

RUSSIAN CORRUPTION IN DETAIL: IMPACT OF CERTAIN FOREIGN CORRUPTION MODELS ON RUSSIAN CORRUPTION BEHAVIOR

Olga Kuznetsova

Associate professor, (Ms.) RUDN University, RUSSIA, kuznetsova-ola@rudn.ru

Abstract

The negative impact of corruption on economic growth and development is recognised by all. Corruption leads to devastating social and economic consequences, such as rising poverty; it also undermines morality and law-abiding models. The level to which corruption penetrates the very fabric of social relations, individual morality and mentality are striking. At the same time, corruption is directly related to the peculiarities of the historical development of individual countries and the mentality of their citizens. In many countries, corruption is practically legalised and has become a routine thing.

A unique combination of traditions, morals, religion and specific historical models of a country's development forms diverse corruption models that characterise individual countries. Various studies show that such models can be grouped into groups such as the Latin American model, the African model, the South European model, the socialist model. The fight against corruption requires an analysis of all these models and the search for special tools for them. Many researchers suggest that Russian corruption to a certain extent unites all these models. In this article, the authors seek to establish which corruption models influence the current corruption behaviour of the Russian criminals, to what extent and why. The authors also make recommendations on scientific approaches to the study of various models of corruption in Russia based on international experience.

The purpose of this study will be achieved by performing the following tasks:

- To study the evolution of various corruption models and socio-moral factors contributing to it;
- To study the international experience in the analysis of corruption models and the methodology for studying them;
- To apply the results of international studies to existing corruption models in Russia and find out which models and to what extent influence the corrupt behaviour of the Russian citizens;
- To develop recommendations for combating corruption in Russia by eliminating certain conditions of its existence.

The methodological basis of the study consists of such general scientific methods as dialectic and systemic research methods, analysis, synthesis, induction, deduction, analogy, and others, and such specific scientific methods such as historical and legal research, comparative legal research, formal law, structural-functional and statistical methods. The study is based on the results of research conducted by Russian and foreign lawyers and sociologists, as well as economists and political scientists of the relevant research topic.

The results of the study can be used to determine the optimal goals and objectives of targeting corrupt behaviour in the Russian society, law enforcement and scientific activities, as well as for educational purposes, in particular for lectures and seminars on Russian criminal law and criminology and criminal law and criminology in foreign countries.

Keywords: criminal law, criminology, corruption models, corruption criminals, social environment, traditions, morality, law.

1 INTRODUCTION

The negative impact of corruption on economic growth and development is recognised by all. IMF recent report (2016) [1] demonstrates that systemic corruption affects the implementation of virtually all government functions, ranging from monetary policy to education, which leads to devastating social and economic consequences, such as increased poverty. Corruption negatively affects economic development by reducing investments, as well as by inadequate allocation of resources and changes in the behaviour of companies in the market. According to the World Bank's Doing Business rating, the inefficiency of government regulation significantly increases the cost of doing business and has a negative effect on market competition. [2]

Apart from increased poverty, corruption also undermines morality and law-abiding models. The level to which corruption penetrates the very fabric of social relations, individual morality and mentality is striking. At the same time, corruption is directly related to the peculiarities of the historical development of individual countries and the mentality of their citizens. In many countries, corruption is practically legalised and has become a routine in the eyes of the population.

If the foundations of corruption are laid in the perception of life existing in the society, and its various manifestations are presented, then the eradication of this type of offence will be one of the most challenging tasks. The way of life of an entire nation has been shaped by centuries and millennia, traditions and dogmas passed down from generation to generation. As American economist Douglas North rightly noted, "although formal rules can be changed overnight by making political or legal decisions, informal restrictions embodied in customs, traditions and codes of conduct are much less susceptible to conscious human efforts".[3]

Although in Russia, undoubtedly, there is an appropriate legislative and other regulatory frameworks at the level of various formal rules, such rules can easily be violated since they substantially contradict the feelings and understanding of the majority of the population. It can be said that the observance of the law is mentally perceived by the population of Russia as a necessity to a much lesser extent than in the states of Western Europe. The peculiarity of the Russian mentality is to give more importance to morality than to law. By this, many authors explain the existence of so-called "legal nihilism" and "ethical dualism" in Russia as moral sources of Russian corruption in the broad sense. [4] These characteristics are deeply rooted in Russian culture, and therefore it is complicated to change them, and even if they begin to change, it happens extremely slowly. In the post-Soviet period, the depth of penetration of corruption in the fabric of social relations, the morality and psychology of people has increased significantly. Corruption has practically passed the stage of legitimisation and has become for many a familiar, mundane phenomenon. Numerous population polls confirm this. [5] In accordance with the data of Russian polling agency VTsIOM, in recent years there was a catastrophic decline of morals – and the "fundamental" qualities of Russians have undergone the most considerable erosion: honesty (drop 5 times), goodwill (6 times), unselfishness (8 times), camaraderie (in 4 times). [6] Based on the above it can be concluded that for a successful fight against corruption it is essential to study the influence of different social conditions characteristic of a particular type of corruption on the personality of a corruption criminal.

