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Fight against Corruption in Russian and European Discourse: “Irreconcilable Differences”?

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FIGHT AGAINST CORRUPTION IN RUSSIAN AND EUROPEAN DISCOURSE: “IRRECONCILABLE DIFFERENCES”?¹

*“Today we have come back to “normal”, “civilized” corruption”.
Head of Putin’s election headquarters (2012),
Film director Stanislav Govorukhin*

ABSTRACT

This working paper calls attention to the divergent interpretations of some issues on the European Union and the Russian Federation agenda, which are not at the centre of international debates, as the democratic development or human rights, but still can damage cooperation between Russia and the EU. The working paper analyzes the fight against corruption, as it is defined in the Russian and EU discourses. It is argued that the Russian discourse on corruption exists on three levels, which do not overlap at all: the official definition of corruption; “home corruption”; and the anti-corruption discourse of the political opposition. As a result, the Russian and the EU discourses have little in common, what leads to problems for future cooperation.

INTRODUCTION

Summits and meetings, agreements and declarations, at first glance, form a very promising agenda for the promotion of future cooperation between the European Union and the Russian Federation. However, despite Russia’s and EU’s efforts, we cannot yet talk about any real breakthrough in Russia’s relations with Europe. What is the reason for this? Of course, we can go back to the question of “normative power Europe” (Manners, 2002) and Russia’s rejection of the idea, but the question of different interpretations of such concepts as democracy and human rights has been already explored in detail by other authors. At the same time, it seems, that the stumbling stone of the relationship between Russia and European Union is not always the definition of a concept: sometimes the insufficient mutual understanding originates in the fact that the concept functions in a significantly different context. Thus, the topics which are placed in a certain self-evident framework in the European society can get other connotations in Russia and a number of issues

1 The research for this paper was supported by Estonian Research Council

which in Europe are presented as political are presented as depoliticized on the different levels of Russian discourse.²

The depoliticization of many issues in Russia is conditioned by two very important trends in internal politics. First, this depoliticization is very successful, because it coincides with a more general normative tendency to call for creating and sustaining a stable economic system, which in its turn can guarantee a stable democratic process.³ Thus, economic discourse becomes dominant, and a lot of issues, which are presented in Western discourse as political or political-economic, in Russia are only analyzed within the economic framework. The political component is replaced by a technocratic approach, which emphasizes problem-solving through administrative means. The second tendency is linked with the desire of the ruling elite to minimize the discontent of citizens in respect of the current political course. Using Carl Schmitt's definition of the political⁴ one could say that the regime is completely depoliticized, because all political opposition, in general, is classified as enemies of the country as a whole, not as enemies of the existing political system.

In this article I would like to call attention to the divergent interpretations of some issues which are not at the centre of international discussion, but still can damage cooperation between Russia and the European Union. As an example, I will analyze the notion of corruption in Russian internal discourse and in the framework of Russia-EU cooperation in order to demonstrate the whole gamut of differences in the interpretation of political and economic aspects of the anti-corruption fight.

A telling example of this misunderstanding is the exchange of opinions about one of the most ambitious goals of the political elites in Moscow – the creation of a visa-free space between the EU and Russia. The first steps in this direction were made as far back as 2011, but no significant results have yet been achieved. The Russian Federation hoped to sign the agreement before the start of the Sochi Olympics in February of 2014.⁵ The visa system is still in place, and during a March 2013 meeting, President of the European Commission Jose Manuel Barroso declared that it would be better not to speak about any deadlines for the abolition of the visas. In order to realize the visa-free zone, Russia needs to make additional

2 Romanova, T. and Pavlova, E. (2013), 'Modernization in Russian relations with EU member states: conventional goal, new means, unexpected consequences?' in Makarychev, A. and Mommen, A. (eds.), *Russia's Changing Economic and Political Regimes. The Putin Years and Afterwards*, Routledge, pp. 122–142.

