

## CORRUPTION CULTURE AND ITS EVOLUTION

Everyone who wants to get an objective idea of corruption and attitude to it, will plunge into the ocean of texts of various kinds: international and domestic declarations and legal acts, historical research and documents, non-fiction and scholarly texts, social and political essays, and fiction. And the first thing he/she will find out is lack of unity in the definition of corruption. Both as a social phenomena and a legal concept.

It's enough to proceed from the narrow understanding of corruption as venality, bribability of representatives of state authorities, governmental officials and other people in power to discuss the issue set forth in this report. Bribery, venality are the main meanings of the Latin word *corruptio*, i.e. use of authority for personal enrichment. Originally the term also included other meanings – strictly negative in assessing: deterioration, defilement, decay. It's not surprising: from time immemorial, even before the ancient times of Babylon and Mesopotamia, corruption has been unambiguously recognized by official morals and law as a danger, threatening the state foundations and was prosecuted as a criminal offence. Aristotle thought that corruption was capable to change the state system, transform monarchy into tyranny. However, wrathful moral condemnation and denouncing as well as severe repressions and penal sanctions were powerless – corruption flourished both in the ancient times and in the Middle Ages, taking deep roots in state governance and everyday life.

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The new corruption facets began to sparkle with the emerging capitalism. Bourgeoisie was cleaning the way for itself by corrupting aristocracy in power. The fact that intensive purchase of votes of high-ranking officials and politicians not only failed to obstruct but assisted accelerated economic growth, had to suggest a “sinful” thought about the positive role of corruption for social development. But that thought was presented in science much later, in the beginning of the 20<sup>th</sup> century by Max Weber. Weber came to the conclusion within the framework of the concept of understanding sociology proposed by him, that corruption may be functional and acceptable if it helps acceleration of political and economic changes taking place in the society.

This assumption, as other ideas originating in the West, was to be fully checked up on the territory of our country.

The communist doctrine that announced private property to be the worst evil on Earth, generated the chronic deficit economy in the USSR. On the other hand, lack of many products required by people, in retail, combined with accumulation of big stores of raw materials in the warehouses of state enterprises. The figure was announced at the last Plenary Meeting of the CPSU Central Committee (July, 1991): the basic stocks of raw materials and products finding no sale amounted to RUB 640 billion. Cf.: there was less money allocated from the state budget to culture, education and science taken together.

It's well-known that if a mass requirement is not satisfied legally, it will find a way bypassing the law and bending the rules. Enterprising people started using the products, lying on shelves collecting dust, for making consumer goods. Fashionable clothes, shoes, accessories, spare parts for cars – they started producing all that in underground shops of state enterprises. Private entrepreneurship itself was a criminal offense in the USSR, but owners of those underground shops inevitably generated other actions and operations prohibited by the Soviet criminal law: commercial intermediary activities, speculation, purchase of illegally acquired property illegal origination of which was known, illegal use of brands. And certainly bribery. It's impossible to hide a shop with illegal equipment from the bosses, large-scale sales

are impossible to keep secret from police and prosecutor's office. Engagement in prohibited business was inevitably connected with giving bribes to the managers of plants and factories, controllers from controlling authorities, policemen, prosecutors, officials from city and party authorities.

Common workers were also engaged in the shadowy production. They did not grumble, they were not indignant or outraged – on the contrary, they were eager to work not for the state but for an illegal entrepreneur for higher wages. Belief in advantages of socialism was undermined by underground businessmen together with commercial intermediaries-speculators also in case of large sections of consumers. The opinion poll conducted in the middle of the 1970s by the Institute for Study of Crime Causes and Working out Measures for Crime Prevention showed that 30% approved of the speculators' activities and blamed those who reported them to the law enforcement agencies.

The ideological dogmas started breaking under the pressure of private interest. In this case corruption served common sense in economic behaviour and assisted, according to an appropriate expression by L.M. Timofeev, "elimination of unreasonable, inconvenient for people order and origination of a new rational and productive order".

In the end of the 1980s, when Perestroika (restructuring) was announced and followed by launching market reforms, private business emerged from the underground out into the open. But a bribe, which had become the necessary condition for the existence of shadowy economy, did not disappear. And what is more, corruption was given a new momentum.

