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BUREAUCRATIC CORRUPTION AND LIBERAL SOLUTIONS

There is a common belief that social systems are sensitive to any disruptions due to the fit of the individual elements of the social mechanism. That is why bureaucracy was created, as an organizational step towards rationality and efficiency on a large scale. The conditions for getting rich were created by capitalism, but there was a need to structure and establish rules for the functioning of society coupled with the free market. Bureaucratic organizations develop mainly where there is social differentiation, and appropriate resources are mobilized to solve problems, reaching various groups and spheres of life. It might seem that it is impossible to fight bureaucracy, but after joining the European Union, it began to develop and grow. The so-called statistical taxpayer does not understand that he is the main payer of taxes and contributions for bureaucratic extravagances. However, bureaucracy, contrary to widespread criticism about its inadequacy in the face of complex reality, is changing under the influence of modern concepts of public management. The aim of this article is to show the connections between bureaucracy and corruption, and the thoughts of libertarians on this administrative phenomenon.

Keywords: administration, bureaucracy, corruption, liberalism.

1. INTRODUCTION

“Bureaucracy” (French bureau, from bure “thick cloth”; Greek kretein “to rule”) was preceded by a concept known in antiquity – “administration” (Latin: administrare – to be helpful). The words “minister” and “altar boy” also come from the verb ministrare (Latin: to serve), meaning: “to serve”, “to manage” and “to direct”. The term “bureaucracy” appeared in 1745. The French physiocrat Jean Claude Marie Vincent de Gournay, as the first critic, saw offices as another, fourth or fifth form of government. Bureaucracy considered one of the greatest threats to the EU. And fraud and corruption pose a serious threat to the security and financial interests of the European Union. Therefore, neoliberals

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justify that extensive state activity is harmful because it strengthens unnecessary bureaucracy and promotes corruption,

2. BUREAUCRACY AND CORRUPTION

Corruption (Latin *corruptio*) means corruption, demoralization, loosening of moral principles among society, English *corrupt*, corruption means destruction, demoralization. In the Bible, there was a “temptation” of fruit in the form of a bribe – Eve was corrupted by a snake. Already in the 6th century BC the harsh Persian king Cambyses sentenced the corrupt judge Sisamnes to death, and the judge's chair was upholstered with his skin. In ancient Greece, people, both receiving and giving bribes, were punished with a penalty of ten times the value of the bribe. Sentencing to the maximum penalty was also a severe, draconian punishment. In Rome, corruption attached itself to many people; provincial governors, factory owners, mine tenants, and tax collectors. The concept of corruption was used by philosophers such as Plato, Machiavelli and Montesquieu, who related this phenomenon to the moral condition of society. Aristotle believed that the ideal system was an aristocracy since those in power were rich enough not to be tempted by bribes. Martin Luther protested theologically, through his theses opposed the selling of indulgences. Corruption has survived to the present day and occurs regardless of the political system, cultural or religious traditions.

R. Klitgaard (Klitgaard, 2002) expressed corruption with an appropriate equation:

$$\text{Corruption} = \text{monopoly} + \text{discretion} - \text{responsibility}.$$

The Daily Nation recalled the situation from October 28, 1997:

This morning, the government established a special anti-corruption group to investigate the activities of the anti-corruption office, which was responsible for supervising the anti-corruption service set up to audit the special commission of inquiry for investigating corruption among high-ranking members of the government.

World Bank experts distinguish two basic types of corruption:

- State capture. Activities of individuals/interest groups that aim to influence the shape of laws, regulations, etc. in their favor by providing high-ranking public officials with illegal and secret material benefits. “The involved” create new rules, usually affecting the economic sphere.
- Administrative corruption. An intentional by a public figure to circumvent or distort the application of existing legal provisions in order to provide benefits to others, in exchange for providing the public person with secret and illegal private benefits. “The involved” receive individualized exceptions to generally applicable rules.

Heidenheimer, in turn, distinguishes three different assessments of corruption in society (Heidenheimer, 1989):

- White corruption: Corrupt behavior is encoded in a tolerant way. It is typical in systems traditionally based on the family, as well as in systems based on the caregiver-caretaker relationship;
- Gray corruption: Corruption is seen as a disgrace. According to public moral standards, corruption is a reprehensible phenomenon, but those involved in it often avoid the direct consequences of inappropriate conduct. This is typical of countries

with a modern system, and countries in the process of transformation towards a democratic political culture;

- Black corruption: Corruption is generally perceived as a severe violation of social moral and legal norms. It is characteristic of contemporary democratic societies.

