.

First, students are asked if they or their family have ever addressed local authorities on any issue and if they have ever been disappointed with the performance of municipal staff.

The presentation of work according to the questions presented by the teacher.

Conclusions
The organisation and activities of local authorities stand in the foundation of every democratic order. Legal grounds of local governance are state laws, rules of procedure of local authorities and other legal acts. The underlying principles of the relations of local authorities are regulated by the European Charter of Local Self-Government. The
right of citizens to participate in the management of public affairs is seen as one of the principles of democracy. Consequently, the European Charter of Local Self-Government provides that the principle of local self-government must be recognised by domestic laws and, where necessary, by the Constitution of a country.

**Literature**


**TOPIC 9 – Rights, duties and ways of defending them (6 academic hours)**

**Goals and tasks of the lecture**

1. Knowledge of Constitutional standards and ability to analyse them.
2. Knowledge of which competent public authorities to address in order to protect infringed rights.
3. Encouragement of students to analyse if their rights are violated and if they fulfil their duties.
4. Develop civic maturity and awareness of students.

**Methods**

Group work, discussion.

**Animation**

Brain storm: “Have your constitutional rights ever been violated? If so, which rights?”

**Understanding the meaning**

Students write essays on the given topics and prepare presentation of their essays:

1. Social and economic rights.
2. Political rights and freedoms.
4. Local self-government and governance.

**Meaning**

Will I be able to defend my infringed rights in the future?

**Assessment**

Assessment of individual homework, general ability of students, creativity, academic activity during the seminar.
**TOPIC 10 – Constitutional law (2 academic hours)**

**Goals and tasks of the lecture**
2. Ability to analyse and assess.
3. Development of critical thinking.

**Methods**
- Group work, discussion, analysis.

**Animation**
- Brain storm: “Are constitutional provisions binding on everyone?”

**Understanding the meaning**
Discuss the following issues:
2. Legal safeguards of protection of human rights and freedoms.
4. Principle of power sharing.
5. Lithuanian court system.
6. Law enforcement institutions.

**Reflection**
- Group work:
  1. Would you like the Constitution to be amended or supplemented?
  2. How should I act: as a citizen or as a free person?
  3. Will active civic society change anything?

**Assessment**
- Assessment of the ability to answer questions, participate in discussion.

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**LECTURES 35-44. ADMINISTRATIVE LAW (10 academic hours)**

**TOPIC 1 – Administrative law (2 academic hours)**

**Goals and tasks of the lecture**
1. Knowledge of the concept and sources of administrative law.
2. Knowledge of the concept of public management and system of public management institutions.
3. Learning to distinguish between the legal relations governed by administrative law and other law branches.
4. Development of problem solving skills.
Methods
Lecture, comparative analysis, independent work.

Animation
Brainstorm: “Why do most students want to study public administration in university? What jobs could they obtain after receiving the qualifications? What is the difference between public management and public administration?”

Understanding the meaning
Lecture scheme:
1. Concept of administrative law.
2. Concept of public management.
3. System of public administration institutions.
4. Public service.
Students are given the task to read the Republic of Lithuania Law on Public Service and find out the definitions of public service and a public servant. Students are expected to know the categories and grades of public service positions.

Reflection
Tasks for the students:
1. Distinguishing administrative law from other law branches.
2. Is corruption prevalent in public management?
Students present and write down the conclusions of the lecture in a coherent way.

Important to know
Administrative law is a branch of law which entails provisions governing social relationships arising in public management.
Public management means activities of certain governmental institutions covering the most important areas of public life, leadership in national economy, social, cultural and other affairs, ensuring the implementation of the management of rights, freedoms and duties of citizens.
Public management institutions mean the Government, ministries, governmental agencies, county governor’s administrations, municipal institutions, etc.
The most important purpose of public management institutions is the implementation of laws and other legal acts adopted by state government institutions and organisation of implementation thereof.

TOPIC 2 – Administrative liability (4 academic hours)
Goals and tasks of the lecture
1. Knowledge of the grounds for instituting administrative proceedings.
2. Knowledge about which officials are entitled to handle the cases of administrative law offences.
3. Development of student analytical and evaluation ability.
Methods
Lecture, analysis, discussion.

Animation
Discussion: “Ignorance of the law is no excuse”.

Understanding the meaning
Lecture scheme:
1. Concept of administrative liability, its basis and characteristics.
2. Subject of administrative law violation.
3. Types of administrative penalties and their imposition.
4. Classification of administrative law offences.
5. Officials unable to handle cases of administrative law offences.

Reflection
What is the difference between administrative liability and criminal liability?
Students write down the conclusions of the lecture by answering the following questions:
1. When does administrative liability arise?
2. Who is liable for the violations of administrative law?
3. What are administrative penalties?
4. Which officials are entitled to handle cases of administrative law offences?

Conclusions
Administrative liability is a type of legal liability resulting from the offence of administrative law. A guilty person may be subject to administrative proceedings by legally authorised public institutions (officials), courts issuing a respective administrative penalty (warning, fine, deprivation of special rights, etc.).

A subject of administrative liability may be a natural person (citizen, official) 16 years of age and competent at the moment of the offence. In case of offences committed by minors it is their parents or equivalent persons who are prosecuted.

Administrative corruption means a deliberate distortion of existing laws, rules and provisions upon their implementation where public servants gain private benefits in an illegal and non-transparent way. One of the main reasons for this corruption is the discretionary power of public servants to grant certain privileges, set priorities for public services and decide who should apply rules and provisions and who should be granted exceptions. Public servants of the highest level abusing their position may create regulations distorting the implementation of state policies in a way that improves their own financial status or that of their relations.
TOPIC 3 – Administrative law offences threatening the established management procedure (2 academic hours)

Goals and tasks of the lecture
1. Introduction to administrative law offences threatening the established management procedure.
2. Development of problem solving skills.

Methods
Lecture, discussion.

Animation
Discussion: “Seimas ombudsmen investigate complaints of citizens against abuse and bureaucracy of public and municipal officials”.

Understanding the meaning
Group work. Students prepare to discuss the following issues:
1. Failure to implement the demands of the Seimas ombudsman.
2. Failure to implement the demands of the equal opportunities ombudsman.
3. Exceeding designated powers.
4. Obstruction of the State Control officials.
5. Obstruction of municipal ombudsmen.
6. Unlawful handling of personal data.
7. Preventing a person from becoming acquainted with his or her personal data or relevant information.

Important to know
The Seimas ombudsmen play an important role in safeguarding human rights: they have the right to propose to the court the dismissal of guilty officials from their jobs. The competence of the Seimas ombudsmen is specified as investigation of abuse or bureaucracy of state and municipal officials and does not cover human rights abuses in other areas. Consequently, two other control institutions were established – the Equal Opportunities Ombudsman and the Ombudsman of the Rights of the Child. Their competencies in these specific areas are much wider and cover more than the relations resulting from inadequate implementation of public administration functions.

Reflection
Discussion.
TOPIC 4 – Administrative law (2 academic hours)

Goals and tasks of the test
1. To check student knowledge and ability to analyse specific situations.
2. Develop critical thinking.

Methods
A test.

Course of work
The test. Students write on the following topics:
1. Concept of administrative law.
2. Public administration institutions.
3. Concept of administrative liability, its basis and characteristics.
4. Officials entitled to handle cases of administrative law offences.
5. Failure to implement the demands of the Seimas ombudsmen.
6. Obstruction of the State Control officials.
7. Obstruction of municipal ombudsmen.
8. Unlawful handling of personal data.

Reflection
Discussion of results.

Evaluation
Evaluation of student replies, academic activeness.

LECTURES 45-52. CRIMINAL LAW (8 academic hours)

TOPIC 1 – Criminal liability (4 academic hours)

Goals and tasks of the lecture
1. Knowledge of types of criminal acts.
2. Knowledge of the grounds for instituting criminal proceedings.
3. Development of analytical ability.

Methods
Lecture, discussion.

Animation
Discussion: “Differences and similarities of administrative, civil, disciplinary and criminal liability”.
Understanding the meaning

Lecture scheme:
1. Concept and system of criminal law.
2. Features and content of a criminal act.
3. Complicity in crime.
5. System and types of punishments.

Conclusions
The purpose of criminal law provisions is to protect a certain group of social relations (something good) from certain threats, while this protection necessitates the establishment of sanctions to be applied for the crime committed. The provisions of criminal law are targeted at the perpetrators who may be subject to certain personal or pecuniary restrictions for the crime committed.

Criminal act, gravity, and contrariety to law are intertwined elements. In the absence of any of these there cannot be crime or a criminal offence.

Homework
Is criminal law the only measure against violation of law?
What are the features of criminal acts?
Reading the Republic of Lithuania Law on Public Service, its principal definitions.

TOPIC 2 – Crimes and criminal offences against public service and public interests (4 academic hours)
Goals and tasks of the lecture
1. Knowledge of crimes and criminal offences against public service and public interests.
2. Finding out about corruption-related acts.
3. Understanding the goals and tasks of corruption prevention.

Animation
Look at the situations:
1. A public servant uses an official car for personal use during his annual leave.
2. A municipal mayor issues lucrative orders for a building company in exchange for electoral campaign donations.
3. Before an examination students congratulate their teacher on Teacher’s Day and present her with a bouquet of flowers.

Understanding the meaning
Discussion: “Definition of a public servant and who may serve as a public servant”.
Explaining the definitions of Article 230 of the Criminal Code of the Republic of Lithuania.

1. The public servants referred to in the present Chapter are persons employed in public service i.e. state politicians, public servants in public administration under the Law on Public Service as well as other persons who by working in public or municipal institutions or agencies, court, law enforcement, State Control and supervision or equivalent authorities perform the functions of government representatives or enjoy administrative powers as well as official candidates to such positions.

2. A person with a respective mandate in an institution of a foreign state, international public organisation or international judicial institution as well as a candidate to such an office is considered to be a public servant.

3. Furthermore, a person employed by any state, non-state or private agency, company or organisation or engaged in professional activity and enjoying adequate public administration powers or providing public services, except for maintenance or technical functions, may be considered to be a public servant.

Lecture scheme:

1. Nature of crimes and criminal offences against public service.

1. Nature of crimes and criminal offences against public service

   Article 5.3 of the Constitution of the Republic of Lithuania sets forth “that the institutions of power shall serve the people. Safeguarding and implementation of human rights and freedoms depend on the honesty, responsibility and dutifulness of persons working in public services.” Article 3.1 of the Republic of Lithuania Law on Public Service sets forth that “Public Service of the Republic of Lithuania shall be based on the principles of the rule of law, equality, political neutrality, transparency and career development.” Observation of these principles in public service is a sure way of safeguarding human rights, freedoms and legitimate interests, lawfulness in public and state life.

   The provisions of Chapter XXXIII of the Criminal Code of the Republic of Lithuania provide for the protection of public service from such threats because public service may be harmed substantially in cases where the employees commit crimes.

   Committing a crime against public service and public interests results in violation of the constitutional provision that the power shall serve the people, consequently, the trust of people not only in public service but in the state as a whole is lost and the normal course of activities of state and municipal institutions is disrupted and their authority undermined.

   Crimes against public service and public interests mean dangerous activities of persons who, being in public service and abusing it, inflict considerable damage on state interests or other persons. These crimes and criminal offences are always related to the official status of the subject.
Heavy damage to state interests or other persons is an element of value, consequently, the nature and extent of the damage are determined with respect to the circumstances of a specific case (nature, number of victims, duration of activity, importance of position, impact, etc.).

Crimes against public service and public interests (except for the failure to fulfil official duties) most often manifest themselves as acts where abuse of service in public institutions is the means to seek or demand pecuniary or personal gain for oneself or another person while doing it in contradiction to the interests of service. These crimes are defined as crimes of corruption.

2. Criminal Law Convention on Corruption

Crimes and offences against public service may also be international in nature (related to credits, foreign investment, conclusion of contracts, and privatisation with participation of foreign capital).

On 15 December 1975, the United Nations adopted a resolution denouncing corruption and called for governmental co-operation against this phenomenon.

In 1999, the Council of Europe adopted the Criminal Law Convention on Corruption (27 January) and the Civil Law Convention on Corruption (November 4). Lithuania signed the Criminal Law Convention on Corruption in 1999. The document stresses that corruption manifests itself both in public and private sectors. Consequently, the priority of criminal policy is to protect the public from corruption when adopting and implementing respective laws and adequate prevention measures.

What criminal activities are corrupt in nature? Bribery, subornation and abuse.

Which state law enforcement institution prepares and implements corruption prevention measures, discloses and investigates crimes of corruption?

Students write down the definitions of bribery, subornation and abuse from Articles 225, 227 and 228 of the Criminal Code of the Republic of Lithuania and note the criminal elements of these acts.

*Bribery (Article 225 of the Criminal Code)*

The matter (object) of bribery may be defined as circumstances where a bribed public servant himself or through other persons accepts a bribe and must or seeks to promote the interests of the bribe giver or other persons through his official actions (omission) or by abusing his or her official position. The subject of bribe acceptance is special – only a public servant or official.

Bribery types (objective part of the crime) cover the following acts: 1) bribe acceptance; 2) bribe soliciting; 3) promise to accept a bribe.

The crime is complete when a state official or public servant accepts part or all of the valuables. (If a state official found a bribe left to him and reported it to law enforcement institutions there would be no ground to apply Article 225 of the Criminal Code.)
A bribe may be given in an open or masked manner (by losing a bet or a game, paying out bonuses that are not due, providing material benefits, etc.).

There are many forms of demanding a bribe. A guilty person may extort a bribe by threatening a person with an unlawful act or omission of what in fact he should do within his competence. The demand of a bribe may be masked where a public servant is stalling a decision, checking a company with unjustified frequency, or raising unsubstantiated demands when registering a company. A bribe may be given for omission as well.

The subjective part is only a direct intention. A guilty person realises that material benefits received from the bribe-giver are unlawful. It is a selfish crime. The official who accepts the bribe realises that it makes him richer, which makes him want the bribe again.

Subornation (Article 227 of the Criminal Code)

The object of subornation may be defined as handing a bribe to a state official or public servant in cash or material valuables or an agreement to hand a bribe or make it possible to deliver material benefits in exchange for favourable treatment, a favourable decision, a vote or an opinion which benefits the suborner or another person on the part of the state official or public servant. The subject of subornation is not necessarily special as it may be a person aged 16 and older. The objective side of subornation means 1) handing a bribe; 2) an agreement to hand a bribe. Subornation is over when any of the above-mentioned activities have been completed.

A bribe may be given in an open or masked manner or through intermediaries. The element of subornation is evident in the case where a person incompetent of performing an act that is in the interest of the bribe-giver accepts a bribe.

The subjective part of subornation is only a direct intention. A suborner understands that he hands a bribe unlawfully in exchange for specific unlawful actions for his benefit or that of another person on the part of an official or servant.