2 METHODOLOGY

A unique combination of traditions, morals, religion and specific historical models of a country's development forms various corruption models that characterise individual countries. Various studies show that such models can be classified such as the Latin American model, the African model, the South European model, the socialist model. The fight against corruption requires an analysis of all these models and the search for special tools to fight each of them. Many researchers suggest that Russian corruption to a certain extent unites all these models. The author's task was to determine what corruption model influenced contemporary corrupt behaviour of Russian criminals, to what extent and why. The methodological base of the research comprises such general scientific methods as dialectic and systemic research methods, analysis, synthesis, induction, deduction, analogy and others and such specific scientific methods as historic legal studies, comparative legal studies, and formal legal, structural, functional and statistical methods. The research is based on the results of the studies conducted by Russian and foreign legal and social science scholars, as well as economists and political analysts relevant to the research subject.

3 RESULTS

3.1 The Main Models of Corruption Highlighted in the Scientific Literature

Culture, religion, mentality (mindset), and morality of the society in aggregate affect the susceptibility of the inhabitants of a state to corrupt behaviour. Rafael Porta and his colleagues in 1998 conducted an empirical

study [7] of the role of religion and the legal system in the development of corruption. As a result, it was confirmed that in less developed countries, countries with predominantly Catholic or Muslim populations, as well as countries of the Romano-Germanic legal system (civil law system), the quality of work of state institutions is lower, and the level of corruption is higher compared to Protestant countries of the Anglo-Saxon legal family (common law countries). Separately, the influence of the legal models of the colonising countries was studied: Spanish-French and socialist versus English as the basis for the development of institutions that are a prerequisite for economic growth and control of corruption. The results also showed that within the framework of the civil law system, the states where the legal traditions follow the Germanic pattern, take better measures to control corruption than the states with the French legal traditions. In the legal literature, it is common to single out four of the brightest models of the perception of corruption, each of which is based on the shared experiences of the system of features characteristic of the respective groups of countries. These models include Asian, African, Latin American and European. [8]

The main feature of the African model of perception of corruption is that a clan approach prevails, in which power is sold to a group of major economic clans that agree among themselves to divide the spheres of influence and control, and then, by applying political measures and means, keep these spheres and ensure the reliability of their existence and functioning. [8] Some experts believe that it is the traditional culture of supporting loved ones and expressing gratitude for the services rendered that contributes to the growth of corruption on the African continent. Before the advent of Western forms of government in African countries, political power and social prestige were mainly acquired through "patronage." The unwritten social contract stipulated that a small group of individuals control resources and power, redistributing wealth among their relatives and friends. Thus, political and traditional leaders managed to rule the country without any accountability to the people, while the people worshipped them and admired them.

According to some researchers, corruption in African countries is a myth, because it is historically expected to show appreciation for the service rendered. If a government official offers someone a job or contract, the beneficiary will be obliged to demonstrate his appreciation to such an official either in monetary terms or in kind, just as they would have done with the village leader, who provided them with a plot for crops or housing. Corruption is a myth because in this culture bribery is mutual goodwill. [9]

The European model of perception of corruption is characterised by a relatively low level of corruption in the almost complete absence of grassroots corruption. The low level of corruption is supported by a set of measures - institutional, organisational, and legal along with the effective operation of traditions, culture and civil society institutions. It should be emphasised that the countries in which this model is implemented go through, as a rule, a stage of historical development characterised by a very high level of corruption. [8] The lowest level of corruption was recorded in the Scandinavian countries, but in the south of Europe there exists the so-called "curse of the south" - in the countries that took the French model of the legal system as an example, the level of corruption is much higher.