By the moment of the USSR disintegration, the Treasury was empty, oil prices went down to the minimum figures, and liberalization of prices which had no alternatives devaluated people's banking deposits. The overwhelming majority of residents of Russia, including low and middle-ranking officials, were thrown back to the poverty level. Meanwhile, in the period of original accumulation of capital, the need in officials with their authority to register, coordinate, permit, control skyrockets. Because of that bribe taking at the privatization stage was predominantly

entrepreneurs' paying officials for quick and conscientious performance of their job duties.

Corruption relations of business and law enforcement agencies looked considerably more dramatic. Unexpected and quick fall of the Communist-Soviet regime led to professional crime's attacking business. The shadowy economy could not exist without "shadowy justice". The capitals of owners of underground shops, traders and speculators required protection from blackmailing, extortion and robbery. It was only possible to find protection from criminals with the help of other criminals. Underworld lords (godfathers) also performed the functions of arbitrators when settling conflicts brought about by infringement of "business morals".

After August, 1991, professional crime which was let loose and allowed to come near by shadowy business in the Soviet period, announced its claims for participation in division of looming high profits. Criminals at the head of armed gangs put forward their demands to new owners of enterprises and banks to come under their criminal patronage or even let them in their capital as partners.

Far from all businessmen liked such offers. Many intended to do business legally in the market economy environment. Only law enforcement agencies could fight criminals. But detectives and investigators had no wish to risk and expose themselves to bandits' bullets in the interests of the "new Russians" for a pittance as their wages could hardly make ends meet. And then fighting racketeers began to be additionally remunerated.

In the 1990s, whole police brigades were paid by entrepreneurs. Illegal cooperation brought its fruits: in 5–6 years criminal power pressure on legal business was practically completely eliminated. But relief for the enterprising class did not come. On the contrary, the 2000s became of time of domestic corruption's flourishing, in-growth of middle and high-ranking officials and first of all law enforcement agencies into business.

Corruption component in cases of state orders, state services, allocation of lands to private owners turned into a regularly paid rent. Bandit "krysha" (literally means "roof" in Russian but in this context means protection, fixing, lobbying,

arrangement and services) was replaced by “ment” “krysha” (“ment” is an umbrella term encompassing all representatives of law enforcement agencies: policemen, Federal Security Service employees, investigators, prosecutors).

Paradox: expansion of corruption scales accompanied growth of material well-being of large sections of the population, poverty reduction – when oil prices skyrocketed there was enough money for everything.

There was no combating business corruption in the country. Constant calls for its overcoming were just a ritual. Crime statistics was mostly represented by everyday corruption – doctors, teachers, instructors, kindergarten employees were predominant among those found guilty of bribe taking; employees of the totally corrupted State Traffic Safety Inspectorate were added “into the bargain” in small numbers – not to have an absolutely ludicrous discrepancy between the real state of affairs known to everyone and its reflection in state records, e.g. in 2012, the average bribe did not reach RUB 8,000, when according to research of latent crime in business sphere it exceeded US\$ 100,000. But high-ranking officials and representatives of law enforcement agencies did not find themselves in the prisoners’ dock, with very few exceptions.

In the 2000s, corruption accompanied the changed political and economic priorities. Centralization of power, cessation of “sovereignty parade”, suppression of rebellious Chechnya – solution of these tasks objectively required strengthening of the state machinery supported by national security, defense and law enforcement agencies.

It’s well-known that for the power to be sustainable it has to rely on groups that are united and rich. The siloviki (security, defense and law enforcement chiefs) who have come to the state administrative bodies can only eliminate poverty via corruption. However, they do not consider the rent they are getting from business to be such. The psychology of today’s statesmen is similar to the frame of mind of the officials of the Russian Empire who “fed on office” – they think themselves to be “the salt of the earth”, the regime’s support and consequently they look upon bribes as remuneration they have a right to.

If preservation of the regime's stability becomes the main goal of the state politics, it is inevitably paid for by increase of corruption providing loyalty of various elite groups and all outsized bureaucracy. Over the period from 2000 to 2012, the latter increased by 65%. At the same time the inflow of representatives of security, defense and law enforcement agencies to the upper official ranks increased constantly. Now, a person with a security background can be found in practically any region, if not as a governor, then at least as a vice-governor or a head of some key department.