Abuse (Article 228 of the Criminal Code)

The object of abuse may be defined as deliberate abuse on the part of an official or public servant of his official position for selfish and personal ends contradicting service interests and inflicting damage on the state or other persons. The subject of abuse is special as it is a public servant or official. The objective part of abuse means active actions (the guilty person unlawfully receives gain for himself or other persons at the expense of state or municipal property, exploiting the work of his subordinates, etc.).

In certain cases the abuse of office is over when significant damage is inflicted on state interests or individuals. In most cases it is the pecuniary interests of state and municipal institutions that suffer. Extensive (250 minimum subsistence level amounts) damage is one of the main features.

Usually the abuse of constitutional human rights and freedoms (right to education, free of charge medical service) by public servants or officials may be treated as significant damage.
The purpose of public service is to serve the people. By abusing this task damage is inflicted not only on persons but on the authority of public service and the interests of the state.

The subjective part of the abuse is a direct intention or abuse of an official position for interests contradicting service. This has several psychological aspects. The guilty person:

1) understands the seriousness of his activity and is aware that he disregards legal provisions and violates the law;
2) understands that he acts in contradiction to service interests;
3) foresees that because of such activity damage will be inflicted on the state or persons;
4) wants such consequences.

Reflection
What is the difference between crimes against public service and other crimes?
Who suffers as a result of these crimes and criminal offences?
Review of corruption goals and tasks.

Homework
1. Knowledge of crimes and criminal offences against public service and public interests.
2. Understanding corruption prevention goals and tasks.

Independent work
Read and do the following tasks:

Task 1. The registrar of the register of legal persons, whose task is registering legal persons, received documents for the registration of Paukščių pienas UAB from Mr. Jonaitis. The documentation was prepared in line with the requirements of Article 2.64 of the Civil Code of the Republic of Lithuania. Mr. Jonaitis asked the registrar to immediately check if the documents came up to the requirements. The registrar said he was very busy and was not providing consultations but proposed to come another day. Mr. Jonaitis came the next day but got the same answer, moreover, the registrar said, as if by the way, that every service had its price. Mr. Jonaitis came in a week, placed LTL 200 on the table, and asked the registrar to check his documents. The registrar took the money and said politely that the documents were in order and the UAB would be registered one month after the date of document filing.

Please qualify this act under the Criminal Code of the Republic of Lithuania.

Task 2. A city mayor announced a tender for the overhaul of a municipal building. Two contractors Remontas UAB and Statybos paslaugos UAB participated in the tender. The contract was awarded to Remontas UAB, although its estimate (LTL
600,000) was twice as large as that given by Statybos paslaugos UAB. The manager of Statybos paslaugos UAB found out that the executive director Remontas UAB was the mayor’s cousin and addressed the court complaining about the illegal tender outcome, although the repairs had already been completed and the total amount indicated in the estimate had been already paid. The court concluded that Remontas UAB had simultaneously repaired the municipal building and the mayor’s son's house. The experts designated by the court determined that the municipal building repairs cost only LTL 200,000. Please qualify the act under the Criminal Code of the Republic of Lithuania.

Evaluation
Evaluation of participation in discussions, responses to questions, activeness, ability to work with respective articles of the Criminal Code.

LECTURES 53-60. CIVIL LAW (8 academic hours)

TOPIC 1 – Implementation and protection of civil rights (2 academic hours)

Goals and tasks of the lecture
1. Knowledge of the principles of implementation and ways of protecting civil rights.
2. Knowledge of what civil legal liability for violations of civil rights is.
3. Ability to find and apply respective legal provisions.

Methods
Lecture, discussion.

Animation
Do you know what the principles governing civil relations are?

Understanding the meaning
Lecture scheme:
1. Basis for civil rights and duties.
2. Implementation of civil rights and duties.
3. Protection of civil rights.

Reflection
How persons may exercise their civil rights?
How the court may defend civil rights?
TOPIC 2 – Concept and types of civil liability (contractual and non-contractual) (2 academic hours)

Animation
What types of civil liability do you know?

Understanding the meaning
1. Concept and types of civil liability.
2. Contractual liability.

Reflection
How contractual liability is different from non-contractual liability?

TOPIC 3 – Liability to compensation for damage caused by the defects of products or services. Compensation of damage resulting from misleading advertising

Independent work and seminar (2 academic hours)
Please read Sections 4-5 of Book 6 of the Civil Code of the Republic of Lithuania and prepare to discuss the following issues:

1. Liability to compensation for damage caused by the defects of products or services.
   1.1. Liability of the producer and service provider.
   1.2. Definition of a product and services.
   1.3. Definition of defectiveness.
   1.4. Terms of liability.
   1.5. Solidary liability.
   1.6. Fault of an aggrieved person.
   1.7. Exemption from liability.
   1.8. Damage subject to compensation.
   1.9. Prescription.
2. Compensation of damage resulting from misleading advertising.
   2.1. Concept of misleading advertising.
   2.2. Subject of liability.
   2.3. Terms of liability.
   2.4. Prohibition and denial of misleading advertising.

Literature
EXAMPLE OF A LECTURE. Concept and types of civil liability

Goals and tasks of the lecture
1. Introduction to the concept and types of civil liability.
2. Ability to distinguish contractual and non-contractual types of liability.
3. Ability to analyse and compare.

1. Concept and types of civil liability

Civil liability is a pecuniary obligation, one party of which shall have the right to claim compensation of damages (damage) or demand payment of a penalty (fine, interest) and the other party shall be bound to make compensation for damages (damage) arising therefrom, or pay the penalty (fine, interest). (Article 6.245 of the Civil Code of the Republic of Lithuania). The definition leads to the conclusion that there are two forms of civil liability – compensation of damages and penalty.

There are two kinds of civil liability: contractual liability and non-contractual liability. Contractual liability is a pecuniary obligation resulting from failure to perform a contract or from its defective performance, where one party of the obligation has the right to claim compensation of damages or demand payment of a penalty (fine, interest) and the other party is bound to make compensation for damages, or to pay a penalty (fine, interest) caused by failure to perform the contract, or by defective performance thereof. Non-contractual liability is a pecuniary obligation which is not related to contractual relations, except in cases where it is established by law that non-contractual liability shall also result from damage related to contractual relations (for example, the case of non-contractual liability would be the contract of carriage or donation that is binding the parties).

Features of contractual liability:
• breach of contract;
• both reward of damages and penalty.

A feature of non-contractual liability – only reward of damages.

The differences between the types of civil liabilities:
• different prescriptions;
• different meaning of guilt – solidary liability is possible only in the cases stipulated by law or contract;
• liability for the actions of third parties is different.

Civil liability shall arise from non-performance of a duty established by law or a contract (unlawful refrainment from acting), or from performance of actions that are prohibited by law or a contract (unlawful acting), or from violation of the general duty to behave with care. (Article 6.246 Unlawful Actions of the Civil Code of the Republic of Lithuania).

Only those damages can be compensable which are related to actions (acting or refrainment from acting) giving rise to the civil liability of the debtor in such a manner that the damages, taking into account their nature and that of the civil liability, can be imputed to the debtor as a result of his actions (acting or refrainment from acting). (Article 6.247 Causation of the Civil Code of the Republic of Lithuania).

Civil liability shall arise only upon the existence of the fault of the obligated person, except in the cases established by law or a contract when civil liability arises without fault. The fault of a debtor shall be presumed, except in the cases established by law. (Article 6.248 Fault as a condition for civil liability of the Civil Code of the Republic of Lithuania). For example, the damages inflicted by pets are rewarded by their owner (Article 6.267 of the Civil Code of the Republic of Lithuania).

Terms for civil liability to arise:
• infliction of damage and damages;
• unlawful actions;
• causation between the actions of a debtor and damage or damages;
• fault.

Damage shall include the amount of the loss or damage to property sustained by a person and the expenses incurred (direct damages) as well as the income he has been deprived, i.e. the income he would have received if unlawful actions had not been committed. Damage expressed in monetary terms shall constitute damages. Where the amount of damages cannot be proved by the party with precision, it shall be assessed by a court.

2. Contractual liability

The contract governs relations between parties. The liability of the debtor arises from the contract. The Civil Code stipulates that every person shall have the duty to perform his contractual obligations in a proper way and without delay. (Article 6.256.1 of the Civil Code of the Republic of Lithuania). A person who fails to fulfil his contractual obligation or fulfils it in an improper way, is required to reward damages incurred by the other party of the contract, pay penalties (fine, interest) (see Article 6.258 of the Civil Code of the Republic of Lithuania about damages and penalties).
3. Non-contractual liability

Obligation to compensate for damage caused:

1. Every person shall have the duty to abide by the rules of conduct so as not to cause damage to another by his actions (active actions or refrainment from acting).

2. Any bodily or property damage caused to another person and, in the cases established by the law, non-pecuniary damage must be fully compensated by the liable person. (Article 6.263 of the Civil Code of the Republic of Lithuania).

Every person is required to act with care. The nature and level of care is often stipulated by different legal acts, rules of professional conduct, etc. For instance, a bailiff shall be held liable for the damages caused by his actions in line with the procedure set forth by Article 16 of the Republic of Lithuania Law on Bailiffs.

The essence of the compensation function in civil liability is total compensation of damages i.e. the pecuniary loss of the aggrieved party is sought to be compensated through civil liability and return the party to such a pecuniary status prior to the infliction of damage. It is only pecuniary damages that are wholly compensated, while the principle is not applied to non-pecuniary damage because it is difficult to measure in money. (see Articles 6.264-6.279 of the Civil Code of the Republic of Lithuania about liability and compose a table).

Non-contractual liability means:

- liability of an employer for damage caused by the fault of his employees;
- liability to compensation for damage caused by others;
- liability of the owner (possessor) of buildings;
- liability to compensation for damage caused by animals;
- liability to compensation for damage caused by a natural person incapable of understanding the meaning of his own actions;
- liability arising from the exercise of hazardous activities;
- liability to compensation for damage caused in the state of necessity;
- liability to compensation for damage caused by minors under fourteen years of age;
- liability to compensation for damage caused by a minor between fourteen and eighteen years of age;
- liability to compensation for damage caused jointly by several persons.

Important to know

Contractual liability is a pecuniary obligation resulting from failure to perform a contract or from its defective performance.

Non-contractual liability is a pecuniary obligation which is not related to contractual relations, except in cases where it is established by law that non-contractual liability shall also result from damage related to contractual relations.
GINTARĖ ŠATIENĖ
CORRUPTION AND LAW

Fundamentals of Law Module

A Course for the BA Students of Public Administration, Business Administration and Economics

PURPOSE OF THE DISCIPLINE
1. Familiarise students with the key aspects of state theory.
2. Clarify the system of legal sciences.
3. Examine the features and system of state governance bodies.*
4. Familiarise students with separate branches of law and identify their characteristics.*
5. Mould civic maturity of students, their sense of responsibility and ability to adjust their private and public interests.*

The goals specified in subparagraphs 3-5 above relate to corruption as a problem of state governance and civil service, to the causes of corruption and the anti-corruption policy undertaken by the state.

While examining the problem of corruption in state governance and civil service, the following additional sub-themes may be discussed:
1. The concept and problem of corruption in civil service.
2. The spread of corruption (its level and scale) in Lithuania.
3. The causes and consequences of corruption.
4. Crimes and criminal offences against the civil service and their characteristics.
5. Analysis of case studies of crimes and criminal offences against the civil service and their evaluation from the criminal law point of view.
6. Prevention of corruption carried out by the state and the appropriate legal acts regulating prevention.

BIBLIOGRAPHY

* The asterisk is used to mark the topics that have been dovetailed to include anti-corruption education into the module.
1. CLASSROOM ACTIVITIES

1.1. The system of legal sciences. The constitutional concept of the law, legal norms. The origin and characteristics of the state and the law.*

1.2. Regulation of legal relations by legal acts of the state. The features and the system of state governance bodies. Entities in charge of state governance and their area of competence.*

1.3. Administrative law as a branch of law focusing on state governance. Normative acts as sources of administrative law. Characteristics, entities and fundamentals of administrative liability. Administrative legislation as the basis of public administration.*

1.4. Types of administrative sanctions, their levying and enforcement.

1.5. The concept and system of criminal law. The purpose and application of criminal legislation.*

1.6. The concept of criminal liability and its objectives. Imposition of punishment. Exemption from criminal liability.*


1.8. Sources and entities of labour law. Employment. The concept, contents and expiration of the labour contract. Changing the conditions of the labour contract and its termination.


1.10. Employer’s responsibility for the injury of employees at work. Compensation in case of accidents at work.

1.11. The system of civil laws and their application.

1.12. The concept of the family law. Entering into marriage. Declaration of marriage null and void.


1.15. The concept of the enterprise. The enterprise as a legal entity. The regulation of the procedure of establishing an entity.

1.16. Reorganisation and liquidation of enterprises.


1.18. Natural persons and legal entities. Representation.

1.19. Acquisition and loss of proprietorship. Trust law. Administration of other person’s property.

1.20. The concept of law of succession, inheritors, forms and inheritance.

1.21. The concept of obligation and the basis of its occurrence.

1.21. Types of obligations, a guarantee and a restitution. The validity and form of contracts.
2. PRACTICAL EXERCISES

2.1. Constitutional law and the social purpose of constitutional law.*
2.2. Tasks and sources of administrative law, particularities and elements of administrative procedural relations.*
2.3. The purpose and application of criminal laws.*
2.4. The principles of labour law. Collective labour relations.
2.5. Work pay and work quality.
2.6. The structure and purpose of civil laws.
2.7. Regulation of international civil relations.
2.8. The legal principles of obligations.

LEGAL ACTS


BIBLIOGRAPHY

Practical Exercise No.1

Evaluation of case studies for the lecture Concept and System of the Criminal Law of the Fundamentals of Law discipline, taking into account the changes which occurred after the integration of anti-corruption education into the module.

Please read the description of the events and write down the human rights (for example, the right to property, health, life, equity, etc.) which these criminal acts violate.

**SITUATION NO. 1.** A rural resident and a mother of four small children, Ms. A, was charged with the murder of her child. Ms. A. disguised her pregnancy and when labour pains started she went into the forest to deliver the baby and then strangled it. She explained the criminal act by having no material means to raise one more child. Her husband had approved of her act. Besides, he helped his wife to go into the forest and was next to her when she was committing the crime. Although he had not directly taken the life of the child but he helped to bury the body. The Service for the Protection of the Rights of the Child issued a certificate that the man and the woman were socially degraded, did not care about their children and were constantly drinking heavily.

The criminal event described above violates the following human rights and freedoms:
....................................................................................................
....................................................................................................

**SITUATION NO. 2.** Knowing where two prostitutes settled who had illegally come from Ukraine to Lithuania, two police officers went to visit them and asked them to show their identity cards. Since the two ladies had no documents verifying their legal stay in Lithuania the police officers suggested that they should pay one thousand litas to avoid deportation from the country. The ladies said they had no money and agreed to provide them sexual service free of charge. When later a criminal case was filed it turned out that the police officers had been using the services of ladies for several months.

The criminal event described above violates the following human rights and freedoms:
....................................................................................................
....................................................................................................