3 Medvedev, D. (2011), 'Nazval kluczevie priznaki demokratii', available from <http://goo.gl/v0Mxsd>.

4 Schmitt, C. (1996), *The Concept of the Political*, University of Chicago.

5 *RIA Novosti* (2013a), 'Rossiiskii MID nazval primernuiu datu otmeni viz s Evrosouzom', available from <http://goo.gl/oXkl3V>.

effort in areas such as fight against corruption, fight against money laundering, protection of personal data and human rights.⁶

This demand from the European Union exasperated the Russian political elites. The Russian media quoted Anvar Azimov, Special Envoy of the Russian Ministry of Foreign Affairs and co-chairman of the visa-dialogue as asking: "What is the relevance of our corruption for the visa regime?"⁷ Linking the fight against corruption and respect for human rights with a move towards the abolition of visas leads, according to Azimov, to the politicization of dialogue and only complicates the work.⁸

It is evident that Ambassador Azimov's indignation was quite sincere as were similar feelings expressed by other members of the Russian elites. This reaction is a testimony of the unshakable confidence in the Kremlin that Russian society shared this approach.

The vagueness of the notion of corruption is phenomenal. The majority of citizens are so adapted to various distortions of the law, that they do not pay attention. Corruption as an abstract phenomenon is perceived as evil, but corruption as a everyday habit is considered from another perspective. Giving bribes, cutting corners, ordinary Russian citizens rest assured that they operate according to the realities of the existing socio-economic system.

A majority of people is against corruption and fraud⁹, but sometimes a person cannot understand where the legal ways end and the illegal ones begin. Therefore, straightforward sociological studies present an incomplete picture. For this reason, this article combines the results of sociological studies with discourse analysis of the official publications, speeches about corruption and the media materials, especially those focusing on the major corruption scandals of the last two years.

The top Russian leadership, including the president¹⁰, does acknowledge that corruption in Russia is a serious problem. However, the approaches to the problem of corruption in Russia and the EU are very different. In the European Union, corruption is interpreted as a single complex of political and economic causes and consequences. According to the special Eurobarometer report on corruption, a close link between business and politics is the most widely cited reason for

6 Chernenko, E., (2013a), 'Kontrproduktivno ustanavlivat datu vvedenia bezzvizogo regima', *Kommersant.ru*, available from <http://goo.gl/RI0Obk>.

7 *Lenta.ru* (2013), 'ES y Rossia dogovorilis o chilse slugebnih pasportov', available from <http://goo.gl/75KZY>.

8 Chernenko, E. (2013b), 'Rossii ne udalos viprosit uprochenia', *Kommersant.ru*, available from <http://goo.gl/XxlBlg>.

9 Levada-Center (2013a), 'Rossiyane o bytovoii korruptsii', available from <http://goo.gl/0XQMuO>.

10 Putin, V. (2012b), 'Demokratia y kachestvo gosudarstva', *Kommersant.ru*, available from <http://goo.gl/4LfDz>.

corruption.¹¹ At the same time, reasons for corruption such as “The law is often not applied by the authorities in charge”, “Many people accept corruption as part of daily life” or “Poor socio-economic conditions (low income, poverty)” are not interpreted in the report as “reasons not most commonly cited in any EU country. Commissioner Cecilia Malmström made comments on this report in her blog, clarifying her position: “Corruption destroys a country from within, undermining trust in democratic institutions, weakening the accountability of political leadership and playing into the hands of organised crime groups.”¹² This means that the official and non-official European discourses share a politico-economic interpretation of the causes and effects of corruption. The Russian situation is different. “In politics a gap almost inevitably exists between public discourse and private reality”, Harris¹³ maintains, but the problem is not limited to the gap between discourse and reality. In the Russian Federation, the problem of corruption also appears on three levels, but these levels do not overlap. The first level is the official definition of corruption, where the political component plays an important role. The relevance of this level is limited to the sphere of international cooperation. On the second level, there is the so-called “home corruption”, which is interpreted only as an economic problem and frequently understood as a part of the socio-economic system. As such, it is supposed to solve the problem of an unfair redistribution of wealth in society and is thus completely depoliticized. The third level – that of political opposition, where the fight against corruption, although being the axial line for the articulation of the protest agenda, is not linked with the real attempts to solve the problem of corruption in itself. The fight against corruption, on this level, is meant to provide legitimacy to the calls for a change of the political regime in Russia. Therefore, it cannot provide a good starting point for international collaboration, including that between Russia and the EU.