The state increased its presence in the economy in parallel to that. It follows from the Federal Antimonopoly Service's (FAS) report that over the ten years the state increased its presence in the economy twice – from 35% in 2005 up to 70% in 2015. Over the recent three years only, the number of state and municipal unitary enterprises tripled. And collection of corruption rent increases with the state role's increase in the economy. It's not unexpected that nearly a half of the companies surveyed by the Russian Union of Industrialists and Entrepreneurs (RUIE) answered that "authorities treat business as a purse" (48% against 42% in 2014). Sociological surveys show that over the last 10 years approximately one half of the population acknowledges that corruption runs through the whole society.

Nevertheless, it's noteworthy that corruptibility not necessarily brings about negative attitudes of the Russians to officials. For example, according to surveys conducted in 2009–2010, a half of Moscow residents believed rumours about Yuri Luzhkov's corruptibility, but at the same time 60% assessed his work positively and thought that he should keep the Mayor's office. High-profile corruption scandals in no way affect Vladimir Putin's high rating, though, e.g. 38% thought that Minister Alexey Ulyukaev's arrest cast a shade on the President.

Lack of active indignation at corruption is not infrequently explained by traditional tolerance of the people. The history of the country really says that our society's resources are large. But nevertheless not unlimited.

The authorities should maintain more or less decent standard of living of various social strata. If economy is feverish, housing, health protection, pension

support problems are becoming more acute, masses of people will more likely see corruption as the reason of all miseries. Recent events in the Ukraine and Romania vividly demonstrated that.

It seems that the top leaders are beginning to take this danger in the account in the environment of the lasting too long economic crisis and more and more high-profile denouncements of the ruling bureaucracy by the non-systemic opposition. There are changes in the only accessible for abuse of administrative authority sphere – when there is no wish to change anything in home policy and implement structural reforms in economy – and that is criminal persecution and repression.

An important alteration was entered into the Criminal Code: the “small-scale bribery” article appeared in it. A bribe not exceeding ten thousand rubles has been considered such since June, 2016. Thus, it won’t be possible now to camouflage practically lacking struggle against business corruption and supreme power corruption (political leaders, court of law, prosecutor’s office, heads of security, defense and law enforcement agencies) in state statistics by informal fees in everyday life.

In 2016, the number of revealed bribes on especially large scale (exceeding one million rubles) increased 2.5 times, and over the two years the average bribe amount increased 6 times. The “imprisonments” of recent years look serious: a federal minister, four governors, director of the Federal Service for Execution of Sentences, Lieutenant General of the Customs Service, five deputy governors, six high-ranking representatives of the prosecutor’s office and the Investigation Committee, five big businessmen with two of them affiliated with the Federal Protective Service.

Criminal persecution and repression cannot cardinally influence the corruption level, but are fairly capable to “shake up” especially greedy officials who believe in their impunity, make them “take according to rank” and not boast of their unrighteous wealth when the majority of the population is poor.

We cannot count on more than that when there is no political competition, effective civil society’s control over the state and strong economic dirigisme. The real way to reduce corruption successfully effected over the long period – 1970–2000 – in

the West consists of maximization of losses and minimization of advantages from corruptive deals.

The state of affairs when corruption stimulates economic life, the possibility of which was granted by M. Weber, fixed by N. Leff, S. Huntington and others, can be looked upon as abnormal – both morally and economically. It certifies that there are insensible laws limiting economic activities, inefficient state governance, lack of the rule of law in the country. Bribing officials by businessmen in this environment is described by a criminological formula: crime is a normal reaction of a normal individual to abnormal conditions.

Corruption distorts and cripples social legal order, impacts the mode of life of large sections of the population, “bedevils” the culture. In the 1990s, such words as “tusovka” (get-together), “razborka” (shoot-out), “bespredel” (off-limits lawlessness), “krysha” (protection) entered the common vocabulary from the criminal jargon and firmly established in it. The 2000s enriched the words “raspil” (sawing up) and “otkat” (rollback) with new criminal meanings (illicit sharing of budgetary funds and illicit pay-off respectively). It will be possible to judge the success in combating corruption including by cleaning the language of the criminal subculture.