**SITUATION NO. 3.** While celebrating a birthday party, one person was by accident injured severely. Investigation of the event revealed that a drunk police officer, Mr. B, was boasting about his official gun to the other guests at the party and gave it to his friend, Ms. C., to have a look at. When Ms. C took the gun, she pulled the trigger by accident. The gun fired off and hit a close-by standing man. Ms. C said she had not seen the gun before and she did not know that it had been loaded and she did not understand what actually happened.

The criminal event described above violates the following human rights and freedoms:
....................................................................................................
....................................................................................................
Practical Exercise No. 2

Evaluation of case studies for the lecture “Concept and System of the Criminal Law. Purpose and Application of Criminal Legislation”, taking into account the changes which occurred after the integration of anti-corruption education into the module.

Do you think the cases described below, which violate the law, constitute corruption?

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Does that constitute corruption? (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The <em>solicitation or acceptance</em>, directly or indirectly, by a government official or a person who performs public functions, of any article of monetary value, or other benefit, such as a gift, favour, promise or advantage for himself or for another person or entity, in exchange for any act or omission in the performance of his public functions.</td>
<td></td>
</tr>
<tr>
<td>2. The <em>offering or granting</em>, directly or indirectly, to a government official or a person who performs public functions, of any article of monetary value, or other benefit, such as a gift, favour, promise or advantage for himself or for another person or entity, in exchange for any act or omission in the performance of his public functions.</td>
<td></td>
</tr>
<tr>
<td>3. Any act or omission in the discharge of his duties by a government official or a person who performs public functions for the purpose of illicitly obtaining benefits for himself or for a third party.</td>
<td></td>
</tr>
<tr>
<td>4. Any act or omission in the discharge of his duties by a government official or a person who performs public functions for the purpose other than illicitly obtaining benefits for himself or for a third party but in violation of legal provisions.</td>
<td></td>
</tr>
<tr>
<td>5. The fraudulent use or concealment of property derived from any of the acts referred to in cases 1, 2 and 3 herein described.</td>
<td></td>
</tr>
<tr>
<td>6. Participation as a principal, co-principal, instigator, accomplice or accessory after the fact, or in any other manner, in the commission or attempted commission of, or in any collaboration or conspiracy to commit, any of the acts of corruption or its concealment.</td>
<td></td>
</tr>
</tbody>
</table>

The lecture Concept and System of Criminal Law in the Fundamentals of Law syllabus. A case study on the Purpose and Application of Criminal Law, taking into account the amendments introduced after the integration of this syllabus module into anti-corruption education.

*Criminal law* is a legal framework designed to ensure efficiency of the regulatory norms which:

1) Reinforce national criminal policy principles;
2) Define which actions infringing prohibitions contained in regulatory norms shall be regarded as crimes or misdemeanours;
3) Establish the grounds and conditions for prosecution of perpetrators;
4) Lay down the types of sanctions and forms of guilt, etc.

The purpose of criminal law is to guarantee prohibitions laid down by other branches of law. The major regulatory method of criminal law is an imperative (which manifests itself by instruction). The key source of the criminal law is a criminal code made up of the general and special parts.

In the general part of the criminal code:
1) There are regulatory general provisions;
2) The issues of validity of the criminal law are defined;
3) The concept of crime and misdemeanours are defined;
4) The stages and forms of criminal acts are identified and defined;
5) Liability exemption circumstances are laid down;
6) Cases of liability exemption are discussed;
7) The concept of sentence is identified along with the issues of imposition thereof;
8) Penal measures and the imposition principles thereof are discussed;
9) Postponement of the execution of a sentence or remission thereof is described;
10) Features of juvenile criminal liability are laid down;
11) The period of limitation of criminal liability is regulated;
12) Issues of criminal record are discussed;
13) Coercive medicinal measures and the application features thereof are discussed.

Meanwhile, chapters comprising the special part of the criminal code define individual criminal acts regarded as crimes or misdemeanours. These criminal acts are classified into groups in terms of the attempted entity, i.e. in terms of legal wealth and values infringed by a criminal act.

Hence, the special part of the criminal law contains rules of the criminal law defining the framework and features of acts classified as criminal acts as well as defining liability and penalties (sentences) to be imposed on perpetrators of particular criminal acts on the basis of principles and statements of the general part of the criminal law. The rules of the special part of the criminal law define the purpose of criminal laws, the application limits, the grounds of criminal liability, forms of perpetrating crimes, establishes the penal framework and imposition of penalties (sentences), as well as tackles other general issues related to criminal prosecution and imposition of sentences on persons who were found guilty.

It shall be underlined that the rules of the special part of the criminal law define specific features of types of crime, characterising relevant elements of crime, and define a sanction which may be imposed for a crime that has been actually committed.
Compared to the rules of the general part of the criminal law, the rules of the special part of the criminal law have a number of specific features: usually the rules of the special part present an exhaustive list of acts regarded as crimes or misdemeanours (*nullum crimen sine lege*), therefore, only by means of applying the rules of the special part is it possible to identify whether an act constitutes a crime or a misdemeanour.

Contemporary written sources of criminal law usually group the rules in terms of the defended good, i.e. in terms of a specific item of a crime/misdemeanour. However, it is equally possible to find a certain group of rules classified under one chapter by more than one specific item. Traditionally chapters start with listings of more serious crimes down to less serious crimes. However, tackling these issues sometimes gives rise to the axiological problem, namely, which of the items of good defended by criminal laws shall be regarded as more valuable and which one as less valuable. The new version of the Criminal Code of the Republic of Lithuania has opted for the following order of chapters of the special part:

1. Crimes against humanity and war crimes.
2. Crimes against the independence, territorial integrity and constitutional framework of the state of Lithuania.
3. Crimes against human life.
7. Crimes and misdemeanours against the freedom of sexual choice and inviolability of person.
8. Crimes and misdemeanours against human dignity and honour.
10. Crimes and misdemeanours against inviolability of private life.
11. Crimes and misdemeanours against equal treatment and freedom of conscience.
12. Crimes and misdemeanours against electoral rights of citizens and against the procedure of Presidential elections, elections to the Seimas [national parliament] and municipal councils, and against the referendum procedure.
13. Crimes and misdemeanours against social rights of persons.
15. Crimes against intellectual and industrial property.
17. Crimes and misdemeanours against economic and business framework.
19. Crimes and misdemeanours against civil service and public interests.
20. Crimes and misdemeanours against justice.
22. Crimes and misdemeanours related to disposal of arms, ammunition, explosives or radioactive materials.
23. Crimes and misdemeanours related to disposal of drugs or psychotropic, poisonous or powerful materials.
25. Crimes and misdemeanours against traffic safety.
27. Crimes against activities of civil or public servants.
28. Crimes and misdemeanours against managerial order.
29. Crimes and misdemeanours against managerial order related to counterfeiting of documents or measuring devices.
30. Crimes and misdemeanours against morality.
31. Crimes and misdemeanours against the memory of the deceased.
32. Crimes and misdemeanours against national defence service.

It is noteworthy that crimes and misdemeanours in each group infringe not only the legal norms laid down in relevant laws, but also the human rights, freedoms or rightful interests enshrined in the Constitution of the Republic of Lithuania (for instance, a person who has committed a robbery, i.e. a crime defined in chapter 28 of the Criminal Code titled Crimes and Misdemeanours against property, property rights and property interests, also infringes the right of another individual to inviolability of his/her property enshrined in Article 23 of the Constitution ), which carry corresponding penalties (sanctions) on perpetrators. It can therefore be concluded that by means of fixing the list of prohibited criminal acts the Criminal Code serves as the guardian of human rights, freedoms and rightful interests.

The material provided precludes a conclusion that the object regulated by criminal law is crime and punishment. The new Criminal Code of the Republic of Lithuania provides a formal definition of crime as a form of criminal act: “Crime shall mean a criminal act carrying an imprisonment sentence”. Let’s make a more detailed analysis of elements of crime.

1. Crime is an act dangerous to the established system of values. Dangerousness of human behaviour is the first element of crime, a precondition for criminalisation of an act, a guiding principle of a legislator. Non-dangerous acts cannot be criminalised. The degree of danger of an act is a material element of crime, because it illustrates the essence of the crime explaining why a human act shall be regarded as crime. The Criminal Code of the Republic of Lithuania explains “dangerous” as “causing danger, inflicting damage, attempting to infringe or infringing something”. Last but not least, another important fact is whether an attempted object is a state, person or society at large which suffers from a criminal act.

The entire body of societal values may be divided into two groups:
• Values shared by all people that are recognised and respected in a democracy by all political parties (such as human life, health, freedom, dignity, property, public safety). These values are more or less protected (at least by laws) also in totalitarian states;
• Ideological values which are characterised by different approaches of individuals political parties due to a unique scale of values cherished by every society. Since the highest values are protected by the criminal law, it may be maintained that acts with the highest degree of danger jeopardising the highest values are regarded as crimes.

Crimes differ in terms of the degree of danger that they pose. They can be defined by two aspects, namely the nature and degree of danger.

The degree of danger is mostly determined by the value of an attempted object. For instance, bodily harm differs from robbery in terms of degree of danger, because infliction of bodily harm is a more serious crime considering the higher value of human health against that of property.

Meanwhile, several identical or homogenous crimes may differ in terms of degree of danger which is conditioned by the level of presence of certain features (e.g. serious bodily harm is more dangerous than a mild bodily harm, etc.).

2. Incompatibility of an act with the criminal law. Only such dangerous activity which is criminalised in the law is regarded as crime. This feature means not only that the activity concerned poses threat to certain values, but also the existence of a legal act
describing elements of an unwelcome behaviour and stipulating criminal liability. Criminal laws are specific in that they formulate prohibitive rather than imperative legal rules. They prohibit committing acts which are described by criminal laws.

If at least one element of a crime is missing, no crime has been committed. Elements of crime are the basis for launching criminal prosecution.

1. A committed act is regarded as dangerous to the established values, but not contradicting the criminal code.
2. An act contradicts the criminal code, but poses no danger to the established system of values and does not inflict damage thereon.

A short overview of certain types of criminal acts
Concept of crime against human life and health (posing threat to human life and health)

One of the main tasks of criminal law is to protect individuals and their most precious values against criminal intents. The Constitution of the Republic of Lithuania proclaims that individual’s right to life shall be protected by the law, that human freedom and personality shall be inviolable, and that human dignity shall be protected by the law. In addition, these provisions are enforced in the Criminal Code of the Republic of Lithuania.

Whilst in objective terms, interests of an individual are violated by every crime, only a certain group of crimes targeting at specific and direct as well as major (rather than minor) object, such as a person as a creation of nature, including his/her major and inherent features shall be regarded as crime against a human life. In most countries criminal codes grade crimes against an individual as the most serious type of crimes. An object of significant crimes against individuals is the same person, i.e. a biologic creature, an individual. A direct object of such crimes may be life, health, freedom or dignity of a person. In terms of direct object, crimes against persons are grouped as follows:
1) Crimes against human life (premeditated murder, aiding and abetting suicide);
2) Crimes against human health (various bodily injuries, illegal abortion, abandonment of a person in a life-threatening situation);
3) Crimes against human freedom (child kidnapping or swapping, illegal deprivation of freedom, taking hostages);
4) Sexual crimes (statutory rape, forced sexual intercourse for women, sexual abuse);
5) Crimes against human honour and dignity (slander, libel, offence).

Concept of crimes and misdemeanours against the civil service and public interests

Article 33 of the Criminal Code of the Republic of Lithuania defines the elements of crimes and misdemeanours against the civil service and public interests. Article 5 of the Constitution of the Republic of Lithuania provides for that the powers of the state shall
be exercised by the Seimas, the Government, and the Judiciary. The scope of powers shall be defined by the Constitution. *Institutions of power shall serve the people. Civil and public servants shall discharge their official duties properly, respecting the established working discipline and the loyalty to the state.* These statements emphasise the importance of the overall state machinery – the guarantee of the human rights and freedoms and the guarantee to exercise them. This very much depends on integrity, senses of duty and responsibility of individuals in civil employ. Article 3(1) of the Civil Service provides for that the civil service in the Republic of Lithuania shall be based on the principles of the rule of law, equality, political neutrality, transparency, and career development. Adherence to these principles in the civil service provides for real guarantees of protection of human rights, freedoms, interests, legality in the public life and life and economic welfare of the state, etc.

Staff in civil employ is responsible for performing certain functions of public authorities and bodies, i.e. they are entitled and obliged to provide appropriate public services to citizens. However, when they fail to perform their duties or perform them improperly, dishonestly or by abusing their office to serve their own interests, they disorganise and destroy work of the civil service in various areas and levels of activity, suspend or even block the implementation of important projects or enforcement of laws, etc. Such acts constitute direct or indirect infringements of human rights and freedoms, impoverishing welfare of all members of the society. It is noteworthy that the level of consequences of attempt to abuse public office is directly linked with the significance of duties held by the perpetrator: the higher the position in civil service is held by the perpetrator, the more grievous consequences his/her criminal activity may bear, particularly in political terms. *Therefore, crimes against civil service distort or disregard provisions of the Constitution on the duty of those in power to serve the people, which undermines people's trust not only in the civil service in general, but in the state as such.*

Crimes against civil service mean dangerous acts of people, who when engaged in civil employ and by abusing office inflict material damage to the interests of the state or other individuals. These crimes are always related to the occupational status of the perpetrator. The perpetrator holds office in civil service and can therefore become the subject of such crimes. Hence, crimes against civil service, unlike other similar crimes, such as crimes against the state or against the administrative procedure, are committed by in-house servants, i.e. the work of the civil service is encroached from within. Namely the occupational status provides a person with a possibility to commit an act which constitutes a sign of objective elements of a crime against the civil service.

Certain public office held or mandate in the civil service are used (provide for possibilities) to commit a criminal act, i.e. to act contrary to the interests of the service. Such acts infringe the principles of civil service, usual activities of institutions with the public service mission, contradict the obligations and functions of the civil service. In some cases such crimes are committed by making a direct abuse of power or competence, in other cases criminal act is committed in the area other than official authority of the perpetrator, but by exercising duress to activities of other individuals engaged in civil
employ. The position held with the civil service, as well as the nature and significance thereof, have a direct impact on the nature and scale of impact of the infringement of civil service. In addition, it has to be noted that crimes against civil service violated not only the general requirements applicable to it and enshrined in the laws, they also constitute failure to enforce or improper enforcement of special requirements enshrined in other laws, for instance, in the code of conduct or job descriptions.

The very title of “crimes against civil service” reveals not only the typical object of this type of crimes, but also defines an area against which such crimes are committed. Pursuant to the Law on Civil Service of the Republic of Lithuania, civil service means public administrative, managerial or technical activities of a civil servant in public authorities and agencies. Public and municipal institutions mean representative, executive and judiciary authorities as well as the institution of the Head of the State, and institutions and agencies exercising control (supervision). Civil service is therefore, the field of public management, handling and provision of services. Activities and relations of civil service are dominated by public interest. Enforcement of the public interest as a statutory and legal interest of the society is one of the most significant conditions of existence and development of the society.