There have been numerous studies on corruption, including:

- Gunnar Myrdal, referring to the report of the Santhanam Commission, established in 1962 to investigate the extent of corruption in India, pointed out that corruption introduced irrationality into economic decision-making and economic development planning. Corrupt officials deliberately delay decisions to extort bribes from entrepreneurs (Myrdal, 2005).
- Paulo Mauro, economist of the International Monetary Fund, relied on quantitative data on 63 countries. Mauro concluded that corruption in the bureaucracy reduced private investment, thereby leading to slower economic growth (Mauro, 2005).
- Daniel Kaufman and Shang-Jin Wei, based on three international surveys conducted among entrepreneurs in 1996–1997, examined the relationship between paying bribes and bureaucratic harassment. The authors found that where more and more bribes were paid, more time was wasted on “bureaucracy”, capital costs were higher and regulations were perceived as more burdensome (<http://siteresources.worldbank.org/> 2011).

The government's activities are criticized due to links with corruption, which also limits economic freedom. Paldam (Paldam, 2002) notes that corruption is negatively correlated with economic freedom indices. His research results are supported by regressions on a sample of 77 countries using multiple control variables. According to Sandholtz (Sandholtz, 2000) and Kunicova (Kunicova, 2002), officials, taking advantage of the complexity and excessive number of regulations, can discretionarily refuse to issue a positive decision or delay its issuance. This practice is particularly well recognized in the examples of countries undergoing political transformation (Hellman, Jones, Kaufmann, 2003). Corruption develops in a situation of ineffective regulations and unclear rules created in order to obtain an excuse to demand bribes.

Another area important from the point of view of the problem presented here is Southeast Asia. The so-called Asian way of doing business was considered a factor that for three decades, until the financial crisis in 1997, promoted economic development in countries such as South Korea, Taiwan, Singapore and Malaysia. Dwight Perkins believes that for a long time, social relations between the Asian world of business and politics were functional because, in the conditions of an undeveloped rule of law, ties of kinship and loyalty were a form of securing economic transactions. Government elites provided support to specific business communities in exchange for specific financial support.

The nature of the administration's movement into the sphere of politics is illustrated by the typology presented by Jerzy Hausner, who points to the following levels of politics (Hausner, 2007):

- discursive sphere (power over meaning),
- structural sphere (power over the system),
- behavioral sphere (power over decision-making processes),
- functional and technical sphere (power over resources).

In Poland, during the partitions and occupation, bribery in many cases was an adaptation and became a patriotic act. Thanks to bribes, Polish families managed to protect their beloved ones from being deported to Siberia, and during the Nazi occupation, German

officials were corrupted, and in this way underground activists were bought out of prisons and concentration camps.

Prof. Michał Wojciechowski, reflecting on the problem of bureaucracy in contemporary Poland, notes that business owners are in many respects subordinates of officials since they depend on their decisions (if capitalists ruled, they would be given bribes), (Wojciechowski, 2001). An interesting example of entrepreneurs' addiction is forcing them to play the role of tax collectors. Income tax and contributions are paid by the employee, VAT and excise duty – the buyer of the goods, but they are collected and paid by the entrepreneur to the tax office or the Social Insurance Institution, which serves to mask the high amount of taxes from ordinary citizens, but also to pass on the costs of tax collection to companies.

Another manifestation of the advantage of the office over the capitalist is that, to some extent, getting rich directly depends on the decisions of the authorities, concessions, public procurement, changes in regulations and tax discounts for the selected few. This means that for a true capitalist – entrepreneur, competition is created based not on business, but on arrangements and corruption, on capital derived from bureaucracy.

Why is this system wrong? Firstly, because of costs. This is not only about salary expenses and corruption. Large losses are caused by waste and inefficiency of activities that are not economically motivated. The system also generates unnecessary costs for companies: complicated regulations result in wasteful work of lawyers and accountants.

