

Decentralization as an aid to enhancing corruption in Romanian forests

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Abstract

The paper brings into attention an already classical 'problem' of the commons, that of the free-rider, but in relatively new conceptual terms of corruption. I believe that recent theoretical developments on corruption from the field of social anthropology can shed light on various processes that community-based institutions confront in different areas. In Romania, 50% of the forests were privatized (1.5 million hectares) and a huge number of community-based institutions were established in the forest areas. A dense net of forestry institutions is beginning to work in rural Romania for managing and regulating forest-related issues in a decentralized way. Parallel with this process, storytelling about illegal logging and forest depletion is becoming a routine.

The principal aim of this paper is to show where, when and how corruption arises and manifests itself in the process of decentralizing forest management in the rural areas of Romania.

Of more general relevance to the academic debate, is to show that while the neoliberal ideology of international development agencies (International Monetary Fund, World Bank) promotes ideas like privatization and decentralization as solutions for reducing corruption, in practice privatization and decentralization do not necessarily reduce corruption, but rather link the private with the public sphere in the net of corrupt exchanges.

Keywords: *Eastern Europe, forest, corruption, community-based institutions, obste, participation, social differentiation*

1. Introduction²

The empirical case on which I draw my analysis is about common-pool forest resources and their exploitation in a community from the Vrancea Mountains in Romania.

The case presents an "exaggerated" example of what can happen in a geographically remote village, but nonetheless belonging to a state of the EU, where order is imposed by the "rule of the jungle", where almost every economic action is bounded in illegal chains, interest conflicts and patronage relationships. Following the property reform, forests were devolved in the hands of local common-pool institutions, named *obste*. Moreover, for a "better" administration and control of these privatized forests, the

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departmental forestry districts (*ocoale silvice*), formerly state-owned, were privatized and much of the state apparatus decentralized.

One of the general aims of the paper is to show, using the specific tools of a social anthropology approach, that while the neoliberal ideology of international development agencies (International Monetary Fund, World Bank) promotes ideas like privatisation and decentralisation as solutions for reducing corruption, in practice privatisation and decentralisation do not necessarily reduce corruption, but rather bring corruption into the private sphere or link the private with the public sphere in the net of corrupt exchanges.

Although corrupt practices and corruption talk seem to be intriguingly present in almost all areas where fieldwork is conducted by social scientists, corruption remains a fairly new subject for anthropology (Blundo, 2007), with a weak register of empirical description (Ruud, 2000) and with an inadequate definition in the area of social sciences (Williams, 1999; Pardo, 2004; Haller and Shore 2005; Anders and Nuijten 2007).

Anthropological literature on post-socialism does briefly mention corruption, usually as a positive thing, helping people out to move resources across lines, in a realm of fuzzy property boundaries (Verdery 2003: 363), or as equivalent to networking (Stewart 1997: 69). Other studies treat moral or social corruption as an effect of post-socialist market opening and money accumulation (Ries 2002). Explicit studies on corruption in post-socialist states from a social anthropological perspective are scarce and merely general, based on information from public discourses (Lovell 2005; Sampson 2005) or popular narratives (Zerilli 2005), therefore lacking extensive empirical research.

In the **public debate** on corruption, dominated of ideas stemming from economy and political sciences, the neoliberal thesis holds that if corruption is pathology of the public sector, the solution lies in restraining public spending and public offices (Haller and Shore 2005: 18). In that sense, the current neoliberal discourse of international organisms suggest that the anti-corruption movement in the 'developing' countries has to be inextricable linked with processes of privatisation and decentralisation. My paper will show that this is not necessarily the case.

As for **corruption in the field of natural resources management and development studies**, scholarly work does not explicitly refer to it, but to illegal mechanisms of access to resources (Ribot and Peluso 2003), or to misappropriation of resources by the elites (Platteau and Gaspart 2003, Platteau and Abraham 2002). **The area** tackled by this paper is also underrepresented in these domains. Worldwide social scientists in the field of natural resources management studies or rural development studies seem not to pay much attention to Eastern Europe, and especially to Romania, with a few exceptions (e.g. Sikor 2004, Lawrence and Szabo 2005). Albeit apparently out of fashion, Romania might constitute an empirical 'paradise' for the elaboration of fresh theoretical and empirical insights for this field of studies, because of characteristics such as abundance of natural resources, rich and unexplored biodiversity, and the presence of different social phenomena, like ongoing tremendous processes of change and development, market internationalization and penetration of international environmental organisms (e.g. *Natura 2000*).