Place of committing a crime against civil service does not necessarily coincide with the place of public office of the perpetrator. Illegal acts may be committed outside public office held by the perpetrator, e.g. in another state or municipal institutions or agency. The perpetrator, by means of abusing his/her office, official relations or authority may exert duress on other individuals to force them to commit certain acts.

Since crimes against civil service (except for misconduct in office) often manifests itself as criminal acts whereby by means of abuse of office in state institutions a perpetrator is seeking personal gain and interests and by doing so violates the interests of the state, such crimes are described as comprising elements of corruption. It is noteworthy that these types of crime are often of an international significance (e.g. regulation of foreign investments and credits, award of service contracts, privatisation process involving participation of foreign capital).

On the basis of understanding of crimes against civil service, the typical object of such crimes are considered to be normal and effective activities of state and municipal institutions and agencies not contradicting the principles of the delegated authority, rule of law, the Constitution, laws and other legal acts. A direct target of such crimes is normal and effective activities of state and municipal institutions and agencies which are carried out in accordance with the principles of the delegated authority, the rule of law, the Constitution, laws and other legal acts, such as statutes and job descriptions.

Therefore, the typical object and direct target of crimes against civil service are described on the basis of identical type of values, while possible additional values may be the personality, health, dignity, property, etc. of the aggrieved party.

An objective side of crimes against civil service usually manifests itself in the form of active actions. Elements of several types of crimes against civil service (bribe taking,
corruption on the part of the intermediary) are described as formal elements, which do not mean, however, that these crimes do not result in certain consequences. Every crime against civil service inevitably constitutes a violation of usual activities of state and municipal institutions and agencies undermining their authority. Rather often such crimes bear obvious or miscellaneous consequences, while sometimes they can be discovered only after some time since a criminal act has been committed; this is why such consequences are not indicated in the set of elements of individual crimes.

The content of the target, the level of seriousness of crimes and the resulting consequences, the mechanism of committing such crimes or emergence of consequences as well as other features allow presupposing a special subject of crimes against civil service – civil or public servant.

The Law on Civil Service defines a civil servant as a natural person who has acquired the status of a civil servant and performing public administrative, managerial or technical activities of a civil servant in a state or municipal institution or agency or providing public services.

The subjective side of crimes against civil service is defined by the law as deliberate criminal act comprising elements of corruptive nature or personal gain. The degree of deliberateness of crimes against civil service is determined on the basis of several factors. A perpetrator:

1) is aware of his/her status as a civil servant;
2) is aware of his/her authority, duties and functions he/she is obliged to fulfil as prescribed by the laws, other legal acts regulating the civil service and the employment contract;
3) is aware that his/her actions in office may bear legal or other consequences;
4) is aware that his/her acts (or omission) go beyond his/her authority, competence or contradict the interests of the service and as such are prohibited;
5) foresee damage which may be inflicted by his/her illegal acts when abusing office;
6) understand that such behaviour is related to the duties currently held or are inseparable from them, and apart from its harmful consequences also undermines the authority of civil service;
7) is seeking to carry out illegal acts which are related to his/her official duties or is attempting or deliberately permits occurrence of consequences resulting from such actions. From the point of view of consequences the deliberate act of the perpetrator often lacks concreteness. If the formal elements of the crime against civil service are described, the psychological and wilful relation of the perpetrator is identified only from the point of view of the act concerned.

With regard to individual types of crime against civil service (for instance, bribe taking or illegal participation in commercial or financial activities of the company) seeking personal gain is not directly identified as an essential element. The manner of committing such crimes, circumstances, the subjective part, however, presuppose the motives and aims of deliberate personal crimes against civil service.
ASPECTS OF BUSINESS ETHICS

GINTARĖ ŠATIENĖ

Business (Commercial) Law Course Module

PURPOSE OF THE DISCIPLINE

1. Familiarise students with the concept of business law, its sources and system.
2. Examine legal relations of business, entities of business law and their legal status.
3. Analyse types of enterprises, their establishment, reorganisation, licensing and liquidation.*
4. Clarify the bankruptcy procedure of enterprises and the process of their restructuring.
5. Discuss the issue of responsibility in commercial relations.
6. Examine the main aspects of business ethics (the concept of ethics, its object and functions, its importance in public administration and business, the principles of professional ethics and values of civil servants, the importance of discretion with regard to ethics in public administration).*
7. Familiarise students with the problems of ethics and their causes.*

The objectives identified in paragraphs 3, 6 and 7 of the discipline of business (commercial) law relate to corruption as a problem of business ethics and to the reasons for its occurrence.

To examine corruption in business, the following additional sub-themes require attention:

1. The concept of ethics and corruption as a problem of business ethics.
2. The spread of corruption (its level and scale) in Lithuania.
3. The causes and consequences of corruption.
4. Problems of abusing public office.
5. Analysis of practical problems and situations of ethics.

BIBLIOGRAPHY


PRACTICAL EXERCISES

The tasks are targeted at students of business (commercial) law, taking into consideration the changes to the module that appear after anti-corruption education is integrated into it.
**TASK NO. 1.** In your opinion, what are the causes of corruption in Lithuania? Please note the statements you agree with and add more to supplement the list.

<table>
<thead>
<tr>
<th>External reasons</th>
<th>Internal reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>• lack of proper mentality</td>
<td>• improper data protection</td>
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<tr>
<td>• lack of civic awareness</td>
<td>• lack of control</td>
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<tr>
<td>• unclear and controversial public attitude towards corruption</td>
<td>• improper organisation of work</td>
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<tr>
<td>• lack of resistance against corrupt civil servants</td>
<td>• lack of qualification</td>
</tr>
<tr>
<td>• passiveness of citizens in anti-corruption activities</td>
<td>• lack of clearly defined powers</td>
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<tr>
<td>• improper legal acts, their frequent amendment and legal collisions</td>
<td>• weak risk administration</td>
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<tr>
<td>• non-punishment</td>
<td>• lack of the principle of rotation</td>
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<tr>
<td>• inefficient control systems and witness protection programmes</td>
<td>• motivated career system</td>
</tr>
<tr>
<td>• inefficient legal procedures and measures</td>
<td>• underdeveloped internal and external audit systems</td>
</tr>
<tr>
<td>• inefficient procedures of appointment, suspension and dismissal of public officials</td>
<td>• insufficiently transparent decision-making process</td>
</tr>
<tr>
<td>• lack of professional code of ethics for civil servants</td>
<td>• the remaining preconditions of corruption while appointing managers of companies with the predominantly state capital and defining their responsibilities, etc.</td>
</tr>
<tr>
<td>• unemployment</td>
<td></td>
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<tr>
<td>• inefficient health insurance system</td>
<td></td>
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<tr>
<td>• small salaries of civil servants</td>
<td></td>
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</tbody>
</table>

**TASK NO. 2.** Assess the impact of traditional anti-corruption measures.

<table>
<thead>
<tr>
<th>Corruption reduction measure</th>
<th>The impact is targeted towards? (please insert)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Huge fines for corruption and increasing liability</td>
<td></td>
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<tr>
<td>Increasing salaries for public officials</td>
<td></td>
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<tr>
<td>Increasing funds for special services</td>
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<tr>
<td>“Hot lines”</td>
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<tr>
<td>Public education (increasing intolerance towards corruption)</td>
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</tbody>
</table>

**TASK NO. 3.** Answer the questions below:
1. Where do you draw the line between a gift and a bribe?
2. What is your attitude towards gift-giving of things of small value: a calendar, a postcard, a package of coffee?
3. Can a civil servant accept a gift, for example, a picture, and show it publicly?
4. Should a code of ethics for civil servants be developed?
5. What measures should the leaders of civil service institutions take to encourage exemplary conduct of their staff and what sanctions should they impose to punish those who do not behave properly?
6. What measures and sanctions are lacking and what action do you think should be taken?
7. What strategy could be used to fight corruption?
VAIVA ZUZAVIČIŪTĖ
PRIVATE INTERESTS AND REPRESENTATION

The Course Module of Life-Long Learning Strategies

The course is a part of the curriculum of the first level of group C (speciality), designed for students of the bachelor's study programme in andragogics; the lectures are also attended by future bachelors of psychology and sociology. In total – 71 students.

GENERAL DESCRIPTION OF THE LECTURES

The purpose of the lectures is on the basis of sources (scientific literature, documents, etc.), to provide opportunities to discuss and provide arguments for publicising and protecting private interests in the broader context within the discourse of life-long learning by indicating the forms acceptable to a democratic society.

PLACE OF THE MODULE IN THE COURSE

J. Delors’ report on the opportunities of public and economic development in the unified Europe that was publicised in the last decade of the twentieth century has revealed several fields where learning is emphasised – learning to work and co-exist together and learning to be a citizen. Co-existing together means developing appropriate social skills covering inter-cultural communication and co-operation; learning to be a citizen means learning to solve a variety of local, regional, national and international level problems. The accomplishment of social (reduction of social exclusion and integration of various social groups), ecological and political tasks is integrally related to two aspects – participation and strengthening of social cohesion appreciating diversity. Learning to be citizens covers the knowledge of how to express opinions according to the procedures acceptable to a democratic society and having the courage to do so. The essence of active citizenship is the protection of one’s interests and needs as well as the interests and needs of one’s immediate surroundings, various associations, movements and the community and also common and unique social values, one’s own rights and the rights of individuals who find it difficult to protect them themselves (marginal groups, minors, the disabled, etc.). Ensuring that each person, each member of the community or society adheres to the principles of the rule of law is the principal condition for the creation of a society of equal opportunities. It is possible to misuse power in all layers of the socio-economic structure: a grown up can misuse his powers in respect of a child, a healthy person in respect of a disabled one, a full-fledged citizen in respect of an immigrant. Surveys have revealed that the misuse of power is spread in all countries and, therefore, in the EU educational policy documents, having acknowledged that features such as active citizenship, actively defending one’s rights and voluntary fulfilment of one’s duties have to be promoted and developed, this issue deserved special
attention. In the module of the course devoted to anti-corruption education, separate attention is given to appropriate ways of expressing the power and the duty of citizens and especially of educational specialists (as the listeners of the course are mainly the future teachers and managers) to protect their own rights as well as the rights of those they are responsible for. The module uses a broad approach to the concept of anti-corruption which covers not only the misuse of power of officials, but also that of private persons and every individual that has some kind of power over another person and his misuse of this power. To highlight this modern conception of anti-corruption, the ideas expressed in an article by A. Raudoniėnė, a pre-doctoral law student, grounding the necessity to protect one’s rights at all levels were used.

AFTER HEARING THE LECTURES, THE STUDENTS WILL BE ABLE TO:

• Distinguish between a private and public interest;
• Discriminate between life-long learning strategies in the light of education/self-education of an individual and a citizen;
• Understand the dissemination of the diversity of active citizenship in a democratic country;
• Indicate the opportunities of active citizenship within the discourse of life-long learning.

DISTRIBUTION OF HOURS DEVOTED TO THIS SUBJECT

A total of eight hours are devoted to this subject (of this number, six hours are lectures, one hour is individual work and one hour is testing knowledge through discussion).

EVALUATION

The following aspects are evaluated – familiarity with the material presented in the reading material and participation in the discussions.

METHODS

These lectures are an integral part of the course. They are delivered after familiarising the students with the basic requirements, topics and issues of the course, as well as with various didactic material. Active participation is encouraged (learning based on the discovery method) as the students are already familiar with this lecture organisation logic. The second method that is used is learning by participating. Individual search for reading material, questions and doubts should be encouraged as the topic under consideration is related to the active position of citizens. Group work method is also applied. This work is generalised by providing examples of associations and representation phenomenon in the society; a lecture where the main topics are emphasised. For the discussions, reading material is prepared and the students can familiarise themselves with it in advance; the information, data and arguments are searched for to ensure a meaningful discussion.
EXTENDED PLAN OF THE LECTURES

LECTURE 1

1. Democracy – general principles and the diversity of concepts.
2. Private and public interests – a conflict and their adjustment.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Method</th>
<th>Literature, materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous lecture</td>
<td>Lecture</td>
<td>The argument structure was introduced.</td>
</tr>
<tr>
<td>Lecture or consultation</td>
<td>Group discussion</td>
<td>Questions for initial discussion based on the reading material:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>What seems to be most important? Why?</td>
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<tr>
<td></td>
<td></td>
<td>What makes you doubt and what would you like to dispute? Ground your opinion.</td>
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<tr>
<td></td>
<td></td>
<td>Questions to elaborate on in the discussion:</td>
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<tr>
<td></td>
<td></td>
<td>How would you describe private and public interests?</td>
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<tr>
<td></td>
<td></td>
<td>What is especially important to Lithuania in this respect? Why?</td>
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<tr>
<td></td>
<td></td>
<td>Are private and public interests separated in our country? Where do they intertwine?</td>
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<tr>
<td></td>
<td></td>
<td>In which fields do they have to intertwine?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In which fields and why should they not intertwine?</td>
</tr>
<tr>
<td>Generalisation of discussions</td>
<td></td>
<td>Questions to generalise the discussion:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>What are the roles of an educationalist, a teacher of adults, when protecting the fields where private and public interests should not intertwine? Why is it important to discuss these issues in a democratic society?</td>
</tr>
<tr>
<td>Lecture</td>
<td></td>
<td>The concepts of public and private interests are being analysed, as well as their links in the context of human rights and active citizenship, and proper manifestations of private interests in a democratic society.</td>
</tr>
<tr>
<td>Generalisation</td>
<td></td>
<td>On the basis of the reading material, discussions, and the material presented during the lecture, generalisations were made regarding the legal and acceptable (to a democratic society) way of publicising and protecting private interests and why this is important for a democratic, knowledge society.</td>
</tr>
</tbody>
</table>

Literature

Lecture 2

1. Representation in a democratic society.
2. The forms of manifestation of private needs in the democratic space.
3. Active citizenship – the origin of the concept, its diversity and the essential elements.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Method</th>
<th>Literature, materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous lecture</td>
<td>Lecture</td>
<td>The concepts of public and private interests were analysed.</td>
</tr>
<tr>
<td>When preparing for the lecture</td>
<td>Independent work (analysis of prepared texts and recommended literature)</td>
<td>Compulsory literature: 1) <em>Mokymosi visų gyvenimą strategijos. Sąvadas</em>. Kaunas, 2003, Chapter 3; 2) Reading material II (Welton M., <em>Pilietinė visuomenė ir viešoji sfera</em>).</td>
</tr>
<tr>
<td>Lecture or consultation</td>
<td>Group discussion</td>
<td>Questions for initial discussion based on the reading material: What seems to be most important? Why? What makes you doubt and what would you like to dispute? Ground your opinion. Questions to elaborate on in the discussion: Are there any problems that arise for certain people that are not publicised and represented in our country? If there are, then what type of problems are these? If there aren’t, then who gives publicity to them and represents them? Which NGOs do you know? If you are participating in the activities of an NGO, introduce the goals, forms of activities and target groups that it attempts to represent. Share your experience and say whether it’s an easy job. Are you represented by an NGO? What are the opportunities for active citizenship education/self-education in our country in the light of life-long learning? Provide examples of how citizens express their will. What are the rights and opportunities to express it? Why do people sometimes not exercise these rights and opportunities?</td>
</tr>
<tr>
<td>Generalisation of discussions</td>
<td></td>
<td>Questions to generalise the discussion: What aspects of personal, social and professional activity should we learn in the light of life-long learning strategies? How would you do this?</td>
</tr>
<tr>
<td>Lecture</td>
<td></td>
<td>The theory of J. Habermas on social learning; associations in a democratic society; the essence of the concepts of active citizenship and their diversity; the expression of active citizenship activity.</td>
</tr>
<tr>
<td>Generalisation</td>
<td></td>
<td>On the basis of the reading material, discussions, and the material presented during the lecture, generalisations were made regarding one of the life-long learning strategies – the promotion of active citizenship.</td>
</tr>
</tbody>
</table>
Literature

Lecture 3

1. Memorandum on active citizenship within the strategy of life-long learning – is it an innate ability or something that can be achieved through education?