The second reason is the restriction of freedom since bureaucracy derives its justification for its existence from the fact that it governs us and takes care of us in decisions – from serious ones, such as insurance and choosing a school for a child, to minor ones. The burdensomeness of these restrictions is alleviated by connections, money, low zeal of officials, mess, common sense, etc., but will it always be like this?

The third reason: bureaucracy must be inefficient; firstly, as the system is too large and complicated, and secondly, because a single officer bears little responsibility for decisions. And since this government depends little on the citizens, it cares little about what these citizens really need from the state. Therefore, he does not care about their external and internal security.

Andrzej Kojder writes about corruption:

its significant source is the right inherited from the Polish People's Republic (and expanded in the Polish Republic) to grant and provide various subsidies, permits, concessions, discretionary reliefs, limits, exemptions and the establishment of quotas by ministries and central offices. This vast sphere of discretion, freedom and excess of competences, which are often at the disposal of a minister, deputy minister, director or a single official, affects several dozen branches of the national economy. If obtaining a very profitable contract, import quota, government investment or concession depends on the signature of a minister or deputy minister, it is obvious that investors, importers, producers or entrepreneurs will seek this signature in every possible way. And so they do, and high officials with worn-out morals are easily tempted to get rich quickly (Kojder, 2001).

At all times, corruption was facilitated by the shortage of goods in the market and their bureaucratic distribution. This is particularly visible in two areas; meat supply and housing. The most widespread was the meat scandal in Warsaw, as a result of which over 400 people

were ultimately arrested. In 1972, losses caused by corruption in the meat industry were estimated at approximately PLN 80,000,000, and over 1,000 people were investigated. In a large part of the cooperatives, it was customary to give 20% of the apartments to the national councils, 30% to the Citizens' Militia and the army, and 20% to the management for bribes.

In addition to larger-scale scandals, petty corruption existed and was common; giving chocolate, vodka, cigarettes, etc. Edmund Wnuk-Lipiński writes:

corruption and theft (including spectacular economic scandals) occur often, which does not mean that in the Polish People's Republic these phenomena were not equally intense (and perhaps even stronger) present, of which the public was not aware because there was no free press (Wnuk-Lipiński, 2000).

We are aware of the fact that it was during the times of the Polish People's Republic that popular Polish folk proverbs were created, such as: "If one gives, one achieves", "Today, only fish won't bite", or "Claw me, claw thee". While back then they referred to petty trickery, in recent years they have become rules in politics and business.

In the Third Polish Republic, the most widespread bribery of the Polish People's Republic – bribery in trade and services – died a natural death. The excess supply means that the customer can now do something. The free market and limiting the influence of the state turned out to be an irreplaceable remedy.

The assessment of the effectiveness of anti-corruption legislation made by the Supreme Audit Office in 2000 was unsatisfactory. The areas most at risk of corruption that should be subject to special supervision include: privatization, management of public assets, activities of special purpose funds and agencies, activities of customs services and tax administration.

Among the respondents of the Centre for Public Opinion Research respondents in 2000, the most common belief is that scandals and corruption are not related to the type of political system or which team is in power. Almost one third of respondents (30%) believe that regardless of the period, things have always been the same. Almost a quarter (23%) believe that current times are most conducive to corruption of public officials. The percentage of people who think that in this respect it was the worst in the period of the Polish People's Republic is slightly higher than the number who think that the times of the Solidarity government in 1990–1993 were the most corrupt.

Transparency International (<http://www.transparency.pl>) assessed Poland as the most corrupted country among the countries candidate to the European Union. In 2005, Poland took only 70th place in the Corruption Perceptions Index ranking, together with countries such as Burkina Faso, Croatia, Egypt, Lesotho, Saudi Arabia and Syria. In 2017, Poland took 29th place in the latest ranking of the state of corruption in the world, out of 176 classified countries. The data from the International Monetary Fund show that in corrupt countries; there is a smaller inflow of investments, general costs of business activity are higher, and market disturbances occur which negatively affect competition.

In the case of less developed countries, i.e. Bulgaria, Romania, Turkey, Latvia, Hungary, Poland, Estonia and Slovakia, a noticeable positive effect in the fight against corruption is also accompanied by an increase in the economic development measure. All these countries, except Turkey, are members of the European Union. It is, therefore, possible that, along with the ongoing globalization processes in less developed countries, there has been a reduction in society corruption.