According to Professor of the University of Bologna, Domenico Pacitti, the absolute lack of morality and public consciousness, the principle of the exchange of favours, excessive concern for power and money, cynical disrespect for the law and strict adherence to the code of silence led to the rise of widespread mafia in Italy, even in the universities. However, the proof that the mafia consciousness is not "in the blood of the Italians", but in the system, is that Italians often lose these habits after several years of living abroad, and vice versa, foreigners acquire them after several years spent in Italy. [10]

Socialisation, carried out in the communist period, also, according to economists, NGO experts and journalists, can be considered as one of the main causes of modern corruption. It is characterised by the absence of private property, total power control and the development of everyday corruption. In this case, corruption, firstly, becomes a means of compensating for numerous defects in centralised planning and management. Secondly, it is caused by a chronic shortage and low quality of goods and services, thirdly, by the contradiction between socialist ideas and a real social structure in which the vertical relations of powerful dominance-subordination or patron-client relations of feudal sense prevail: bribes destroy these vertical relations and equalise administrative agents and their clients. [12] In those days, people learned to develop coping strategies in their private lives, which, with a few exceptions, conflicted with an outside world that was not credible. Moreover, this gap between citizens and the state has contributed to the weakening of relations within society. Moral norms did not apply to the state but were cultivated only in small groups, such as family or close friends within which strong ties were created. [13]

For the Latin American model of perception of corruption, it is important to identify the most powerful and influential shadow sectors of the economy, as well as criminal authorities. At the same time, these two illegal vectors are in a state of constant rivalry and competition not between themselves, but between the public

sector of the economy and legal political forces. According to criminologists, this creates a “matryoshka”, where the upper shell is the official state with all the attributes of power, and under that it is a criminal formation, an illegal shadow “state”, claiming to occupy key positions in the political and economic fields of life and activities of the country. [13] From a historical and economic point of view, the most important feature of corruption in Latin American countries is the clientele political culture, that is, systemic or structural corruption in combination with the distribution of government posts among supporters, within which political power is viewed as a means of personal enrichment. [14]

The prevalence of such teachings as Confucianism, Buddhism and Taoism in the state ideology, as well as the relative homogeneity of the population, allow political movements to legitimise power and influence the political culture of the respective states. For example, by Western standards, the practice of using social relationship and kinship is considered corruption, but not every state is considering it similarly. The Asian model of perception of corruption is characterised by the attitude of society to corruption as a habitual phenomenon, acceptable to the entire structure of government and all segments of the population due to cultural traditions and economic necessity. Within this model, corruption is not perceived as illegal and is often regarded as an attribute of the functioning of the state. [15] The Confucian doctrine is best suited for use by leading forces wishing to centralise the power since it is Confucianism that teaches obedience to power. American philosopher A.F. Wright noted that “the role hierarchy was an integral part of establishing the ideal order, but Confucians insisted that the vital roles of the functionary (official) and the bearer of cultural heritage can be entrusted only to highly moral people. The monarch, located at the top of the hierarchical pyramid, was once, in remote ancient times, elected on merits. The structure of the sociopolitical pyramid in Asian countries looks like that.” [16]

3.2 The influence of Various Models of Corruption on Corrupt Behaviour in Russia

Mark Levin and Georgy Satarov represent the contribution of various cultural-historical types of corruption to the Russian one: [17]

Table 1. The approximate input of various cultural and historical types to the Russian corruption from Gorbachev to Putin (in percentage)

Gorbachev period	Western corruption (25)	Eastern corruption (40)	(5)	Socialist corruption (30)	
Yeltsin period	Western corruption (40)		Eastern corruption (30)	(10)	(5) (15)
Putin period	Western corruption (10)	Eastern corruption (50)		(20)	(15) (5)

Latin American Corruption
Socialist Corruption
African Corruption

At the beginning of the XX century, corruption in Russia followed the path of rapprochement with the Western type in the business sphere, while remaining mostly eastern in the sense of everyday corruption. By the end of the XIX century, the Russian economy has already become very open, which influenced the business atmosphere. At the beginning of the XX century in terms of the cultural-historical classification introduced above, corruption in Russia was (conditionally) half Western and half Eastern. Speaking about everyday corruption, it did not exist in education and health care but remained significant in other areas due to the patriarchal social relations. Business corruption in Russia at that time differed little from the Western one. Over the decades of Soviet power, a tremendous blow was struck to the morality of people and the

ethics of social relations. This was aggravated by the preservation of a paternalistic culture of relations between the government and the population and contributed to the preservation and spread of everyday corruption, including education. As for business corruption, its nature has fundamentally changed with the destruction of ownership on the means of production and with the transition to centralised planning and distribution. In general, the corruption of the Soviet period was half oriental (in the sphere of everyday corruption), and half - socialist (in the sphere of business corruption).