The principal aim of this paper is to show where, when and how corruption arises and manifests itself in the process of decentralising forest management in the rural areas of Romania.

The paper rests on the idea of **corruption as a process**, meaning that it is not an isolated or isolable action and that it occupies only one step in a series of events that precede or follows it (Blundo 2007: 33). In addition, **corruption is essentially an ethic concept**, being inseparable from a transgression of a set of norms (Nuijten and Anders 2007: 15), thus considering that norms vary across different settings, perceptions and evaluations of corruption are culturally embedded in a 'situational morality' (Olivier de Sardan 1996, 1999; Blundo 2007). Following these ideas, it becomes necessary for a paper on corruption to assess both flows of actions entangling corrupt practices and existing norms against which communities and actors label corruption.

My 'working' objectives would be:

To provide a thick description of the interactions around forest issues enmeshed in the sphere of illegal, illicit and informal actions – within which corrupt actions arise.

Following Giorgio Blundo (2007: 49), I believe that "the unmasking of the hidden face of the facts of corruption remains an objective in itself of a political anthropology of the contemporary state".

To explore the patterns of norms against which corrupt practices are labelled.

Considering that the borderline between what is corruption and what is not fluctuates depending upon various contexts and positions of actors involved, as most anthropologists writing on this subject do, (Olivier de Sardan 1999: 34; Zerilli 2005: 96), I expect to draw a typology of norms displayed by different categories of actors in different situations.

2. National context on corruption and forests

In Romania, corruption is a relatively new term, although the practices often associated to it are old and were widespread during communism as well as before communism. Certain studies argue that corruption is conceptualized in common-sense speculations as a practice (de)generated from Romanian ancient customs, and Romanians are prone to believe that corruption has something to do with their folk character (Zerilli 2005: 84). During communism everything was about forbidden things. Meat or dairy products, as well as Pepsi-Cola were scarce, thus subject to favours and bribes; in the same situations were found other services as well (e.g. medical services, banks). Therefore, the informal economy of clientelistic relations became sufficiently ritualised and petty corruption established itself as a set of conventional practices of access to products, services, positions, etc. After the fall of communism, the package of coffee, the bottle of whiskey and the envelope with money for medical services remained a normal practice, as "the way things work". Besides this kind of petty corruption, grand corruption began to make the newspapers' headlines.

In the fuzzy realm of what was called in the media the *transition period*, corruption, especially political corruption, became a fetish.³ The c-word (as it is termed by Nuijten and Anders 2007) was, and remained, an explicative panacea for all severe economical problems of the country and the “*fight against corruption*” is one of the first points in every political man’s electoral agenda.

At the regional level, many politicians earned themselves the title of “*local baron*”, because of their wealth, stemming from merely opportunistic and illegal activities and because of their engagement in patronage actions. One of the most notorious cases is the “*Wallet Baron*” of the Vrancea Region where I conducted fieldwork.

In Romania, forests were privatised in proportion of 50%, from which 60% (meaning 1.5 million hectares) are owned and managed in a collective manner. Therefore, a huge number of community-based institutions were established or re-established all across forested areas. For aggregating these village-scale organisations, at an upper level larger associations were formed alongside with privatising regional forestry departments. Consequently, a very dense net of forestry institutions is beginning to work in rural Romania for administrating, managing and regulating forest-related issues in a decentralised way. Parallel with this process, storytelling about illegal logging, illicit timber business, and forest depletion is becoming more and more a routine.

In the region where I conducted fieldwork, the most prosperous business is the timber business. Actually, it is the only feasible one. Local companies usually log and transport raw material directly for export. People in the villages next to the forest complain that during the night their sleep is troubled by dozens of loaded trucks that pass by on their way to the Black Sea. They complain about corruption as depleting *their* forests.