<table>
<thead>
<tr>
<th>Stage</th>
<th>Method</th>
<th>Literature, materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous lecture</td>
<td>Lecture</td>
<td>The concept of active citizenship, the activities of citizens, responsibilities, rights and obligations, as well as exercising them, were analysed.</td>
</tr>
<tr>
<td>When preparing for the lecture</td>
<td>Independent work</td>
<td>Compulsory literature:</td>
</tr>
<tr>
<td></td>
<td>texts and recom-</td>
<td>2) Reading material III (an extract from the memorandum on life-long learning).</td>
</tr>
<tr>
<td></td>
<td>mended literature)</td>
<td></td>
</tr>
<tr>
<td>Lecture or consultation</td>
<td>Lecture</td>
<td>Versatility of social life in the European Union. Learning as a way of identifying and solving social and political problems.</td>
</tr>
<tr>
<td>Group discussions</td>
<td></td>
<td><strong>Questions for initial discussion based on the reading material:</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>What seems to be most important? Why?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>What makes you doubt and what would you like to dispute? Ground your opinion.</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Questions to elaborate on in the discussion:</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>What arguments can be provided to prove that active citizenship, the ability to work together and culture are the centre of attention of life-long learning?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Which of these aspects are being implemented in Lithuania? Which ones are still lacking?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Which aspects of learning to co-exist and work together would you emphasise? Why?</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Questions to generalise the discussion:</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Why, under life-long learning strategies, is it not enough to develop only professional competence? Which public phenomenon existing in Lithuania could be mitigated only by learning to properly co-exist and work together?</td>
</tr>
</tbody>
</table>
Generalisation of discussions and lectures

On the basis of all three reading materials, discussions, and the material presented during the lectures, generalisations were made by emphasising individual abilities and capabilities (in respect of opportunities and their diversity) to learn to seek the harmony of competences; professional and personal competences; active citizenship competence as participation in public affairs, protection of private interests in the way that is acceptable and appropriate to the rule of law and a democratic, knowledge society.

Literature

REFLECTION ON THE LECTURES

After delivering the course module of life-long learning strategies “Private Interests and Representation” for students of the bachelor’s study programme in andragogics, the students were asked to reflect on the considered topics and the discussions.

Working in groups of 5-7, the students identified several levels where an andragogue, a teacher of adults, can contribute to the formation of a civic society:

- **Individual level**: here individual responsibility is the most important;
- **Community level**: here the role of an individual, educational and state institutions and non-formal education organisations is important;
- **Economic level**: seeking to attain cohesive and sustainable development, the efforts on the part of the trade unions and organisations as well as an appropriate national strategy are required.

The students defined the responsibility of an andragogue:

- **motivation**, for example, to convince a person that it is important to develop his competence; to show a person that he is important in the organisation; to encourage people not to be afraid of innovations and to use them; to demonstrate the relational link of the new competence with the practice;
- **assistance for learners**, for example, to teach how to properly allocate time; to help to acquire individual work skills; to create adequate conditions for learning (place, time and materials); to create a proper and safe environment for learning (favourable atmosphere and confidentiality); to tell about the diversity of learning opportunities and to create the conditions to choose (for example, the appropriate working methods);
- **civic position**, for example, to educate, not sticking to the principles of competition; to promote active citizenship; when preparing the future teachers, to emphasise civic responsibility; to help people adapt in the organisation.
OBJECTIVE
To familiarise students with codes of ethics as sources of solving moral issues.

METHODS
Group work, text analysis and interpretation, contemplation.

MATERIAL
Texts (codes of ethics, descriptions of the concept of corruption), tables with the analysis of codes of ethics, a scheme picturing the concept of corruption.

PROCESS
1. Students learn that specialists of different areas usually perform their activities on the basis of certain values and that representatives of different organisations and professions often develop and agree on certain principles, declarations and codes of ethics, etc. All of these matters are certain imperatives helping to ensure in a formal way proper professional conduct of a certain group. According to Palidauskaitė (2001), the mission of codes of ethics is to be an intermediary in formal relations between the general public and representatives of a certain profession or organisation and define the interrelations between the members of a certain profession or organisation. The necessity to define such interrelations comes to the forefront in the event of various crises, scandals and in particular when solving ethical issues. This happens because the majority of problems arise in the so-called in-between situations, when values intertwine with legal issues (deceit, corruption, abuse, conflict of interests, etc).
2. Students are divided into groups and each group is given different codes of ethics (see Bibliography below). The groups analyse the code of ethics and identify their objective, values, principles, advantages and disadvantages.
3. The groups present their work by filling out the table shown below:

<table>
<thead>
<tr>
<th>Codes of Ethics</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Objectives</td>
<td>Values</td>
<td>Principles</td>
</tr>
<tr>
<td>Advantages</td>
<td>Disadvantages</td>
<td></td>
</tr>
</tbody>
</table>
The discussion reveals the main objectives of codes of ethics (prevent unethical conduct; set boundaries of responsibility; promote ethical conduct; perform a function of moral education; discipline representatives of the profession or members of the organisation; help in decision-making; increase public trust; create a better image of the profession to the public), values and principles (care, good will, honesty, accountability, equity, respect, civic awareness, etc), advantages and disadvantages.

4. Students are given texts with the concept of corruption and introduced to the scheme of corruption (corruption = monopoly + secrecy - accountability) (See Fig. 1), on the basis of which corruption (gift, bribe, individual or systemic corruption) is examined as an ethical issue.

![Diagram of Corruption Scheme]

**FIG.** Scheme of the Concept of Corruption

5. After identification of the objectives, values and principles of codes of ethics and examination of the concept of corruption, students receive the task to highlight the opportunities for corruption prevention established in the codes of ethics. While looking at the text of the codes of ethics, groups of students fill out the table and summarise their solutions on a flip-chart, as follows:

<table>
<thead>
<tr>
<th>Manifestation of Corruption</th>
<th>Prevention Measures in Codes of Ethics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. After summarising the tasks performed by the student groups and putting them down on the flip-chart, the students think about reaction to corruption as an ethical issue originating from the codes of ethics. A discussion is held to find out why representatives of certain professions fail to abide by the adopted codes of conduct.
BIBLIOGRAPHY

OPTIONAL COURSE MODULES
TADAS TAMOŠIŪNAS
CORRUPTION AND ITS PREVENTION

Optional Course

PURPOSE AND SCOPE OF THE COURSE AND ITS RELATION WITH OTHER DISCIPLINES
The course will familiarise students with the concept of corruption, its nature and manifestation in different spheres of public life: politics, economics, law enforcement, etc. It will also provide knowledge about prevention of corruption and develop adequate skills. The content of the course is based on a multi-disciplinary approach, lying on sociology, history, law, political science and other social and humanitarian sciences. The duration of the course is 80 hours (including 32 hours of lectures and exercises and 48 hours of individual work).

RELEVANCE OF THE COURSE
While undermining trust in the state, slowing down economic progress, restricting democratic development, impeding activities of individuals in various private business areas, corruption has a very negative impact on the development of the state and social co-existence. Bearing in mind the role of prevention played by education, it is relevant to introduce this complex phenomenon of corruption to future specialists in more detail. Besides that, the course will be useful from the more overall social point of view, because every person, to a smaller or bigger extent, encounters corruption, which calls for an adequate and competent reaction.

TASKS
1. Familiarise students with the concept of corruption and its characteristics in various areas of public life, analyse its impact from the point of view of an individual, institutions and society.
2. Examine the legal and organisational basis for the prevention of corruption, familiarise students with the corruption preventive initiatives taken in Lithuania and abroad.
3. Build students’ abilities to identify corrupt practices and strengthen their civic anti-corruption attitude.

CONTENT OF THE COURSE

TOPIC NO. 1 “Concept of Corruption”
Corruption as a universal historical phenomenon. A variety of definitions of corruption and relation with the socio-cultural context. Expansion of the definition of corruption and its comment. Analysis of the concepts of unlawful promise, offer and giving by a person in different areas of social life in Lithuania.
TOPIC NO. 2 “Types of Forms of Corruption”


TOPIC NO. 3 “Factors and Conditions of Corruption”


TOPIC NO. 4 “State of Corruption in Lithuania”

Methodology for measuring corruption. Findings of sociological surveys and their development in recent years. Controversial public opinion. Views of international organisations towards corruption in Lithuania. The main consequences of corruption in the country: decreasing efficiency of investment, limited competition, smaller amount of taxes collected, weakening trust in state institutions, etc.

TOPIC NO. 5 “Legal Grounds for Preventing Corruption”


TOPIC NO. 6 “Political, civic and educational initiatives”


EVALUATION OF THE COURSE

Aggregate mark.

BIBLIOGRAPHY


SAMPLES OF EXPANDED TOPICS

TOPIC NO. 1 “Concept of Corruption”

Corruption as a universal historical phenomenon. A variety of definitions of corruption and links with the socio-cultural context. Expansion of the definition of corruption and its commentary. Analysis of the concepts of promise, offer and giving in different areas of social life in Lithuania.

Tasks
1. Familiarise students with the concept of corruption and the other important concepts of the course. Formulate a simple and at the same time comprehensive definition of corruption.
2. Disclose the complexity and diversity of the phenomenon of corruption.

I. Introductory lecture (plan)
1. Students are familiarised with the importance of corruption studies, presenting a short definition of this phenomenon (the misuse of power for personal gain). The focus is made on the destructive impact of corruption on society. The complex nature of corruption is a characteristic typical of Post-Soviet countries. The reference is made to the publication of T. G. Grosse “Anti-Corruption Actions in the Countries of Organisation for Economic Co-operation and Development (OECD)” placed on the website of the Special Investigation Service of the Republic of Lithuania (see http://www.stt.lt/lt/files/antikorup_1_dalis.pdf and http://www.stt.lt/lt/files/antikorup_2_dalis.pdf (in Lithuanian).
2. Discussion is held about the importance of having a holistic approach towards corruption in the life of an individual and society because we all encounter corruption, some more often than the others. The issue is raised concerning corruption preventive functions of teachers. The emphasis is put on the importance of critical analysis and the main arguments ‘for’ and ‘against’ corruption are presented (the same publication of T. G. Grosse can be used as a reference). Corruption is mentioned in the context of social institutionalisation: the fight against corruption often becomes a way of expressing one’s interests (for example, many politicians favour anti-corruption slogans).

3. The historical nature of corruption is disclosed: the Ancient Orient (examples of administrative corruption¹), Republic of the Two Nations (examples of political corruption²), the Republic of Lithuania during the inter-war period (the bacon cutting case, Sakharin’s case and stamps’ case³), Soviet Union (examples of administrative and political corruption⁴). A short recollection of the recent corruption scandals in Lithuania. It is highlighted that corruption is impossible to eliminate entirely yet it may be reduced and controlled.

4. Presentation of corruption definitions formulated by the United Nations, Transparency International, international and Lithuanian authors, and the ones laid down in the legislation of the Republic of Lithuania (Law on Special Investigation Service of the Republic of Lithuania). The problem of making the definition.

5. The seminar participants are provided a memo with the main concepts used during the course (žr. Annex below).

II. “Your Position” (discussion method)

Duration

The duration of the exercise is 1–1.5 hours, with 10–30 students participating.

Purpose

While applying the method, students are encouraged to examine their attitude towards corruption and the ability to share opinions is developed despite individual differences.

Process

1. A piece of paper is placed in one part of the classroom with the sign ‘+’ on it and another piece of paper, in another part of the classroom, with the sign ‘-’ on it.

¹ See manuals on ancient history, for example, J. Varnienė “Senosios civilizacijos” (Vilnius: Vilniaus knyga, 2004).
2. The students are told that different statements will be read out. Those who agree with the statement should move to the classroom with the sign ‘+’ on it and those who disagree, to the opposite side, with the sign ‘-’ on it. Those who have no opinion should stay in the centre of the classroom and will not be able to comment their views.

3. The first statement is read out. (Sample examples: “While going to a doctor, you should bring him something”, “It is normal to have an agreement with the traffic police: it is beneficial for both parties and it is not harmful to society”, “Corruption speeds-up decision-making”, etc.) The statements made should be controversial and make it possible to proceed with the situations of follow-up consequences. For example, it is beneficial to have an agreement with the traffic police but if it turns into common practice it may happen that a drunk driver who is released by the traffic police against a bribe runs over a pedestrian.

4. After the statement is read out, all the students take one of the possible positions and each of them is asked to comment their choice. Each student is given 2-3 minutes to ground their choice.

5. When all the opinions are listened to, those willing to change their choice may proceed to the other side of the classroom.

6. After examining of all the statements, a discussion is held to cover the following issues:
   • Was it difficult to choose the position? Why? Was it difficult to stand in the centre of the classroom and have no opportunity to express your opinion?
   • Which arguments were expressed? What were they based on: facts or emotions? Which ones were more effective?

   Note. The statements may be changed and adjusted yet it is essential to keep them debatable.

Experience in Applying the Method

The method described above was applied while working the students of History Faculty of Vilnius Pedagogical University. It helped to achieve the objectives of the exercise, prepared students for a follow-up examination of corruption, strengthened their critical attitude towards stereotypes prevailing in society and the clichés tolerant of corruption. For example, several respondents said that it is always worth ‘giving’ to a doctor because then you would receive better services and save your time on procedures (a common stereotype and from social psychology we know that a strong attitude determined adequate behaviour). Yet the discussion went further in expanding the thought: what would happen to people who were not able to pay the doctor and which negative consequences could be expected from a doctor who studied medicine paying bribes and did not require the necessary knowledge. Several times students mentioned the tradition of clientele relations rampant in Lithuania. They said that it is difficult to
find employment without the help of acquaintances and patrons and this circumstance justifies corruption. There were students who challenged this thought and provided grounded arguments that commitment to work (and primarily studying) in a market economy pays off and corruption in the private sector, which is mostly based on competence, is not advantageous.

Evaluation
This exercise is introductory and its purpose is to have opinions expressed rather than evaluate the knowledge or skills possessed. Therefore, participation should be suffice for evaluation.