The period of Gorbachev's rule (1985–1991) was characterised by two tendencies: the disintegration of the bureaucracy and the emergence of capitalist relations on an unprepared social and legal basis. Property rights began to acquire a status character. As a result, socialist corruption in the business sphere was partially supplanted by eastern corruption. Soviet economic ties between production managers and party leaders were smoothly transformed into networks of economic, political and administrative exchange of Latin American character. However, with the development of the cooperative movement and the subsequent expansion of private entrepreneurship, "out-of-status business" started to emerge. This trend has led to the supplanting of the Soviet business corruption by Western corruption. In the sphere of everyday corruption, there was also a partial displacement of Eastern corruption by Western corruption as the status of the state changed. Thus, the corruption of the times of Gorbachev was a mixture of Eastern, Western, Latin American and Soviet corruption.

The transformation of Soviet corruption, accompanied by its growth, was completed at the time of Yeltsin. The transition periods are characterised by weakening of legal regulation against the background of the destruction of the old and belated formation of the new system of norms. From the point of view of corruption, such a period is characterised by its growth and, most importantly, a qualitative change. There emerged many new types of corruption. Among them, there were those that characterise Western economies, as well as those inherent mainly or exceptionally to Russia due to its specific historical drift in the XX century. The main factors of a general nature that had been in effect for most of the Yeltsin period were: excessive regulation of the economy; legislative gaps and inconstancy of the rules of the game; large-scale privatisation of the state property; high inflation, stimulating short-term business strategies; inefficient tax administration; inefficient budget execution; weak banking system. The financial and economic weakness of the state reduces its ability to fulfil social obligations, which leads to an increase in everyday corruption.

Another critical factor in the growth of corruption is the weakness of legal institutions. The ability to enforce the rule of law is a key factor affecting the level of corruption not only in transition economies but also in countries with established effective democracy. [18] Eastern type of corruption persisted mainly in the field of everyday corruption. The share of Soviet corruption was decreasing, while that of Western corruption was growing, which was due to the precise reproduction of Western institutions. The rise in Latin American corruption was due to the influence of big business. As for African corruption, it flourished in some regions where power was seized by certain clans, including family ones (for example, Bashkortostan).

Since the beginning of the new millennium, the cultural and historical profile of corruption in Russia has changed significantly, and its scale has begun to proliferate. At the same time, there were qualitative changes in corruption. Everyday corruption was relatively stable: it grew at a rate comparable to the growth rate of incomes of the population and retained elements of the Soviet. The main changes occurred in the field of business corruption. First of all, the state capture was rather quickly finished, and the focus shifted to business capture. Bribe has ceased to perform the function of payment in the market of shadow administrative services. Networks of corruption crime formed rapidly. Corruption has become clan-based at all levels. Property regained the status character, as it was during the Gorbachev period. The ability to maintain the existence of a business depended on which clan or clientele one belonged to. Direct levies from the business began to spread widely.

4 FINDINGS

Thus, in Russia, it is possible to talk about a combination of all known types of corruption in one way or another. Over the long history of Russia, the need to simultaneously resist external enemies and domestic rulers, to survive, relying only on the family, close friends and neighbours, has developed and strengthened patronage relations. It can be said that in societies based on patronage relations, connections do not just matter (as they matter in almost any society), but are fundamental. Such societies are usually characterised by strong friendship and family ties, the formation of patron-client relations, low social capital, the weak rule of law, pervasive corruption, widespread nepotism, and what sociologists call "patrimonial" forms of dominance. The cultural factors of Russian corruption are informal social ties or cronyism. The predominance of closed social networks, which allowed life in the system of a planned economy to be somewhat more diverse, contributed to the formation of a kleptocracy and a corrupt bureaucracy. The use of

social connections that have emerged as a method of achieving goals effective within the framework of the communist economy, in the new conditions, with the presence of more “modern” ways of obtaining the desired outcome, turned out to be very tenacious. For many years, the population formed the so-called “double morality”, when it was considered immoral to rob or deceive a neighbour, but to rob or deceive a government official or a large landowner was considered not only moral but also worthy of encouragement. The widespread use of law by the ruling elite as a means of state coercion, as well as the absence of codified (and often simply written) legal acts in the country for a long time, gave rise to that “legal nihilism”, which was reflected in numerous proverbs (for example, law is like a shaft of a cart, it points wherever you turn it to (any law can be turned around to achieve an opposite result)), and formed a general disregard for the laws of the state.