The ethnography of this case speaks about corruption related to timber business, local institutions for property-management, forestry agencies and state institutions – all involved in practices around forest and timber.

3. Ethnographic context

3.1. To whom belongs the forest? The *obstea* institution

The forests are owned by the villages as juridical bodies in the form of a common-property regime. A community-based institution (*obstea*⁴), which has the legal status of a private association is entitled to regulate all issues related to the property over forest (Vasile, Mantescu, 2006). Each inhabitant is a member of the *obstea*, in an equal manner. The rights are held collectively over the whole village-forest, meaning that people do not “have” certain plots, only rights, resembling shares. The *obstea* institution functions according to a simple participatory system; it has an elected executive committee, formed of 5-7 members, from which one is elected president and, *de jure*, the *obstea* is ruled by the village assembly.

³ In anthropological literature on postsocialism, ‘transition’ has been exposed as a mere teleological concept, while the reality was not linear and it was not obvious where things are heading; thus transition was replaced with ‘transformation’ (e.g. Burawoy and Verdery 1999)

⁴ Denomination coming from Slavonic, it means togetherness and has correspondent terms in Russian, *obshchina*.

3.2. Who benefits *de jure* from the forest?

The members have the right to withdraw a certain quantity of wood, going up to 20% of the total annual quota (the average value of this quantity for one *obstea* member is 50 euro per year), and the rest being contracted through auctions with timber companies. The revenues from selling are invested in community infrastructure (official figures from 2005 for the village on which I concentrate this paper show an invested profit of 60.000 euro).

3.3. Who controls withdrawal?

I want to make it very clear that the forestry institutional net is quite dense, both horizontally and vertically. Withdrawal is made according to the forest management planning, a documentation made by a firm which contracts with each *obstea*. Guarding and administration of forest is incumbent for the local forestry districts (*Ocol Silvic*). These forestry districts might be state structures or privatized structures, but with former employees still in place, as far as the Vrancea Region is concerned. There is another state structure to which the *Ocol Silvic* owes upward accountability; it is called ITRSV (Regional Territorial Inspectorate for Forestry and Hunting). Other organisms as well hold power towards the forestry processes (e.g. the Environmental Guard, etc).

3.4. The village

The ethnographic picture that I want to draw comes from a village that is located nearest to the mountain, compared to other villages from the Vrancea Region that can be located even 80 km away from the forest.

When I first got to the village of Nereju, there was something striking about the social differentiation, observable spatially. The center is quite well developed, houses in the area look fine, some of them even opulent, while getting towards the margins and further to the hamlets on the hills, roads become impracticable and houses get poorer and poorer. More striking, while applying a set of questionnaires after few days of fieldwork, people declared zero income to me per household, although they were drinking beer at the bar, decently dressed. After a few more days I solved the paradox by finding out that their income is produced mostly by theft of wood from the forest.

The village shelters the activity of more than one hundred timber-exploitation companies, ranging from very small ones to very big ones. Most of the economic activities are concentrated around these companies and, more generally, around logging. People work almost exclusively in forestry⁵, either to pull timber with their own pair of oxen, or as (often informal) employees of local timber-exploitation companies. However, only 20% of the households declared to have a salary in the house, usually amounting to less than 80 euros.

One of the four forestry districts (*Ocol Silvic*) is located here and it is still owned by the state, while all others in the region have been privatized.

The modern history of the village (around year 1900) is very much linked to 'corrupt' activities. It is the only village from Vrancea Region (from my enquiry in 10 others)

⁵ Their autarchic consumption means are at a very low level; land is not very fertile and poor in available surfaces; there is no arable land or possibilities for vineyards, orchards or vegetable growth; the only thing they practice is animal husbandry; they only raise 1-2 cows in 50% of the households.