ANNEX. Key Concepts used during the Course

Anti-corruption education is development of anti-corruption attitudes of citizens.

Anti-corruption standards are a set of behavioural and legal norms that help to the maximum reduce corrupt conduct.

Clientele relations is a system of relations based on mutually beneficial commitments and connections of a guardian and another person or a group of persons (clients).

Conflict of interests a situation where a person in the civil service, when discharging his duties or carrying out instructions, is obliged to make a decision or participate in decision-making or carry out instructions relating to his private interests.

Corruption is misuse of public power for personal gain (one of the possible definitions).

Criminal acts related to corruption include bribery, bribery of intermediary, other criminal acts committed in the public administration sector or while providing public services for one’s own benefit or for the benefit of third persons, including: abuse of office or exceeding one’s authority, abuse of official power, counterfeiting documents or measuring devices, fraud, misappropriation of property or embezzlement, disclosure of official secret, provision of false data about income received, profit generated or property owned, legalisation of illegally obtained money or property, interference with activities of a civil servant or a person performing the functions of public administration or other criminal acts when they are committed seeking or demanding a bribe, bribery or to disguise or conceal bribery or bribe-taking.

Detection and prosecution of corruption is disclosure of acts of corruption and implementation of the principles of equity and inevitability of punishment.

Identification of corruption is the ability to manifestation of corruption in a timely and thorough manner.

Forms of corruption according to the area of its occurrence are administrative, political, private sector, and international.
**Forms of corruption according to the purpose of acts** are bureaucratic, regulatory, preventive, and of eliminating consequences.

**Lobbying activities** are remunerated actions of lobbyists that are used to influence amendment, supplementation or invalidation of legal acts, adoption or non-adoption of new legal acts. The purpose of those activities is to fulfil the interests of the client with no prejudice to human rights or public and state interests.

**Lobbyist** is a natural person or an enterprise, institution or organisation put on the list of lobbyists in compliance with the procedure established by law.

**Money laundering** is conduct whose purpose is to conceal or to make appear as legal the illicitly acquired origin of proceeds.

**Nepotism** is the clients’ system which involves support of relatives.

**Patron** is a part of the system of clientele relations, an institution or a person guarding or protecting someone or something.

**Prevention of corruption** is elimination of causes of and factors contributing to corruption.

**Principles of public administration** include the rule of law (activities are based on legal grounds), objectivity (actions must be unbiased), and prohibition against abuse of authority (prohibition from performing unauthorised actions or for making decisions within the scope of their competence for purposes other than those prescribed by law).

**Private interests** are private economic or non-economic interests of a person in the civil service or his close relative or a family member which may affect his decision-making in the discharge of his official duties.

**Public administration** is the activities of state and local authorities, regulated by laws, intended for the implementation of legal acts and local government ordinances and for the administration of planned public services.

**Public interests are the public’s expectations with regard to impartial and just decision-making of the persons in the civil service.**

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**TOPIC NO. 6 “Political, Civic and Educational Initiatives”**


**Tasks**

1. Evaluate opportunities of preventing corruption and expand them in the closest environment of students.
2. Strengthen anti-corruption position of students and, indirectly, that of their colleagues.
Duration

The topic is covered in 8 academic hours of workshops and 10 hours of individual work.

Introductory Lecture (Plan)

During the lecture the teacher reminds students of the key statements presented during the previously discussed topic, “Legal Grounds for the Prevention of Corruption”, and highlights that it is not sufficient to have a legal regulation and prosecution in place; it is also necessary to have a proactive role played by civic society and mass media, conduct anti-corruption education and carry out other initiatives. The teacher presents examples of how mass media initiated facts of corruption (scandals of Pakšas and members of the Seimas). While noting the complex nature of corruption, the importance of mature civic society is emphasised. Integrity and law abiding are some of the main civic virtues that are best established in Western democracies. To illustrate the importance of civic society, an Italian case is examined fully discussed in the study of R. Putnam “To Have Democracy Work”\(^5\). On the basis of qualitative and quantitative data presented by Putnam the teacher shows the influence of civic attitudes and conduct on the system of clientele relations, patronage, indifference of public officials, abuses and other manifestations of corruption. The underlining idea leading to follow-up work is the importance of civic virtues and civic ethics in the prevention of corruption.

II. “We develop a Code of Ethics for Teachers (Students) of High Education Establishment” (a pro-active method)

Process

1. During the first workshop, the teacher reminds students of the recent survey findings which show that corruption in high education establishments has become a systemic phenomenon; he (she) highlights the importance of ethics and suggest conducting a practical exercise “We develop a Code of Ethics for Teachers (Students) of Higher Education Establishments”. One constituent element of those codes could be prevention of corruption.

2. Depending on the number of participants, they are divided either into two or four groups (1 + 1 or 2 + 2) which are tasked to develop codes of ethics for teachers and students. The first task is to have the groups discuss the functions of such codes in the academia (possible use of the brainstorming method).

3. Working groups present the functions of codes discussed, the teacher summarises them and formulates another task: examine the documents defining activities of teachers and students in the Republic of Lithuania (the Statute of Higher Education Establishment, Law on Education, Law on Higher Education) and abroad (for example, statutes of foreign universities). The main objective of

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homework is to identify places in the documents where are directly or indirectly related to the ethics of teachers and students.

4. The first task of the second workshop is to have working groups agree on the places of documents highlighted at home, amend them and approve as appropriate for the codes to be developed. The groups present their views, take notes of remarks and suggestions.

5. The second task is to formulate positions of the codes developed which are not solely based on the formal documents examined but also include provisions on morality and ethics. The latter are often of relative nature, hence it is essential to agree on common position and discuss it. The working groups present their wordings, ground their importance and listen to critical remarks. The homework is to include suggestions made into the codes and bring the amended texts of codes to another workshop.

6. The teacher says that the draft codes developed will be assessed by the potential targeted group, i.e. teachers and students. He (she) offers the interview method and reminds them of the main requirements for conducting an interview.\(^6\)

7. Following the teacher’s advice, a representative of each group interviews several teachers and students to find out their opinion about the codes developed. They could also interview the administration, for instance, heads of departments, deans, etc.

8. The third workshop starts with the discussion of data collected during interviews. The groups supplement the codes developed. If a code of ethics for teachers and another one for students is developed by two groups each, some time is set for reaching a common position and developing a joint document. The final versions of documents are reviewed and proof-read.

9. The teacher introduces another stage of presenting the codes developed to the academia. The presentation will involve all the members of working groups who will present all the paragraphs of the codes and comment them. Plans are made with regard to the date of presentation, the audience, technical equipment, etc.

10. The fourth workshop is about the presentation of the codes developed to the academia, i.e. invited teachers, administrative staff, leadership of the Students’ Union, and students who agreed to take part in the event. The presentation is carried out following the procedure agreed in advance. It is worthwhile commenting why certain points were included into the code; the examples, answers of the respondents and other material used while preparing the code.

11. The event is finalised with the suggestion that the codes developed should be put on the agenda of the department, faculty, university administration, or the Students’ Union, hoping that they will be further improved and finally pub-

\(^6\) One could rely on a variety of methodological material, for example, K. Kardelis “Socialinių tyrimų metodologija” (Kaunas: Judex, 2003, p. 194–200).
lished. Since ethical attitudes are formed over a long period of time, it would be difficult to expect that a final document could be formulated during the presentation, yet it could set “the mind rolling” and at least “tickle morality”. This also helps to strengthen anti-corruption position.

Evaluation
The evaluation comprises the student’s participation in group work, the quality of interviews, and presentation of the codes developed. The evaluation of this exercise constitutes up to 25 per cent of the overall evaluation as it covers 25 per cent of the overall time of studies set for the optional course.

Contemplating over the Method
1. While developing the code of ethics for teachers (students) I learned that…

2. While developing the code of ethics for teachers (students) I learned (to do, to act, to be, etc)…

3. While developing the code of ethics for teachers (students) I realised that …
GINTARĖ ŠATIENĖ
CORRUPTION AND ANTI-CORRUPTION POLICY

An optional course for BA studies
Expanded Programme

PURPOSE OF THE COURSE
1. Develop the civic maturity of students, their sense of responsibility and ability to recognise a possible conflict between private and public interests.
2. Help students form a critical attitude towards corruption as a multifaceted problem of society and the state.

TASKS
1. Provision of knowledge about corruption as a multifaceted problem.
2. Examination of reasons for corruption and the ways of eliminating it.
3. Assessment of the damage of corruption.
4. Examination of characteristic features of the Lithuanian anti-corruption policy.
5. Overview of the European Union anti-corruption policy.

CLASSROOM ACTIVITIES
Lectures and Exercises

TOPIC NO. 1 “A Variety of Corruption Concepts”

Lecture (2 hours)
The objective is to familiarise students with various concepts of corruption as a problem of society and the state, summarise them and form a critical attitude towards this phenomenon.

Tasks and issues to be examined
1. Provide a criminological and legal description of corruption.
2. Familiarise students with the classical definition of the concept of corruption.
3. Discuss the definitions of corruption provided for in the legislation of the Republic of Lithuania.
4. Examine descriptions of corruption laid down in the legislation of the European Union institutions.
5. Summarise different definitions of corruption, identify their advantages and disadvantages.
Exercise (2 hours)

The objective is, looking at the characteristic features of this phenomenon, to formulate an accurate definition of corruption.

Tasks and issues to be examined
1. Understand and critically assess striving for personal gain and opportunities to abuse power for personal gain.
2. Identify concealment as an obvious feature of corruption.
3. Examine active and passive characteristics of corruption.
4. Relate theory with practice, taking into consideration assessment of possible cases of corruption.
5. Provide arguments while presenting the work results.
6. Co-operate while sharing ideas and experience.

Methods
1. Group performance of tasks and presentation of work results within the group.
2. Situation analysis: case assessment from the manifestation of corruption point of view.
3. Pair work in examining the course outline (questionnaire) to provide grounded responses.

TOPIC NO. 2 “Types and Forms of Corruption”

Lecture (2 hours)
The objective is to help students understand and examine types and forms of corruption and specify their characteristics.

Tasks and issues to be examined
1. Discuss the place of corruption in a democratic state guided by the rule of law.
2. Analyse bureaucratic, business, preventive, regulation corruption and that of liquidating consequences.
3. Examine administrative and political corruption, private sector and international corruption of economic relations (transactions), as well as corruption related to international organisations.
4. Identify characteristic features of various types and forms of corruption and assess them.
5. Identify the impact of political systems and regimes on the concept of corruption and the forms of its manifestation.
TOPIC NO. 3 “Manifestation, Identification, Diagnostics and Spread of Corruption”

Lecture (2 hours)

The objective is to help students understand the opportunities of corruption manifestation and develop their abilities to recognise cases of corruption.

Tasks and issues to be examined
1. Analyse the Corruption Perception Index.
2. Examine external relations with other bodies and inner relations within the institutions.
3. Discuss the elements of identification and diagnostics of corruption.
4. Become familiar with the trends of corruption ‘hot spots’.

Exercise (4 hours)

The objective is to help students identify cases of corruption and the probability of its manifestation.

Tasks and issues to be examined
1. Become familiar with the methods of investigating corruption.
2. Analyse the cases of alleged corruption.
3. Become familiar with statistics and learn to provide arguments when presenting it.
4. Discuss the opportunities of investigating corruption.
5. Examine the data of an interview with the experts.
6. Learn to discuss corruption scandals.

Methods
4. Group work and presentation of work results within the group
5. Situation analysis: case assessment from the manifestation of corruption point of view.
6. Free writing, discussion in pairs and within the group.
7. Reading and summarising.
8. Putting separate elements of the topic into one structure showing the whole picture.
TOPIC NO. 4 “The Scale and Level of Corruption in Lithuania”

Lecture (4 hours)

The objective is to familiarise students with the findings of the survey of the level, scale and new trends of corruption and discuss them.

Tasks and issues to be examined
1. Become familiar with the areas of public life most prone to corruption.
2. Examine and assess the findings of the survey of the level, scale and trends of corruption.
3. Examine the features of the relative level of corruption in Lithuania.
4. Discuss the trends of corruption in Lithuania.

TOPIC NO. 5 “Level and Spread of Corruption in the European Union”

Lecture (2 hours)

The objective is to learn about the features of the level and spread of corruption in the European Union member states (Germany, France, Italy, Spain, etc.).

Tasks and issues to be examined
1. Make an assessment of the level and spread of corruption in the EU.
2. Identify the characteristic features of the level and spread of corruption in the EU as opposed to the level and spread of corruption in Lithuania.
3. Compare instances of corruption occurring in Lithuania with instances of corruption in the EU member states.

TOPIC NO. 6 “Accidental and Systematic Corruption in Lithuania”

Lecture (2 hours)

The objective is to learn about characteristic features of accidental and systematic corruption in Lithuania and assess these types of corruption.

Tasks and issues to be examined
1. Examine the features of accidental corruption and the instances of its manifestation in Lithuania.
2. Examine the particularities of systematic corruption in Lithuania.
3. Discuss the process of how accidental corruption turns into systematic corruption and the reasons for that.
4. Examine the situations; look at them from accidental and systematic corruption perspectives.
TOPIC NO. 7 “Causes for Corruption and their Analysis”

Lecture (2 hours)

*The objective* is to examine different views about the causes of corruption; discuss their advantages and disadvantages.

Tasks and issues to be examined

1. Familiarise students with the economic theories of causes for corruption.
2. Examine the features of the economic view of corruption and the methods of anti-corruption influenced by it.
3. Discuss the organisational theory of causes for corruption.
4. Identify a cause and effect relation between corruption and the lack of institutional control.
5. Familiarise students with the ethical and cultural theory of causes for corruption.

Exercise (4 hours)

*The objective* is to examine a complex of causes for corruption and on the basis of these make an assessment of Lithuania.

Tasks and issues to be examined

1. Learn to identify causes for corruption.
2. Examine the formulas of the economic theory of the causes of corruption and the probability of bribe-taking.
3. Analyse a complex of factors contributing to the occurrence of corruption.
4. Learn to explain the features of the organisational theory of corruption.
5. Discuss the main aspects of the ethical and cultural theory of corruption.
6. Assess corruption and the lack of institutional control.
7. Comprehend the relation between the morality of public officials and corruption.

Methods

1. Group performance of tasks and presentation of work results within the group.
2. Situation analysis: case assessment from the manifestation of corruption point of view.
3. Free writing, discussion in pairs and within the group.
4. Group performance of tasks and supplementation of answers after analysis of their part of the text. Presentation of the results.
TOPIC NO. 8 “An Integrated Theory of Corruption”

Lecture (2 hours)

The objective is to familiarise students with the integrated theory of corruption, emphasising corruption as a universal phenomenon which has existed in a variety of time frames and public systems.