OFFICIAL DEFINITIONS OF CORRUPTION

Corruption is not a new phenomenon, and debates on how to fight corruption have been held for decades. However, interest in anti-corruption theory peaked in the 1990s, when the changed contours of the world system opened new ways both

11 European Commission (2012), ‘Special Eurobarometer 374. Corruption. Report’, available from <http://goo.gl/c3vp7>.

12 Malmström, Cecilia (2012), ‘New Eurobarometer on Corruption’, available from <http://goo.gl/3fOyOP>.

13 Harris, R. (2003), *Political corruption: In and beyond the nation state*, Routledge, p. 2.

for corrupt practices and for the fight against it.¹⁴ The first step of any theorizing is defining the object of studies. But is it possible to formulate a common international definition of corruption? In fact, every society, every state has its own definition, which depends on many things: historical and cultural legacy, current political regime, social habits etc.¹⁵ In the academic environment there is no consensus about the definition of corruption. Generally it is possible to speak about public office centred, market centred, and public interest centred approaches.¹⁶ Uniting these approaches into one common interpretation is not a very promising task. As Csonka puts it, corruption is primarily a moral issue and as such does not need a precise definition.¹⁷ However, international cooperation in fighting corruption requires a definition or at least a shared understanding of the phenomenon.

A definition that usually serves as the basis for the international effort is provided by the World Bank: "Corruption is the abuse of public power for private gain" (World Bank).¹⁸ In spite of being frequently cited¹⁹, the use of this definition by many scholars and practitioners is accompanied with a clarification that corruption can exist also in the private sector.²⁰ The definition of the Council of Europe, with which the European Union collaborates in this field, insists on a point about corruption as deviant behaviour: "'corruption' means requesting, offering, giving or accepting, directly or indirectly, a bribe or any other undue advantage or prospect thereof, which distorts the proper performance of any duty or behaviour required of the recipient of the bribe, the undue advantage or the prospect thereof".²¹

The genealogy of the definition of corruption in the European Union, as Patricia Szarek Mason demonstrated in her book is more complicated.²² In 1995, the European Parliament defined corruption as "the behaviour of persons with public

14 Levi, M. (1997), 'The crime of corruption', in Rider, B. (ed.), *Corruption: The Enemy Within*, Kluwer Law International, pp. 35–64; Tanzi, V. (1998), 'Corruption Around the World: Causes, Consequences, Scope, and Cures', IMF Working Paper nr 98/63, available from <http://goo.gl/LV18ak>.

15 Osborne, D. (1997), 'The nature of the problem: corruption as counter-culture – attitudes to bribery in local and global society', in Rider, B. (ed.), *op.cit.*, pp. 9–34; Csonka, P. (1997), 'Corruption – the Council of Europe's approach', in Rider, B. (ed.), *op. cit.*, pp. 343–354.

16 Heidenheimer, A.J. (2010), 'Terms, Concepts, and Definitions: An Introduction', in Johnston, M. (ed.), *Public Sector Corruption. Vol.1. Concepts*, Sage, pp. 109–120.; Philp, M. (2010). 'Defining Political Corruption', in Johnston, M. (ed.), *Public Sector Corruption. Vol.1. Concepts*, Sage, pp. 121–152.

17 Csonka, P. (1997), *op.cit.*

18 World Bank, 'Corruption', available from <http://goo.gl/m2gW66>.

19 Mauro, P. (1998), 'Corruption: Causes, Consequences, and Agenda for Further Research', available from <http://goo.gl/UhPzyt>; Tanzi, V. (1998), *op. cit.*

20 Tanzi, V. (1998), *op. cit.*

21 The Council of Europe (1999), 'Council of Europe Civil Law Convention on Corruption', available from <http://goo.gl/ovVPlm>.

22 Szarek-Mason, P. (2010), *The European Union's Fight Against Corruption: The Evolving Policy Towards Member States and Candidate Countries*, Cambridge University Press.

or private responsibilities who fail to fulfil their duties because a financial or other advantage has been granted or directly or indirectly offered to them in return for actions or omissions in the course of their duties”.²³ After, in 1997, the definition was changed to “Any abuse of power or impropriety in the decision making process brought about by some undue inducement or benefit”.²⁴ In 2003, the European Union returned to the most simple definition: “abuse of power for private gain’ and including thereby both the entire public and private sector”.²⁵

The Russian Federation defines corruption in the Federal Law “On Combating Corruption” as follows: “Corruption is abuse of office, bribery, abuse of power, commercial bribery or any other illegal use by individuals of their official position contrary to the legitimate interests of the society and the state in order to obtain benefits in the form of money, values, other property or services of a material nature, other property rights for themselves or for third parties, or the unlawful granting of such benefits to an individual by other individuals”.²⁶

Thus, in the official discourse, the Russian Federation follows the same principles as the European Union and the world community. But at the same time the official definition of corruption, which is fully in line with international standards, is marginalized within the Russian internal discourse, being interpreted only as a formality which has no practical significance. The next section of the article analyzes the understanding of corruption that emerges from the Russian domestic discourse on the topic.