where abusive political elites were not “kicked out”. The most powerful family in the village ruled the village (as mayors and presidents of *obstea*) in turns from 1880 until 1940⁶. They were making deals with the commercial logging companies (Italian, Hungarian and Austrian ones), and not handing in the profit to the community. One cannot label these practices as against the law, because laws concerning communal forests were merely inexistent at that time; but one can label them as against customary law. They were also trading people’s rights at the *obstea*, meaning that the companies were becoming owners of the forests. Another action was to encroach communal land. Similarly, this kind of action was not illegal, because the legal entitlements to forest at that time in Vrancea were inexistent (the Forestry Code came in 1910 and legal titles for *obsteas* only after 1920) and lawmakers and judges recognized private property as more ‘appropriate’ than communal one and issued titles for these private persons (Stahl 1939). However, encroachment and fencing of communal lands were completely against customary rules (*ibidem*). The collective property customs have a long existence in the region, since the region was a confederation of ‘free communities’ in the medieval period, which did organise their property freely, without the intervention of the state or of local seniors.

4. The working of corruption related to power. ‘Grand’ corruption at village level

Concerning the present day situation, I will present, in this empirically-oriented section, what happens in the village with regard to practices that are labeled by the locals as being “corrupt”, “illicit”, and “dirty”. These practices come from the political and economical sphere and involve almost all social actors in the village.

The discussion has to differentiate very much among different groups in the village or among different types of actions that can be labeled as corrupt. In relation to the same actions, various persons take various positions, according to their identifications and according to their own practices and interests. Similarly, the same people might take different positions regarding different types of corrupt practices (e.g. they might accept little theft, but condemn “grand corruption”). This multi-sided case shows that general conclusions, like “in this area, corruption is more accepted than in other ones”, or “this type of social actors are more prone to perform corruption”, are not valid.

The village is headed by the mayor, who is the biggest businessman in the region. The community is divided among two major groups: (1) the “corrupt group” formed by the local timber businessmen together with *obstea* officials and forestry people and other less powerful municipality officials, led by the mayor; the structure of this group is a pyramidal one (analogically Gupta describes pyramidal relations of corruption and fund squeezing among bureaucrats 1995: 384). Situated on the top is the mayor (with 16 sawmills), at the immediate downward level, there are 11 businessmen (with 4-6 sawmills), among which *obstea* officials, foresters, and the hierarchy might continue with other “clients” for each of the 11, with less than 3 sawmills; at the bottom level there are people who work in the forest for pulling timber with oxen or who are employed at the sawmills. (2) The “opposition group” formed around the former mayor, from smaller

⁶ Detailed data on this period was published by the Romanian sociologist Henri H. Stahl, who worked on Nereju in 1927 and later from 1935 to 1938 (Stahl 1939, 1958)

commercial businessmen and other lay people, who held powerful opinions against the mayor's clique.

4.1. The 'corrupt group'

The first group holds a large "bundle of powers" (Ribot and Peluso 2003, following Ghani 1995). Firstly, they hold *political power*, as the mayor is supposed to have very good connections with the regional "Wallet Baron", who is a prominent member of the social-democrat party⁷. The group is thought to have financially contributed to the political campaign of the party with money from illicit logging (Gupta identifies politicians as the top of a pyramidal system of corruption 1995: 384). In addition, the inhabitants contribute to the electoral capital of the above-mentioned party, as the voting results for this locality are always to a great extent in favor of the respective party⁸. In exchange, the mayor and his groups are politically supported in ways that I will detail later in the paper. Secondly, they hold *institutional power*. The leader is mayor, the members are local councilors, foresters (many of the businessmen are foresters, even though it is forbidden by law, because of the conflict of interest) and *obstea* officials⁹. Thus, lay people manifest submission and maintain good relationships with this group¹⁰ because it holds all important functions in the village. By maintaining good relationships with the foresters and *obstea* officials, they maintain access to the forest.

They are accused by lay people, by the newspapers and by the opposition group of illegal logging (from here obtaining false transportation and export papers), abuse of office, environmental damages (e.g. inappropriate storage of sawdust and overexploitation of forest), and electoral fraud.

4.2. The 'opposition group'

Usually, when corruption is embedded in the everyday practices and norms of the community, as it is in our case, scholars report, based on fieldwork evidence, that no real resistance will occur, that people will rather resign themselves than take any initiative to fight against it (Nuijten, 2003: 66, Zerilli, 2005: 96). The Nereju case shows a very strong anti-corruption initiative, which took the form of a local rebellion against the *obstea* rulers. Furthermore, there has been also a public protest in Bucharest and denouncements in the central newspapers.