Tasks and issues to be examined
1. Familiarise students with the concept and features of corrupt public officials.
2. Analyse the mechanism of a theory of neutralising personality.
3. Examine depersonalisation of a decision taken by a public official, its essence and meaning.
4. Discuss the mechanisms ensuring depersonalised decisions (bureaucratic career, bureaucratic ideology, and legal sanctions).
5. Examine the personal features of a public official, emphasising the inner conflict.
6. Discuss the consequences of the inner conflicts of a bureaucrat.

TOPIC NO. 9 “Threat and Consequences of Corruption and their Analysis”

Lecture (2 hours)

The objective is to make students familiar with various perceptions of the threat of corruption and its consequences, summarise them and form a critical attitude towards the damage of corruption.

Tasks and issues to be examined
1. Discuss negative outcomes of corruption defined in legislation.
2. Become familiar with the views of different authors towards the threat and consequences of corruption.
3. Summarise the views of different authors towards the threat and consequences of corruption; identify areas of public and private relations that experience outcomes of corruption.
4. In the context of those areas, analyse concrete consequences of corruption (for example, unimplemented objectives of the state authorities, increasing governance expenditure, worsening quality of administrative work, deteriorating conditions for operating the market and private business, decreasing efficiency of the market, etc.).
TOPIC NO. 10 “Corruption and Law. Law Enforcement Agencies and Corruption”

Lecture (2 hours)

*The objective* is to examine the relation between corruption and legislation in the context of the operation of law enforcement bodies and politics.

**Tasks and issues to be examined**

1. Discuss the relation between corruption and legislation (for instance, violation of a criminal law, discretion and powers of a public official, and the definition of corruption provided in the legislation, etc.).
2. Analyse the relation between the civil service and corruption by identifying the opportunities for corruption to occur in the civil service.
3. Discuss the particularities of political corruption, with the primary focus on criminal acts against the right to participate in elections.
4. Analyse corruption and the effect of the lack of institutional control over it.

Exercise (4 hours)

*The objective* is to help students understand the opportunities for corruption in the civil service, public administration and politics.

**Tasks and issues to be examined**

1. Examine the particularities of bureaucracy and the right of discretion.
2. Discuss the personality of a bureaucrat, his or her characteristic features and learn to separate positive features of this personality from negative ones.
3. Learn to evaluate the role of bureaucracy in corruption.
4. Analyse the inner conflict and social and psychological consequences of such conflict; properly understand its meaning.
5. Examine legal provisions regulating the civil service and public administration (transparency of the civil service and public administration, recruitment into the civil service and public administration, their operation and accountability) and their role in anti-corruption policy.
6. Discuss the features of political corruption and the necessity to limit the powers of politicians.
7. Using the knowledge gained during the other disciplines, properly perceive and examine concrete cases of manifestation of corruption in the law enforcement bodies, politics and public administration, identify and formulate the main ideas and proposals on how the legal system should be improved to reduce the opportunity for corruption to occur in the areas mentioned.
Methods
1. The use of the composition method to select the features corresponding to a concrete case of corruption.
2. Work in small groups and pairs when analysing the situations.
3. Questioning method and presentation of results.
4. Reading and summarising in pairs.

TOPIC NO. 11 “Key Aspects and Constituent Parts of the Corruption Prevention System”

Lecture (2 hours)

The objective is to make students familiar with the features of the corruption prevention system.

Tasks and issues to be examined
1. Examine the concept of corruption prevention.
2. Discuss the origin and sources of the concept of the fight against corruption in Lithuania.
3. On the basis of international practice, examine the features of continuity and stability of a successful anti-corruption strategy.
4. Identify and examine separate constituent parts of the system of organisation of the fight against corruption.
5. Identify the key constituent parts of the fight against corruption and highlight their advantages.

TOPIC NO. 12 “Development and Implementation of the Anti-Corruption Policy in Lithuania”

Lecture (2 hours)

The objective is to examine the characteristic features of development and implementation of anti-corruption policy in Lithuania.

Tasks and issues to be examined
1. Examine the concept of anti-corruption policy.
2. Discuss the constituent parts of anti-corruption policy.
3. Examine the impact of the lack of benchmarks on anti-corruption policy.
4. Learn about anti-corruption legislation.
5. Discuss the bodies fighting corruption and evaluate their performance.
Exercise (2 hours)

_The objective_ is to help students understand the necessity of having a corruption prevention system and to discuss its advantages and disadvantages.

Tasks

1. Examine the legal and institutional basis for fighting corruption.
2. Discuss anti-corruption legislation and its key provisions.
3. Familiarise students with the practical application of anti-corruption legislation.
4. Examine the problems related to the adoption procedure of anti-corruption legislation and formulate the decision-making options in relation to them.
5. Discuss the operation of anti-corruption bodies and specify their advantages and disadvantages.

Methods

1. Group performance of tasks and presentation of work results within the group.
2. Situation analysis: evaluation of actions taken by anti-corruption bodies.
3. The use of the composition method to select the features allowing identification of deficient anti-corruption legislation.

**TOPIC NO. 13 “Legal Basis for the Prevention of Corruption in Lithuania”**

Lecture (4 hours)

_The objective_ is to examine the legal basis for the prevention of corruption in Lithuania.

Tasks and issues to be examined

1. Learn about the main features of historical development of the legal basis for corruption prevention.
2. Specify and examine the main provisions of the national anti-corruption strategy.
3. Discuss the basis for the lawfulness of property and funds.
4. Examine the conditions for the prevention of money laundering.
5. Examine lobbying activities and their conditions.
6. Learn about the system of the civil service and public administration and its transparency.
7. Discuss a transparent political system and the features of its operation.
8. Examine the main features of the right to access information about the operation of state and municipal bodies.
TOPIC NO. 14 “Features of Anti-Corruption Policy in the European Union Member States”

Lecture (2 hours)

The objective is to make students familiar with the main features of anti-corruption policy in the EU member states.

Tasks and issues to be examined
1. Particularities of the perception of anti-corruption policy in the EU member states.
2. Legal acts regulating the particularities of anti-corruption policy in the EU.
3. The main anti-corruption policy measures applied in the EU member states.
4. Comparison of the main features of anti-corruption policy undertaken in the EU member states with the Lithuanian anti-corruption policy.

Exercise (2 hours)

The objective is to understand the importance of the anti-corruption policy and identify factors contributing to a successful fight against corruption.

Tasks and issues to be examined
1. Examine the practice of corruption implemented in concrete member states of the EU (for example, Germany, France, etc.).
2. Discuss the opportunities to apply anti-corruption projects of those countries in Lithuania.

Methods
1. Situation analysis and group work in selecting positive and negative features of an anti-corruption policy implemented in a concrete state.
2. Brainstorming and discussion of responses in groups.
3. Reading and summarising.

Total duration of lectures: 32 hours.
Total duration of exercises: 16 hours.

BIBLIOGRAPHY
A Variety of Corruption Concepts

People say that little has changed from the times of the Roman Empire: power corrupts and absolute power corrupts absolutely. Newspaper headlines and TV talk about offences committed by civil servants around the globe. The phenomenon of corruption is as old as the world itself. Different literature sources say that corruption has existed since the times of the establishment of public service, official positions and trust in public officials. Those words prove to be true as seen from about 150 cuneiform inscrip-

tions discovered by Danish archaeologists in the town of Raka, Syria, and announced in December 1997. The inscriptions showed that this was the administrative centre of the Assyrian civilisation which existed in the 13th century B.C. The archaeologists found a special archive belonging to an institution equivalent to the present Ministry of the Interior which contained data about bribe-taking officials. Today nobody doubts that the problem of corruption exists both in Lithuania and other countries on a scale that is difficult to define. Official legal proof of the existence of corruption is official statistics of registered and investigated crimes of corruption corresponding to specific articles of criminal law and analysis of court decisions taken after the court hearings of appropriate criminal cases.

It should be highlighted that corruption is one of the main characteristics of organised crime, manifesting itself as the development of the security system from social control. In fact, it is no surprise to anyone that organised crime groups have links with law enforcement and state authorities. Perpetrators use bribery, services, blackmail, and friendship connections to obtain information of interest to them, allowing them to act safely, avoid criminal liability or cushion it. Organised crime is almost always related to corruption, hence posing a threat to a country’s system of government and political security. For example, the Organised Crime Investigation Centre established in Kharkov, Ukraine, has gone as far as making the following radical conclusion: organised crime cannot survive for a long time without the support of public officials. Undoubtedly, this kind of support is secured by links to corruption.

Thus corruption is a phenomenon destroying the state from the inside. The state is destroyed by those who should be protecting it. This is an extremely huge problem calling for a comprehensive analysis, which should look not only at the concept and nature of corruption as a separate socio-economic phenomenon but also examine its causes, consequences, prevention and investigation of concrete corruption practices.

The social phenomenon of corruption has existed since ancient times as one of the most widespread forms of behaviour, extremely damaging to the civil service. The first attempts to fight corruption by means of criminal law in Europe are associated with the Criminal Code, issued in 1810 under Napoleon, which established considerably strict punishment. Corruption is some sort of mystical phenomenon: everybody talks about

3 Measures to Prevent Corruption, Study of European Centre for Parliamentary Research and Documentation in the EU Member States. Strasbourg, 1999, p. 36-42.
it but nobody can specify exactly what it is. There is a prevailing opinion that crimes such as acceptance of a bribe or undue remuneration and giving a bribe are inseparable from the concept of corruption. Yet it is also obvious that although corruption includes those crimes it is not limited only to them. Before we shed light on the nature and concept of this phenomenon we will not be able to develop a multifaceted system to control it. Bearing this in mind, during the first lecture on corruption and anti-corruption policy it is essential that we learn about the concept of corruption and have a look at the international, as well as Lithuanian, legal acts defining it.

As mentioned before, corruption of some sort or scale has existed since the birth of the state government. Legal or illegal bribery of public officials, judges or officials of different levels of the government has been long tolerated or subject to punishment. It happens often the problem of corruption becomes a tool of ideology and politics. People say that the growing relations of market economy in Lithuania (ownership, production, commerce and consumption) are more criminal than legitimate. “Sovietisation” of these problems, i.e. attaching the blame for all the troubles to the former state and social formation may sound persuasive only to the naïve. The real matter is that Lithuania is experiencing the formation of “wild” capitalism market relations, which have been in existence in other countries since the beginning of last century. In other words, Lithuania is lagging behind the social, economic and other relations of democratic capitalism formed in the civilised Western states some fifty or more years ago. What is said about this phenomenon allows us to infer that corruption of some form and scale has existed since the establishment of the state of Lithuania. The present transitional period, which started in the late 1970s, has activated the problem, with the scale of corruption growing and taking on new forms. All of this creates the need to show more interest in this phenomenon, analyse it, and take efforts to fight it effectively. Yet in order to carry out those tasks effectively, first of all we have to understand what corruption is. Therefore, we should start with the issue of the concept of corruption, defined both on the global as well as the national scale.

The Dictionary of International Words reads as follows: “Corruption [Lat. corruptio – deterioration, bribery] is the abuse of official position for personal gain; bribery of an official or a political figure.” Another Dictionary of International Words gives a broader definition of this word: “Corruption is acceptance of a bribe by a public official or a political figure for the performance of duties or a violation of the law seeking personal or mutual gain, giving a bribe, bribery.” More academic sources using the term corruption reveal that it involves behaviour of public officials, their abuse of power or distinct position for personal, selfish reasons. I think it is not permissible to use an in-
ternational word in the national legal acts without giving its official definition. Bearing in mind the complexity and danger of corruption phenomena, it is not permissible to rely on the explanation of the term provided in the Dictionary of International Words or international legal instruments. It is noteworthy that one of the requirements set for laws and regulations is clarity.

In 1999, a group of authors headed by the State Security Department conducted the study “Preliminary Evaluation of Corruption Situation in Lithuania and Preparation of Outline of Strategy for Fight Against Corruption”. The study was ordered by the Ministry of Foreign Affairs of the Republic of Lithuania and initiated by the Phare programme. In the section “Definition of Corruption in Lithuanian Legislation and other Legal Acts”, the authors of the study noticed that “The term corruption is used in legislation and other legal acts of the Republic of Lithuania; however, the key shortcoming of our legal system and the legislature is that we still lack a strict and legal definition of corruption.” We must take immediate measures to do this, otherwise the anti-corruption strategy and the object will remain unclear and undefined. As a result, all the legal and other practical anti-corruption measures, corruption prevention tactics and practice will remain rather ineffective. The draft Outline of the National Anti-Corruption Strategy signed in October 1999 by the head of the Special Investigation Service says that “the concept of corruption should not be forgotten while carrying out legal reform in Lithuania and it should be reflected in appropriate legislation.” Regrettfully, the newly adopted criminal law has not included the definition of this phenomenon although we are talking about dangerous matters that are in conflict with the law.

Admittedly, attempts have been made to solve the legal problem by providing a definition of corruption in draft Law on the Special Investigation Service of the Republic of Lithuania and draft Law on the Fight against Corruption and Racketeering of the Republic of Lithuania, both of which have been submitted to the Seimas. The former legal document reads as follows: “Corruption is the abuse of official position or related opportunities by state politicians, public officials or civil servants seeking to obtain illicitly certain benefit for themselves or other persons, also provision of certain benefits or privileges to state politicians, public officials or civil servants by natural persons or legal entities in exchange for the performance or non-performance of their official duties, as well as any intentional acts of organising, instigating, aiding or participating as an intermediary in the commission of the acts specified in this paragraph.”

This definition is followed by a long explanatory note. It is rather a broad definition which at present is important only from a theoretical point of view. As a result, we pay attention to the appropriate international legal instruments. In this domain, the

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14 Ibid.
key international instrument is the Criminal Law Convention of Corruption, No. 173, signed on 27 January 1999 in Strasbourg. Among the signatories to that Convention were authorised representatives of the Republic of Lithuania. Paragraph 1, Article 6 of the Convention* provides for the following forms of corruption15:

1. The solicitation or acceptance, directly or indirectly, by a government official or a person who performs public functions, of any article of monetary value, or other benefit, such as a gift, favor, promise or advantage for himself or for another person or entity, in exchange for any act or omission in the performance of his public functions;
2. The offering or granting, directly or indirectly, to a government official or a person who performs public functions, of any article of monetary value, or other benefit, such as a gift, favor, promise or advantage for himself or for another person or entity, in exchange for any act or omission in the performance of his public functions;
3. Any act or omission in the discharge of his duties by a government official or a person who performs public functions for the purpose of illicitly obtaining benefits for himself or for a third party;
4. The fraudulent use or concealment of property derived from any of the acts referred to in this article; and
5. Participation as a principal, co-principal, instigator, accomplice or accessory after the fact, or in any other manner, in the commission or attempted commission of, or in any collaboration or conspiracy to commit, any of the acts referred to in this article.

Analysis of the forms of corruption specified in the above-mentioned Convention shows that analogous descriptions of prohibited acts were included in the Criminal Code of the Republic of Lithuania16 valid until 1 May 2003 (Articles 282-284 and others), as well as the new Criminal Code of the Republic of Lithuania17 (Articles 225-228) valid after 1 May 2003. They include the relevant forms of corruption, i.e. bribe-taking, bribe-taking by an intermediary, and bribery, which are also defined internationally. However, there is no definition of corruption as a separate phenomenon either on the international or national scale. Paragraph b of Article 7 of the Commentary to the United Nations Code of Conduct of Law Enforcement Officials says that the definition of corruption must be subject to national law.18 We have already mentioned that Lithuanian legislators did not attempt to define corruption, hence building grounds for a general doctrine.