CORRUPTION OR FAIR REDISTRIBUTION?

There are plenty of studies about corruption in the Russian Federation that analyze the roots and the specific character of this phenomenon.²⁷ The historical legacy, the loss of confidence in the government and the state, the persistence of corruption – all these are important aspects of the problem that has been discussed

23 European Parliament (1995), ‘Resolution on combating corruption in Europe’, available <http://goo.gl/MDsjXS>.

24 Commission of the European Communities (1997), ‘Communication from the Commission to the Council and the European Parliament on a Union Policy Against Corruption’, available from <http://goo.gl/c3Cnw>.

25 Commission of the European Communities (2003), ‘Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee on a Comprehensive EU Policy against Corruption’, available from <http://goo.gl/YK5PQ>.

26 ‘O protivodeistvii korruptzii’ (2008), available from <http://goo.gl/4lj6j>.

27 For example Holmes, L. (2003), ‘Crime, Corruption, and Politics: Transnational Factors’, in Zielonka, J. and Pravda, A. (eds.), *Democratic consolidation in Eastern Europe. Vol.2 International and Transnational Factors*, Oxford University Press, pp.192–230.

quite extensively in the existing literature. However, the paradoxical character of the anti-corruption discourse, which significantly impedes possible international collaboration in this area, has received much less attention.

The internal discussion about corruption in Russia can be divided into two levels: one of these is a strictly economic discourse, where corruption is presented as a system for the redistribution of goods, while on the second level, the idea of corruption is used to legitimize calls for a change of the political regime in the country. According to sociological studies, the economic interpretation of corruption is dominant in Russia.²⁸ As already mentioned, orientation to market values led to the depoliticization of many social phenomena, but at the same time the market, as an ideological dimension, introduced special normativity. In the work "Crime, Corruption, and Politics: Transnational Factors", Leslie Holmes observed: "In its cruder forms, economic rationalism can encourage corruption."²⁹ I argue that the Russian case illustrates this thesis very well. For example, the Unified State Examination (a compulsory graduation exam for all high school graduates) became the object of common corruption schemes. Answers to the exam questions were on sale online, and the graduates were not at all ashamed of having bought their results. Moreover, schoolchildren asked their classmates who were trying to pass the exam independently: "What, are your parents unable to pay?"³⁰

This paradoxical character of Russian corruption stems from the fact that people are losing the ability to differentiate between a bribe or a fraudulent scheme and lawful behaviour. Corrupt practices appear regular and in compliance with social norms. People sincerely believe that every scheme to gain income is legal. For example, about six months ago, one young civil servant of the Russian State Youth Agency, after bribing a policeman, posted a message on Twitter: "–2000 for keeping my driving licence, I am happy, I am celebrating drinking coffee at my favourite gas station"³¹

After posting this message, the civil servant was fired. But it was evident that the naïve young woman did not understand that she committed a crime, and did not see the line between a bribe and a payment for services. This interpretation of corruption as a second system of administrative services is very common in Russia. Moreover, the price list for such "services" is well-known, and every Russian citizen knows how much it would cost to drive on the wrong side of the road or to run a

28 Ragozin, D. and Jarkov, V. (2012), 'Rossiyskaya korrupciya v rasskazah uchastnikov', available from <http://goo.gl/uVCyXu>.

29 Holmes, L. (2003), op. cit., p. 207.

30 RBC (2013), 'EGE-bazar: kak gosekzamen stal platnim', available from <http://goo.gl/UsVnct>.

31 *Newsru.com* (2012), 'Rosmolodeg izbavilas ot press-sekretaria, kotoraja v Twitter "neudachno poshutila" pro vziatku I gaishnika', available from <http://goo.gl/PjnYcX>.

red light, and it is only the changes of these prices that can provoke indignation.³² Sometimes bribes are given when there is no immediate need for that. For example, instead of paying a fine, it is possible to bribe the policeman, with the last procedure being only slightly faster, but not always cheaper.