In Poland, as part of attempts to fight for healing the system where officials are called “activists” and “sacred cows”, an appropriate act on employees of state offices and the Code of Ethics for the Civil Service were introduced. Other measures aimed at the efficient functioning of administration include (Inglot-Brzęk, 2009):

1. Maintaining political neutrality. The idea is that the administration should not be a “booty” that is taken by the election winner each time, but become like a “concert piano” in which “replacing the keys alone does not disturb the order of the entire instrument. Even if government changes, the state should continue to function”.
2. Separation of the private and public spheres and creation of security mechanisms public interest.
3. Creation of a civil service corps characterized by ethics and professionalism, based on tradition.

In 2006, the Central Anticorruption Bureau was established – a special service intended to fight corruption in public and economic life. The Central Anticorruption Bureau was equipped with special competences, including investigative powers, and the ability to apply the most radical measures of direct coercion, which aroused numerous controversies from the beginning. Despite this, the service survived the change of government and plays an important role in investigating corruption and punishing corruption crimes. According to the calculations of the Central Anticorruption Bureau, in 2010, 13,938 corruption crimes were registered, mainly bribery, paid patronage and various abuses of public functions (Mapa korupcji w Polsce, 2011). From the point of view of public finances, the financial consequences of the most frequently occurring corruption crimes (revealed by law enforcement authorities) in 2010 exceeded PLN 11,000,000.

It is also worth noting that the way societies perceive corruption evolves over time. Until 1977, American companies could legally pay bribes to conclude a contract abroad, and in many countries such incentives were legal until 1997. The most famous arguments supporting corruption (Grosse, 2000):

- Corruption can boost economic efficiency, and especially increase the level of investment, mainly because it improves administrative procedures and speeds up decisions beneficial not only to the company applying for it, but also to the entire national economy. This is the famous argument about corruption that “oils faulty institutional mechanisms”. The authors of this statement cited as an example the dynamic development of some Asian countries, which are also known for their enormous tendency to corruption.
- In competition regarding administrative decisions (e.g. public procurement), similar laws apply as in the free market, i.e. the more enterprising and offensive the company, efficient and better organized – the greater the bribe it will offer. In other words, competition between bribers is supposed to reflect the rules of the market, and the entrepreneur who wins such competition is de facto the best from an economic point of view.
- Time is as important a business category as financial resources. Therefore, projects that shorten the time of administrative procedures or aim to obtain information needed for business activities are worth bribes, just like any other investment or promotional activity.
- Corruption takes advantage of the relatively low salaries of officials. In this way, budget expenditures can be kept at an appropriately low level, as officials compensate for their remuneration in corrupt activities. Small budget expenditures

for this purpose indirectly support the economic development of a given country because they allow maintaining an appropriate level of macroeconomic indicators.

3. A LIBERAL APPROACH TO BUREAUCRACY

Nowhere have accusations against bureaucracy been so accurately and clearly formulated as in circles referring to the ideas of classical liberalism (Szczerki, 2004). Bureaucracy is often presented in these magazines as the enemy of freedom – civil (individual) and economic.

Ludwig von Mises, author of the fundamental work “Bureaucracy”, notes: “the terms bureaucrat, bureaucratic and bureaucracy are, of course, invectives” (Von Mises, 1998). No one calls themselves a bureaucrat or their own bureaucratic management methods. These words always express a condemnatory attitude. They always suggest degrading criticism of people, institutions and procedures. There is no one who would doubt that bureaucracy is thoroughly evil and that in a perfect world it should not exist. And he predicts: “the paradise of the future is seen as an all-embracing bureaucratic apparatus” (Von Mises, 1998).

Ludwig von Mises believes that bureaucracy thrives under socialism. And no wonder, because, as he says, “Lenin built an ideal bureaucratic state, modeled on the organization of the state post office. Lenin turned every citizen into a ring in a great bureaucratic machine. Lenin's ideal compels us to show the inferiority of bureaucratic methods compared to those of private enterprise” (Von Mises, 1998). He notes that no reform can remove the signs of bureaucracy from state institutions. The reason is simple: state offices lack a reliable measure of success and failure, and they do not operate like profit-oriented companies, according to financial calculations. The bureaucracy is focused on serving itself, and the petitioner is served on occasion. The greater obstacles bureaucracy creates for citizens, the more important it is.