* Apparently, the author is quoting the Inter-American Convention against Corruption (http://www.oas.org/juridico/english/Treaties/b-58.html) (translator’s note)
We encounter only limited attempts to describe corruption. For instance, the Government Resolution of the Republic of Lithuania, Concerning the Corruption Prevention Programme, approved the Organised Crime and Corruption Prevention Programme.\textsuperscript{19} The developers of the Programme, who assessed the analysed situation in the second part, have presented the following two aspects of corruption:

1. Corruption is a set of white-collar crimes.
2. Corruption is a factor ensuring the existence of organised crime.

The Programme also notes that organised crime is almost always related to corruption. Such symbiosis of organised crime groups and corrupt public officials may manifest itself when criminal structures adopt legal acts favourable to them, when they “guard” smuggling in oil, alcohol, tobacco, weapons and drugs, prostitution, trade in stolen vehicles, when leaders of organised crime groups are not criminally prosecuted or such prosecution is not properly performed. Hence the Programme sees organised crime as a complex system of various links and relations between crime groups and crimes committed by their members (usually as a business) and seeking to ensure safety for such activities resorting to bribery of officials and corruption. This understanding comes in handy in attempting to comprehend the essence of corruption. Crimes and offences against the civil service and public interests defined in the criminal law allow us to identify two types of corruption according to the domains in which they are manifested: state governance corruption and commercial corruption. A conclusion can be made that the Lithuanian Corruption Prevention Programme identifies facts of corruption identical to corrupt practices mentioned in the International Convention against Corruption, yet the difference between the two documents is that the latter narrows down the concept of corruption to the area of state governance. Corruption of state governance is a precondition of a stable and secure functioning of organised crime groups and a guarantor of profit from illicit business. On the other hand, this maximum profit provides more opportunities to continue bribing officials who, unfortunately, find it extremely difficult to resist the temptation of quickly and easily becoming rich as they systematically obtain huge amounts of money from organised crime groups.\textsuperscript{20}

The share use of the general and type-oriented subject and the statements listed in the above mentioned programmes do not allow us to define the types of corruption. We should perform a more thorough analysis of the phenomenon and identify its limits. A bribe-taking public official or civil servant often engages in committing other types of crime; bribery may precondition other types of crime and block the opportunity to restore justice. If all customs officials or border guards were honest people, smuggling as a phenomenon would almost disappear or its scale would be minimal.


Generally speaking, in the context of all the crimes committed in the country, corruption (in its narrow sense) is not very widespread and constitutes on average 0.1 per cent of the registered crimes. Yet we should not be complacent about such statistics and remain vigilant because another qualitative characteristic (latency) of corruption or bribery is committed more professionally: bribes are given or taken via reliable intermediaries. However, this assumption is difficult to ground using practical examples; it is best known to operatives. Perhaps this is part of the reason why official statistics are so small in number.

It is difficult to fight phenomena that are latent. “Such crimes include economic, organised and professional crimes, including corruption, smuggling, tax evasion, counterfeiting of currency, drug trafficking, prostitution, etc.”21 The problem of factual data revealing bigger numbers than statistics was identified by the 7th Symposium of Criminologists of the Baltic countries. Why is that? Both the bribe-giver and the taker are interested parties and they are happy with the achieved result. In most cases, both parties have material or another type of gain. When the benefit is reciprocal, there is no one to complain. In this case, corrupt practices are revealed only by operative forces. Official statistics also include cases when there is no reciprocal interest, i.e. one party is not happy.

We could conclude that corruption in Lithuania can be described as follows:
1) it manifests itself in a number of areas;
2) this old phenomenon has become particularly widespread during the transitional period after the restoration of the country’s independence;
3) there is no definition of corruption provided for in one legal act, the doctrine of corruption is still being developed;
4) it is an extremely latent phenomenon;
5) it distorts the concept of equity, the essence of civil service and the most important public good – the rule of law.

To sum up my thoughts on the definition of corruption, I suggest that you should follow the comprehensive definition provided by the Council of Europe’s Multidisciplinary Group on Corruption (GMC) which reads as follows: “Corruption is bribery and any other behaviour in relation to persons entrusted with responsibilities in the public or private sector, which violates the duties that follow from their status as a public official, private employee, independent agent or other relationship of that kind and is aimed at obtaining undue advantages of any kind for themselves or for others.”22 Hence corruption should be perceived as a regular, reoccurring, integral and criminal activity of an individual having official links with state authorities, a private sector entity, the electorate or the mass media audience (readers, TV watchers) which manifests

itself as an abuse of position and trust for personal gain (which should be perceived much wider, i.e. not simply as material gain but also as prestige, career prospects, and reciprocal service). Therefore, we should think of corruption not as a single case of bribery, but more or less constant practices of bribery characteristic of a person or a group of persons. We should bear this broad concept in mind while talking about its spread in customs.

To sum up the legal sources describing the concept of this anti-social phenomenon, its harm and reasons, we could state that corruption poses a threat to public safety and human rights because:

1) corrupt officials leave unattended the tasks they must perform and fail to forestall the further spread of corruption;
2) a bribed public official improperly performs his duties;
3) due to corruption, fundamental human rights may be violated;
4) corruption may raise the investment price of every country by up to thirty percent;
5) often being a tax imposed on foreign direct investment, corruption prevents the attraction of more foreign investment.\(^{23}\)

The Corruption Perception Index conducted by *Transparency International* in 2002 revealed that Lithuania’s index remained the same as in the previous year, scoring 4.8 out of 10, just 0.2 points short of being the least corrupt country of those surveyed. This index shows the perception of corruption on the part of businessmen and international experts. Lithuania shares positions 36 to 39 with Belarus, the Republic of South Africa and Tunis. In the table of 102 countries the last on the list are Angola, Madagascar, Paraguay, Nigeria and Bangladesh and those on top include Finland, Denmark, New Zealand, Iceland, Singapore and Sweden. In 1999, Lithuania was ranked 50th. In a period of three years it moved up 14 positions.\(^{24}\)

Lithuania has adopted approximately ten laws that in one way or another provide for the prevention of corruption. It has also adopted several national anti-corruption programmes. Nevertheless, like the Chinese philosopher Mencius (372-289) said, laws do not act on their own.

In recent years, Lithuania has undertaken a streamlined policy of fighting corruption. Having regard of the provisions of the Law on the Basics of National Security of the Republic of Lithuania and recommendations of the European Commission, Lithuania developed and adopted the National Anti-Corruption Strategy of the Republic of Lithuania, and prepared a draft National Anti-Corruption Programme of the Republic of Lithuania. The main objective of the Programme is to reduce the level of corruption in Lithuania and aim for it to become a smaller hindrance to building the economy, promoting democracy, strengthening national security and the legal system as well

\(^{23}\) Ibid.

\(^{24}\) http://www.transparency.lt
as the national efforts of Lithuanian institutions and international co-operation in the fight against corruption. The purpose of the Corruption Prevention Law is to lay down the main principles of corruption prevention in the civil service and the private sector, corruption prevention measures and their legal basis, corruption prevention bodies and their rights and duties. More vigorous anti-corruption actions have been taken by the Lithuanian law enforcement agencies in the areas of crime detection, prevention of corruption, and public education. According to the data presented by the Informatics and Communications Department under the Ministry of the Interior of the Republic of Lithuania, during the period of 1995-2001, the database registered 1,530 crimes against the civil service, including 388 bribe-taking cases and 1,142 other crimes against the civil service. Analysis of the performance of the Special Investigation Service of the Republic of Lithuania (further – STT) shows that in 1999, this agency initiated 125 criminal cases, in 2000, 90 criminal cases, in 2001 and 2002, 118 and 79 criminal cases, respectively. During the first four months of 2003, the STT initiated 28 criminal cases. When the new Code of Criminal Procedure came into effect on 1 May 2003, the STT initiated 88 pre-trial investigations during the period from 1 May to 31 December 2003. From 1 January to 30 September 2004, the STT started 72 pre-trial investigations.

From 1 January to 30 September 2004, the STT received 18 pre-trial investigations from other bodies and transferred 6 to them; 34 pre-trial investigations were discontinued and 23 were finished (i.e. submitted for indictment), 98 pre-trial investigations still continue.

In 1999, the STT detected 168 persons who had allegedly committed acts of corruption and other types of crimes. Those persons included 115 (68 per cent) civil servants and 53 (32 per cent) private citizens. In 2000, the STT detected 98 persons, including 68 (69 per cent) civil servants and 30 (31 per cent) other persons; in 2001, 124 persons, including 81 (65 per cent) civil servants and 43 (35 per cent) other persons; in 2002, 99 persons, including 60 (61 per cent) civil servants and 39 (39 per cent) others; in 2003, 158 persons, including 106 (67 per cent) civil servants and 52 (33 per cent) others; from 1 January to 30 September 2004, the STT detected 92 persons, including 59 (64 per cent) civil servants and 33 (36 per cent) others.

In 1999, 160 criminal acts were detected, including 98 (61 per cent) against the civil service and 62 (39 per cent) other types of crime; in 2000, 126 criminal acts, including 56 (44 per cent) against the civil service and 70 (56 per cent) other types; in 2001, 193 criminal acts, including 117 (61 per cent) against the civil service and 76 (39 per cent) other types; in 2002, 134 criminal acts, including 85 (63 per cent) against the civil service and 49 (37 per cent) other types; in 2003, the STT detected 210 criminal acts, including 143 (68 per cent) with elements of crimes and criminal offences against the civil service and public interest and 67 (32 per cent) having elements of other types of crimes and criminal offences. From 1 January to 30 September 2004, the STT detected 229 criminal acts, including 167 (73 per cent) having elements of crimes or criminal
offences against the civil service and public interests and 62 (27 per cent) other types
of crimes or criminal offences.

From 1 January to 30 September 2004, the STT detected the following types of crimes
or criminal offences against the civil service:

• Art. 225 of the Criminal Code (taking a bribe) – 32 (19 per cent);
• Art. 226 of the Criminal Code (taking a bribe via an intermediary) – 0 (0 percent);
• Art. 227 of the Criminal Code (giving a bribe) – 26 (16 per cent);
• Art. 228 of the Criminal Code (abuse of office) – 59 (35 per cent);
• Art. 229 of the Criminal Code (non-feasance) – 39 (23 per cent).

The greatest amount of attention was given to the elimination of corruption in
public administration, customs and tax systems, public procurement, privatisation, law
enforcement, and judicial bodies. In addition, there is more co-operation among state
institutions in forestalling and detecting crimes and corruption related to them. While
implementing corruption prevention measures, draft and adopted legal acts have been
reviewed from the anti-corruption perspective and corruption assessment surveys have
been performed in the areas most prone to corruption.
GLOSSARY OF KEY TERMS

**Abuse of office** is an act whereby a civil servant or a person of equivalent status abuses his position or exceeds his authority causing substantial damage to the state, an international public body, a legal entity or a natural person.

**Anti-corruption education** is development of anti-corruption attitudes of citizens.

**Anti-corruption standards** are a set of behavioural and legal norms that help to reduce corrupt conduct.

**Bribery** means an act when a civil servant or a person of equivalent status directly or indirectly in his own interest or in the interests of others accepts, promises or makes an agreement to accept a bribe, or requires or provokes someone to give a bribe in exchange for lawful acts or omissions in the discharge of his authority.

**Civil servant** is a person working in the civil service, a state politician, a civil servant of the public administration pursuant to the Law on Civil Service, as well as any other person who when working at state or municipal authorities or institutions, judicial law enforcement, state control and supervision institutions or at institutions equivalent to them, performs the functions of a representative of the state or has administrative powers, as well as an official candidate to the duties mentioned.

**Clientelism, clientele relations** is a system of relations based on mutually beneficial commitments and connections of a guardian and another person or persons (clients).

**Conflict of interests** is a situation where a person in the civil service, when discharging his duties or carrying out instructions, is obliged to make a decision or participate in decision-making or carry out instructions relating to his private interests.

**Corruption** means misuse of public power for personal gain.

**Detection and prosecution of corruption** is disclosure of acts of corruption and implementation of the principle of equity and inevitability of punishment.

**Deviation** means violation of common social rules and norms of society or a group.

**Forms of corruption according to the area of its occurrence** are administrative, political, private sector, and international.

**Forms of corruption according to the purpose of acts** are bureaucratic, regulation, preventive, and of eliminating consequences.

**Giving a bribe** is an act whereby a bribe is, directly or indirectly, offered, promised or given to a civil servant or a person of equivalent status in exchange for a pursued lawful act or omission in the discharge of authority or to an intermediary seeking the same results.

**Identification of corruption** is the ability to recognise manifestation of corruption in a timely and thorough manner.
Lobbying activities are remunerated actions of lobbyists that are used to influence amendment, supplementation or invalidation of legal acts, adoption or non-adoption of new legal acts. The purpose of those activities is to fulfil the interests of the client without violating human rights or public and state interests.

Lobbying is a process whereby information is exchanged and the opinion of a group, organisation or a part thereof is transmitted to public officials (the elected and the appointed), with a view to influence decision-making for their benefit.

Lobbyist is a natural person or an enterprise, institution or organisation put on the list of lobbyists in compliance with the procedure established by law.

Money laundering is conduct whose purpose is to conceal or to make appear as legal the illicitly acquired origin of proceeds.

Nepotism is recruitment of relatives, friends and close acquaintances without competitions while violating the principle of *the most appropriate person for the proper place*. This creates a system of subordinates and colleagues that are indebted to each other; this system is used in taking decisions.

Non-performance of official duties occurs when a civil servant or a person of equivalent status due to his negligence fails to perform his official duties or performs them improperly and such actions cause substantial damage to the state, an international public body, a legal entity or a natural person.

Patron is a part of the system of clientele relations, an institution or a person guarding or protecting someone or something.

Person equivalent to a civil servant is a person having respective powers at foreign state institutions, international public organisations or international judicial authorities, as well as an official candidate to the duties mentioned; a person working in any state, non-governmental or private institution or engaging in professional activities and having the relevant powers of public administration, except persons who provide economic or technical functions.

Prevention of corruption is elimination of causes of and factors contributing to corruption.

Principles of public administration include the rule of law (activities are based on legal grounds), objectivity (actions must be unbiased), and prohibition against abuse of authority (prohibition from performing unauthorised actions or for making decisions within the scope of their competence for purposes other than those prescribed by law).

Private interests are private economic or non-economic interests of a person in the civil service or his close relative or a family member which may affect his decision-making in the discharge of his official duties.

Public administration is the activities of state and local authorities, regulated by laws, intended for the implementation of legal acts and local government ordinances and for the administration of planned public services.

Public interests are the public’s expectations with regard to impartial and just decision-making of the persons in the civil service.
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