The initiative belongs to what I have called "the opposition group". Their identification as a group boils down to their strong opinions and actions against the "corrupt group". Its leader is the former mayor, a 40 year-old man, whose power is mostly relational and based on his charisma. The family of his sister holds a strong position in this group,

⁷ This party held power during two periods: 1990-1996, 2000-2004. It is thought about as being a party formed of many ex-apparatchiks of the communist party and therefore as having large institutional power by cultivating connections among key-institutional actors. The literature on post-socialism emphasizes this continuation of former members of the socialist nomenclature in key positions during the so-called "transition" period (Verdery 2003)

⁸ Rumors and juicy stories about how elections were falsified are always present in the narratives of people from Nereju (to be partly described later in the paper).

⁹ It might occur that institutional power is concentrated in such a manner that the same person is simultaneously a forest guard, a businessman and an *obstea* or municipality official.

¹⁰ Even though many of these people do not believe that.

because it entails also a certain amount of economic power¹¹. There are also a few other smaller businessmen and charismatic persons involved in this group, among them a 70 year-old woman and a man who owns a sawmill and a bar¹² (as a bartender he has much interaction power that he can transform into political capital).

The discourse of the 'opposition' is similar to one about a guerrilla struggle; there are strategic persons in strategic places (geographical and social positions) involved, as well as secret gatherings.

4.3. Confrontation and actors performing corruption

The history of confrontation between the two groups is very rich.

Firstly, the roughest arena is the one of the *elections*, for municipality and for *obstea* committee and secondly the reciprocal denunciations and accusations that often take the form of court cases.

The leader of the opposition group, Vasile, has won the elections, both for mayor and for *obstea* president, but through the manipulation of the election ballot and falsification of documents with the results the other group succeeded to contest elections in court. Once in court, the case had little chance to be solved in favor of Vasile, because at the lowest level (department), the other group holds good connections among lawyers and judges, on behalf of their political connections. For going at an upper court level (i.e. national court), he has to pay a large amount of trial expenses and lawyer honoraries, amounts that he does not have. Actually, he did go further with the courts, but at some point he gave up, because of lack of money.

The other members of the group who could have helped him financially were blackmailed with the little illegalities of their commerce. Both, the barkeeper, Niță and Vasile's brother-in-law, Toader, were threatened similarly to keep away from helping Vasile any further. The "corrupt group" sent controls from all possible institutions (Consumer Protection, Fiscal Authority, etc). Both Niță and Toader declared "*it is impossible not to find a little incorrect issue if they want to*" and thus, under the threat of closing down their firms, they held back their support. Toader's wife says that they secretly continue to support Vasile, but that Niță and the others are traitors because they made peace with the enemy ("*s-au dat la brazdă cu ei*").

When I went back on my fieldwork this summer, after one year and a half, all the opposition seemed to me more discouraged than ever, their discourse was all about "*there is nothing more we can do*", "*things have gone too far and they deplete the forest with us watching them*". They told me terrible stories about crimes and threats (a frequent expression for the threats is '*I will throw you away on the river*') as means of blackmail.

Controls seem to have no effect on the corrupt group, thus, denunciation is worthless. The last story that I heard about this issue, is that the corrupt group had found out about

¹¹ They are successful entrepreneurs, have a firm of TV cable in the commune, a bakery and two stores; they were my hosts during my second visit in Nereju.

¹² He also hosted me for three days in Nereju, thus we had the occasion of very insightful discussion about all kind of illegal and corrupt practices.

a control that was supposed to come the next day and, during the night, they managed to raise an amount of 30.000 euros, for bribing the control agents.
I will show further how these practices and actors are related to corruption.

5. Actors involved in corrupt practices and their actions. Corruption in the private sphere

5.1. Politicians, bureaucrats

First of all, I have talked about relations between central **politicians** and local politicians, who hold clientelistic relationships, the big politicians having the power to cover illegalities of the smaller ones, by connecting to justice and other important bureaucrats who might sanction the latter. There is an exchange of favors, in which money, information (about when and who comes to control what), good words and political capital are traded.