Von Mises also noted that the Roman Catholic Church organized after the Council of Trent, as it emerged after the Counter-Reformation, was a perfect bureaucracy. The Church takes into account the need for flexibility and entrepreneurship to the greatest extent possible. It is based on planning and appropriate selection of personnel. The methods of selection adopted by the Church are very effective methods of governance adopted by a group that strictly adheres to a set of rules and regulations that are non-negotiable and immutable. This body perfectly selects the guardians of the eternal treasury of doctrine. Therefore, the Church's bureaucracy has become a model for contemporary secular bureaucracies, which, however, are doomed to imperfection in the realities of the constant struggle to improve human laws and principles.

Lord Acton, one of the greatest thinkers of the 19th century, combined liberal themes with principles flowing from the deep Catholic faith in his reflections on politics. In the works: “History of Freedom” and “Towards Freedom”, he considered freedom as one of the most important concepts and traced its history, understood as the history of the struggle between freedom and power. By freedom he understood a state that guarantees every person protection in doing what he considers his duty, against the pressure of power, the majority, custom and opinion. The state has the right to assign duties, and define the boundary between good and evil only in the sphere that directly concerns it. Outside the scope of matters necessary for his well-being, the state can only provide indirect help in life's struggles by supporting areas that help combat temptations – that is, religion, education and the distribution of goods.

Lord Acton added that the mark of a true bureaucracy was the sincere belief of its staff and supporters that it met all, or at least all, essential needs in terms of body and mind. It follows that other “suppliers are unnecessary”. Bureaucracy is inevitable when social beliefs about what the state and the public sphere are supposed to be. In addition, bureaucracy promotes laziness, constantly strives for reproduction and multiplication, and is monopolistic and despotic in nature.

Characteristic features of bureaucracy (Acton, 1995):

- There must be a sufficient group of educated hired workers among citizens, i.e. people with the ability to manage others who do not have their own tools or workshops (such as e.g. merchants, farmers, landowners).
- Bureaucracies of lawyers, clergy, physiologists, economists, teachers, philosophers, paternalistic administrators have always had some panacea for sick humanity, a special medicine that had to be pushed into it, whether it wanted it or not.
- Bureaucracy itself involves the desire to take control of our lives. It is guided by the belief that the authorities know better what is good for us, and the shockingly pedantic goal of measuring our work, supervising our studies, assigning us our views, taking responsibility for us, giving us porridge, putting us to sleep, checking whether we are well covered, and whether we really put on a nightcap.
- Every general education system has a disastrous tendency to become overgrown with unbearable bureaucracy, and it encourages the development of bureaucratic habits among teachers and their students.
- Bureaucracy has an unbearable tendency to treat citizens with superiority and the state is organized like a pedantic educational institution in which adults are treated like unruly children.

On mises.org, Loyd S. Pettegrew, Carol A. Vance presented: “The Seven Principles of Democracy” (<http://mises.pl/wp-content/uploads/2012/12/Pettegrew-Vance-siedem-zasad-biurokracji.pdf>). Let's list the most important of them:

- Rule No. 1. Keep the problem at all costs! Problems are the basis of power, benefits, privileges and security. Teasley rightly notes that problems, not solutions, are the basis of bureaucratic power, benefits, privileges, and political security. In politics, the more difficult a problem seems, the more resources need to be allocated to it. Bureaucrats promising to solve problems pursue political careers. The problems included:
 - a) War on poverty. Texas A&M University economics instructor Edgar K. Browning estimates that 80 federal, state and local government programs are the legions in this war. According to the US Census, the poverty rate was 15% in 1964 and 15.1% in 2010.
 - b) The war on drugs. For the need of this war, the Drug Enforcement Administration, the Office of National Drug Control Policy (ONDCP) and its chief bureaucrat, the Drug Tsar, the National Youth Anti-Drug Media Campaign, the Treasury and General Government Appropriations Act, and Drug Free Media Campaign Act were created. The growing cost of the futile war on drugs can be most easily seen by following recent changes in the annual budget. From 2008 to 2012, the president's war budget increased by \$1,700,000,000.
- Rule No. 2: Take advantage of crisis and perceived crisis to strengthen your power. The attack on the World Trade Center in 2001 is the most typical, but also the latest in a series of crises that were used to increase the government's power and

control over the country. And the Department of Homeland Security is a new, expensive bureaucracy.