This situation can be viewed as the root of the attitude of modern citizens of the Russian Federation to corruption, not as an unlawful act, but as a historically established method of achieving the goals of material and non-material nature. "Legal nihilism" and "ethical dualism" can be considered in a broad sense as moral sources of Russian corruption. It is this mentality that contributes to the formation of personal connections between those who are interested in receiving private benefits outside of the law. According to N. Koptseva, “modern strategies of corrupt behaviour of Russian citizens rely on both the traditional paternalism of pre-industrial society and its artistic modelling in the Soviet mythological picture of the world, enshrined in the corresponding signs, images, symbols, and various cultural texts.” [19] And further, she points out that “there will never be enough direct legal mechanisms to combat corruption behaviour in Russian society. ... Only the inclusion of the ancient forms of popular solidarity in the daily system of social communications and the filling of these ancient cultural practices with positive social solidarity goals will help to overcome the criminal forms of modern Russian corruption.” [20]

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REFERENCE LIST

1. IMF, “Corruption: Costs and Mitigating Strategies,” Staff Discussion Note 16/5, International Monetary Fund, May 2016.
2. URL: http://www.worldbank.org/content/dam/doingBusiness/media/Annual-Reports/English/DB2019-report_web-version.pdf (Accessed: 23.11.2018).
3. Nort, D. (1997) *Instituty, institutsional'nyye izmeneniya i funktsionirovaniye ekonomiki / Per. s angl. M. : Fond ekonomicheskikh knig «Nachala»*. p. 21.
4. Suhara, Manabu. "Corruption in Russia: A Historical Perspective" URL: https://src-h.slav.hokudai.ac.jp/sympo/03september/pdf/M_Suhara.pdf (Accessed 10.05.2018)
5. Kofanova, Ye.N., Petukhov, V.V. (2005) *Obshchestvennoye mneniye o korruptsii v Rossii // Monitoring obshchestvennogo mneniya*. no. 1 (73), January-March, p. 15
6. *Argumenty i fakty* (weekly), 2007, no. 12.
7. La Porta, R., Lopez de Silanes, F., Shleifer, A. & Vishny, R (1998). *Law and Finance . Journal of Political Economy*, (106): 1113-1150.
8. Kachkina T.B., Kachkin A.V. (2010) *Korruptsiya i osnovnyye elementy strategii protivodeystviya yey: uchebnoye posobiye*. - Ul'yanovsk: Pechatnyy dvor, p.101.
9. Maduagwa, M.O. (1996) “Nigeria in Search of Political Culture: the Political Class, Corruption and Democratisation” in Ngboyeda A. *Corruption and Democratisation in Nigeria*, Ibadan: Fredrick Ebert Foundation and Acbo Are Publishers
10. Domenico Pacitti. *Bolognese flavoured corruption*. July 10, 1998 <https://www.timeshighereducation.com/news/bolognese-flavoured-corruption/108191.article> (Last accessed 04.05.2018)
11. M.Levin, G. Satarov. *Korruptsiya v Rossii - klassifikatsiya i dinamika*. URL:

<http://instituciones.com/general/2129-korruptsiya-v-rossii-klasifikaciya-i-dinamika.html> (Last accessed 09.02.2019)

12. Vargas, Oscar-René (2000). *Círculos de Infierno: Corrupción, dinero y poder*. Managua: Foro Democrático & CEREN; Vargas, Oscar-René (1999). *El síndrome de Pedrarias: Cultura política en Nicaragua*. Managua: Centro de Estudios de la Realidad Nacional (CEREN); Pérez-Baltodano, Andrés (2003). *Entre el Estado Conquistador y el Estado Nación: Providencialismo, pensamiento político y estructuras de poder en el desarrollo histórico de Nicaragua*. Managua: Friedrich Ebert Stiftung & IHCA-Universidad Centroamericana; Alvarez Montalván, Emilio (2000). *Cultura política nicaragüense*. Managua: Hispamer. 2 Edition.
13. Wright, Arthur F. (1962), *Confucian Personalities*, Stanford: Stanford University Press.
14. Gorbuz A. K., Krasnov M. A., Mishina Ye. A., Satarov G. A. (2010). *Transformatsiya rossiyskoy sudebnoy vlasti. Opyt kompleksnogo analiza*. SPb .: Norma.
15. N.P. Koptseva. *K voprosu ob obshchestvennykh osnovakh korruptsionnogo povedeniya v sovremennoy Rossii*. URL: http://e-notabene.ru/ca/article_12905.html (Accessed 04.02.2019)