Then, in the same game appear important **bureaucrats** from central state offices and smaller bureaucrats who usually do the effective control jobs for institutions as those presented before (the Environmental Guard, ITRSV). This is a network used by both groups for obtaining information or having important connections and these are not regarded as corrupt practices, but conceived as relational power that one needs for survival. Nevertheless, what is not accepted by the opposition is when this network is used to cover severe illegalities and to deplete the forest.

An important category which links the two levels, of the “central” and the local, are the **foresters**, namely people from the *Ocol Silvic* (forestry department), including foresters who stamp the trees to be harvested (*brigadier*) and the forest guards, the rangers (*padurar*). They ultimately allow the illegal extraction of timber and they are the first to take the blame in case something is discovered (later in the paper I discuss *in extenso* the case of forestry people).

5.2. Obstea officials – corruption in the private sphere

The *obstea* institution appears as an important actor in the process of corruption. Access to the forest has to be always mediated through this institution, because it is the actual owner and manager of the forest. Economic agents have to participate to auctions for different plots of forest to be exploited and *obstea* is responsible to check on the conditions in which the extractions are made. Therefore, if the businessmen want to have privileged access to the forest, at lower prices, they make deals with the *obstea* committee. Furthermore, the revenues from this type of economic activities have to be invested. At *obstea* Nereju, investments remained at a low level and were oriented towards issues that are thought of many people as being unnecessary and merely money laundering¹³. Here is the key point of the corruption issue. By illegal activities in the forest and furthermore by corruption of the *obstea* committee, the whole community

¹³ E.g. one of their investments was a TV cable wire system, that was declared to have cost 90.000 euros, while there was already a cable network in the commune, set up by Toader (Vasile’s brother-in-law), who declared to me that his had cost 19.000 euros, at the same length and quality as the one of *obstea*.

is prejudiced and its development is hampered.¹⁴ Thus, the actions of the *obstea* committee are defined by many of the community members as immoral and thus, corrupt.

We have already seen how the *obstea* Nereju is controlled by means of force and how power is not given up in a democratic way by people who are in the *obstea* committee. Moreover, the positions in the committee are abused to gain personal benefits.

Although *obstea* is *stricto sensu* a private organisation, it holds 'public' responsibilities, towards a limited group of people, the territorial community. Thus, I want to go beyond the dichotomy private-public and to apply the concept of corruption in a sphere that is *stricto sensu* private (related to *obstea* institution). The legal definition of corruption as regarding the public sphere is, therefore trespassed in this case, or, extended. The people involved in the practices described above do not internalise dichotomies or definitions regarding corruption. However, they (lay people, members of the opposition) use the concept of corruption in relation to these processes from the private sphere, for the specific issues detailed. Their major argument for doing so is the immorality of these actions, label of 'immorality' that stems from their sentiments towards social differentiation and towards the fact that they, as legal proprietors of the forest, are disconsidered, their decisions and opinions disregarded.

The *obstea* officials hold the negative image of mismanaging the common property and of '*fooling people in their faces*'¹⁵. People are aware that *de jure* they hold certain powers through the participatory system, but *de facto* they are not able to benefit from the forest. Moreover, their feelings of injustice are amplified by their strong sense of property. People in the village, and all over the Vrancea Region have a very developed sense of pride and show emotional attachment to their forests (Vasile, 2007). They consider the *obstea* officials as highly responsible for the depletion of the forest and for the 'grand' theft that is going on.

5.3. Foresters – corruption and the issue of morality

5.3.1. The morality of well established illegal access

The corruption of foresters has already entered the Romanian contemporary folklore. There is a popular song saying that

*"I am Petru - the ranger, and I sell carts of wood,
I don't have worries or needs,
Aall the girls come to me in the forest,
I give them beech wood and we kiss.
The sly policemen wanted to nail me down;
He forgot that last summer I gave him two carts of wood.
To those who are my friends I give good wood,
But to those who are not, I give bad one.*

¹⁴ My case is built only on *obstea* Nereju, and I do not want to state that all these kind of institutions of Vrancea are to be considered in such a way; some of them indeed could be included in the discussion about corruption as well, but others are functioning in an honest way.