- Rule No. 3: If there aren't enough crises, create them – even where none exist. Bureaucracies are still looking for a new crisis. Three examples; the Gulf of Tonkin incident, the attribution of weapons of mass destruction to Saddam Hussein, and man-made global warming.

[...]

- Rule No. 5: Increase publicity – build cover on the universal need to help others. The government bureaucracy was developed on populist rhetoric, the so-called "helping others". It is a transformation of the human approach to media relations, taught as the best method for promotion and arousing media interest. Almost any government program – regardless of the financial costs and restrictions on personal freedom associated with it – can be sold as positive through the media, as long as it is advertised as a program for children, the environment, the elderly, the poor, the homeless, national defense, national security or sick.

Liberals also point out that the fight against bureaucracy is difficult, also in Europe and in Poland – within the European Union. The EU spends €4,500,000,000 on administration and employs 33,000 officials. Several dozen of the highest-ranking EU officials (including 25 commissioners) earn approximately PLN 1,200,000 annually (not including additional powers). Approx. 6,600 officials for European affairs should be employed in the Polish public administration – according to information from the Office of the Committee for European Integration regarding the preparation of the Polish administration for membership and the recruitment of Polish citizens to work in the EU institutions. EU indicators predict that for every EUR 2,000,000 of EU subsidy, there should be one official who coordinates the distribution of these funds. To effectively use our membership, it would be necessary to employ 21,000 people in the administration and conduct 30,000 training courses, but above all, it would be necessary to guarantee the functioning of the civil service.

Liberal economist Tomasz Cukiernik criticized the central planning that we have already undergone and calculated that the management of EU funds involves; Agency for Restructuring and Modernization of Agriculture, Ministry of Economy, Labor and Social Policy, Agriculture and Rural Development, Infrastructure, Finance, National Education and Sports, Polish Agency for Enterprise Development, National Fund for Environmental Protection and Water Management, Marshal's Offices, Scientific Research Committee, Office of the Plenipotentiary Government for Disabled Persons and Equal Status of Women and Men, General Directorate for National Roads and Motorways (<http://tomaszcukiernik.pl/artykuly/teksty-o-unii-europejskiej/krytyka-dotacji-z-ue/>). Such socialist creations are being set up as the National Development Plan for 2004–2006, which includes six sectoral operational programs (<http://tomaszcukiernik.pl/artykuly/teksty-o-unii-europejskiej/krytyka-dotacji-z-ue/>): Transport and maritime economy, Human resources development, Restructuring and modernization of the food sector and rural development, Fisheries and fish processing, Increased competitiveness economy, Operational Program – Technical Assistance and Integrated Regional Development Operational Program and provincial operational programs.

Let us also mention the “bureaucrat's code”, which, according to the liberal “Wprost” (Zieliński, Pawelczyk, 2003) should:

- a) be suspicious, generally accusing the applicant of fraud, theft, or membership in organized crime,
- b) assume that the petitioner is a brainless, evolutionarily lower species of mammal,
- c) assume that the basic goal in the life of the petitioner is to maintain the official in an official, semi-official, or even quarter-official or even unofficial way,
- d) delay the resolution of each matter indefinitely,
- e) believe that the above-mentioned villainy is committed in defense of the state and the law,
- f) for PLN 500, PLN 1,000 or PLN 10,000 (or more depending on the circumstances) become more flexible, nicer, more human, find a quick and beneficial solution to the situation.

4. CONCLUSIONS

Bureaucracy, despite liberal and common criticism about its inadequacy with the complex reality, is changing. The best example of this is the observation of the results of implementing the desiderata formulated in contemporary concepts of public management in relation to the modernization of administration. In the matter of corruption, it is also worth emphasizing that modern society is very sensitive to any signs of lack of objectivity and ethical action on the part of entities that exercise power in the state (including public administration). Even though the Poles have consistently recognized corruption as a widespread social phenomenon over several decades of political transformation, no grass-roots, spontaneous movement was created during that time that would demand the fight against this phenomenon.

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