¹⁵ That is an expression translated from Romanian that express the shameless way of openly telling lies, when everybody is aware that they are only lies.

*To the mean ones, I give the knobbly wood.
To those who are not my neighbours,
I give the bad wood.”*

(The song of the ranger, interpret Puiu Codreanu).

The words of the song express the web of connections and patron-client relationships in which foresters are involved and furthermore, the general perception of their wealth. Forest guards owe their good reputation to communist times. Back then, as I have mentioned (p. 2), informal access to products, including forest products, was common-practice and very much ritualized. People regret the stable realm of those times and try to maintain the same set of practices nowadays.

A study about values and narratives of foresters show that they are aware of the “corruption” etiquette that accompanies their status. “One forester said ‘Everything is based on corruption at this [senior] level’; and there was an interesting level of unanimity about certain private district chiefs who were believed to be swindling the forest owners (communities) who they had, in principle, been hired to serve by harvesting more than the annual allowable cut. Although a study of this kind is not able to pinpoint the proportion and status of foresters who are involved in such activity, the public image is strongly influenced by a few significant examples.” (Lawrence and Szabo 2005: 6)

Because the participation of laypeople at decisions concerning forests is hampered and their material advantages maintained at a low level, they do complain about the difficult access and about the difficulties in making “arrangements” with the rangers, due to changes:

“The forestry department was the master [during communism]; it was the only one responsible. I went to the forest, I chopped down wood, all the other ones did the same, we arranged things with the ranger and it was done.”(V.R, age 50)

In this case, the well-established code of behaviour appears through the expression “*all the other ones did the same*” seen as legitimate although illicit. Now, the given situation is much better, they are proprietors of the forest, but feel restricted:

“Nowadays, one knows that [the forest] is his, but he cannot take what he needs.” [ibidem]

Practices were very much based on the tacit arrangements with the rangers, thus we could name it a corruption-based set of practices. In this way, what might be termed as corruption, was a mechanism of access.

5.3.2. The morality of little theft

Deals with the rangers and bribery are at stake when we talk about ***the theft of wood***, the users in this case developing a wide range of abilities. Extended night theft practices occur mostly in Nereju village (unlike other villages from the region), as the geographical position permits, being located nearest to the mountain. Nereju counts a large number of very large and very poor families with no opportunities to work. Most of these poor families make their living from this kind of theft¹⁶, selling the stolen wood to local companies, the average gain¹⁷ from such activities (excluding bribery for the

¹⁶ They have a share in the *obstea* anyway, but that quantity is not enough for a living, theft means illegal harvesting more than one’s share.

¹⁷ About 150 euros per month.

guards) being almost equal with an average legal household's income. We face here *non-legal means of access as possible mechanisms of access* (Peluso, Ribot, 2003). *These illegal mechanisms engage a chain of illegalities*, since the local firms who buy this timber at lower prices must provide false vouchers for the exceeding quantity of processed wood, and rangers must 'cover' the damage.

The interesting thing about this practice is that, even though it is illegal, the actions of the thieves are well-known in the community, everybody talks freely about it and no sanctions occur. The poverty of the thieves' families makes the community tolerant about these acts. The villagers do not consider it as a theft from their own property, but as the only way of inclusion for the poor.

In this way, what is perceived as illegal from the point of view of the state law, this perception being concretized by practising theft only during the night, is accepted within the community norms, social integration of the poor being the governing principle in this case.

Because the theft of wood is legitimate, other people as well practice it, besides the poor. When they go to the forest to legally withdraw their share, they can withdraw a few meters more, by arranging it with the ranger.

Nevertheless, little theft can be used as a weapon for covering grand corruption, in two ways. Firstly, little cases are pushed to the forefront when controls from state forestry authorities check the situation. Rangers have to report something and little cases serve this purpose. Secondly, and more important, little theft is used to blackmail people who are not faithful clients for the "*grands*", or who are overtly members of the opposition. There is a notorious case in the village, when a man, Radu, was caught¹⁸ and prosecuted, because he was one of the members of the opposition group and he went to the forest with a control agent. After a few days, he made a deal with the ranger to cut down some wood, but the ranger had already a deal with the powerful group to hand him over to the police. He got four years of prison. His case was meant to show the power of the "corrupt group" and to place a permanent threat onto opposition people. People perceive this action as a very immoral one, because the imprisoned man was a young head of a family of 4 children.

5.4. Foresters mix with *obstea* and the "grands", immorality arises

Nevertheless, the corruption of state-enforcing agents (forestry guards) was far more acceptable for people than it is nowadays the corruption of local committee of *obstea*. A *shared assertion* for many of my informants was that in communist times, things were better, because only the forestry department was removing wood from the forest; now the mafia has two heads – the forestry department and the *obstea* committee, and, especially for the case of Nereju, a third head, the timber businessmen. An interesting metaphor of "eating" appears when they refer to corrupt practices:

"Before it was only the forestry department eating the forest; now, the obstea [committee] eats too. For us, villagers, there is nothing left to eat." (T.H., age 78)

¹⁸ Some people believe that it was only a stratagem for accusing him, that he didn't really steal. However, his wife recognized that "he had intended to take some wood". It is interesting that she did not use any of the words stealing, being guilty.

When foresters become businessmen or *obstea* officials, they begin to be negatively regarded; also when they are supposed to have important deals with the “corrupt group”.

Corruption, in its folk conceptualisation, is not so much an issue against the law, because as we have seen, law and rights are not a core issue in the everyday practices, and when court cases occur, law-people and state officials are involved in the corruption cases. Corruption comes on everybody’s lips when there is an issue against morality. What does immorality mean? It is not immoral to steal wood from the forest if one is poor, or if one is ranger that illegally subtracts wood for himself or for other lay-people. Immorality comes in the play when the forest (as an affective asset) and the community are threatened by the rich and greedy. Also it comes in the play when people are mocked through the participative system of *obstea*.

6. Discussion

Certain kinds of what one might call illicit actions are not labelled by people who practice them or the surrounding community as corrupt, because these actions are in harmony with the morality of letting people earn their living. However, no matter how ritualized these practices can get, and how moral they might be conceived of, the legal threat is in the air, maintaining fears and fantasies (as an analogy with the concept of governmentality in Nuijten 2004). It depends upon the working of power who gets punished and who gets not, as I discussed the case of Radu.

My paper shows that in many cases, the more official definitions of corruption as abuse of the ‘public’ office or of the ‘public’ interest might overlap with the folk definitions, but necessarily linked to visible processes of social differentiation and to offending people’s rights, interests and feelings. However, in this case, what is *public*? The reference to a common-property regime entails private property, ruled by a private association¹⁹, thus the office or the interest might be defined as private, nevertheless still containing an intrinsic moral character.

Haller and Shore argue that the current anti-corruption discourse has to be linked with the neoliberal IMF (International Monetary Fund) discourse of ‘privatisation’ and ‘good governance’ and that the neoliberal thesis holds that if corruption is a pathology of the public sector, the solution lies in restraining public spending and public offices (2005: 18). Thus, they argue further that anthropologists should address the issue of corruption linked to the private sector. The presented paper goes in this direction and shows how devolving power to local community-based organisations (*obstea*) did not mean diminishing corruption. It just moved the problem into another area of definition. Moreover, in the realm of corruptible state officials and great indeterminacy of the law, the devolving of power to local greedy elites was wrong, because for certain issues they owe only downward accountability, downward in this case meaning towards completely powerless people. Corruption is intermingled in the day-to-day interaction regarding accessing the forest. Ultimately, access to the common-pool resource, as the ‘ability to benefit from things’ is based on power and mechanisms of corruption.

¹⁹ There is a debate in the field of common-pool resources studies concerning the false dichotomy between private and public goods. Scholars assert that the common-pool resources, owned jointly by a group of people, borrow characteristics from both categories and that there are actually four categories of property to be considered (F. von Benda-Beckmann 2001).

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