Another example that can illustrate the depth of the problem is the existence of various service companies operating alongside official structures. For example, in Saint-Petersburg there is a special structure – the United Centre of Documentation, where a citizen can, inter alia, receive or renew their passport. Usually this involves waiting in a long line for up to 7 hours, but in this centre, a special service is available. According to the official information, a private company can assist you in filling out the forms for a fee of 9000 rubles (about 200 euro).³³ In reality, what is bought for this price is not help with the paperwork, but the possibility to go around the line. In this manner a state structure coexists with a private business structure. Instead of solving the problem of the waiting time, the state permits a private company to profit at the expense of the ordinary citizens.

Corruption and the fight against it is a very popular theme in Russia now, and the range of its definitions is very broad. For example, the special issue of Russian journal *Otechestvennie zapiski*, dedicated to the problem of corruption suggested following this definition: “Corruption as a kind of service”³⁴, a high quality service that is created by demand; or “Corruption as an illegal tax system”³⁵ and the people are ready to pay these extra taxes because the legal tax system does not provide social goods of sufficient quality, or “Bribe as an instrument of social struggle”³⁶.

I would dwell for a moment on the third definition. The link between corruption and the social system of redistribution of goods is not new.³⁷ While the classical interpretation of this link presents corruption as the enrichment of the wealthy at the expense of the poor³⁸, in Russia this redistribution has another vector: this is a type of social justice. As an illustration, here is a passage from a pulp-fiction book of one of the most popular Russian writers:

“I called in sick. [...] For such cases, there are doctors whom you know. Yes, they charge money for fake certificates, but this is such a trifle compared with kickbacks demanded by our officials, that one could hardly call it a bribe. It's

32 Kordonsky, S. (2012), ‘Norma otkata’, available at <http://goo.gl/JZcbZK>.

33 Edinoi Tsentr Dokumentov, ‘Tarifi’, available from <http://goo.gl/XXD1x>.

34 Ragozin, D. and Jarkov, V. (2012), op. cit.

35 Auzan, A. (2012), ‘Zalozhniki nedoveriya’, available from <http://goo.gl/7Tg4TW>.

36 Averkiev, I. (2012), ‘Vzyatka kak instrument socialnoy borby’, available from <http://goo.gl/o64BmY>.

37 Uslaner, E.M. (2010), *Corruption, Inequality and the Rule of Law*, Cambridge University Press.

38 Tanzi, V. (1998), op. cit.

just a convenient way to solve one's problems without losing one's job. Because work cannot solve all problems, it is never paid for as much as it costs. And the doctors, who understand this very well, also do not consider as bribe the money received for a fake sick leave. They also solve the problem of unpaid loans while keeping their much loved job."³⁹

Thus, corruption is presented not as abuse, but as a part of a system of redistribution, in which every person, regardless of their social position, can participate. (For example, for a common young man it is not too difficult to become a policeman; at the same time, it is a very simple way to earn money or, better to say, to receive money as bribes.) The question is not in the common excuses, like "the system made me do it", or "everybody steals, and I will steal, too".⁴⁰ The problem is that nobody thinks that these excuses are necessary, like that young civil servant mentioned above. Corruption is understood by many people not as deviation from the norm, but as the norm itself.⁴¹

But at same time Russian citizens see corruption as a serious problem and believe that it must be fought. However, the number of citizens who believe in that the state is effective in fighting corruption is constantly decreasing.⁴² There are many reasons for this distrust, but one of the more interesting and peculiar explanations has been formulated by the Russian scholar and public figure Simon Kordonsky who argues that there is an administrative market for the "struggle against corruption, which is divided between the police, the Prosecutor's office, the Investigative Committee, etc." Kordonksy describes this market as a mechanism of fraudulent redistribution. The money that must be used to fight corruption is simply redistributed between corrupt officials themselves.⁴³ For example, in May 2013, a very strange announcement appeared on the "Goszakupki" website, which advertises public procurement offers. The announcement solicited a study about the results of anti-corruption measures. The time allowed for this study was as surprising as the value of the contract – about 250 000 euro for research to be completed within three months. It is obvious that it is not possible to complete a serious research project in such a short time. However, these conditions make perfect sense on the administrative market for "anti-corruption services", where the

39 Andreeva, N. (2012), *Alfa-genchina*, Eksmo, pp. 234–235.

40 Karklins, R. (2005), *The system made me do it: corruption in post-communist societies*, M. E. Sharpe, pp. 72–73.

41 Rozov, N. (2012), 'Strategiya novogo principal', available from <http://goo.gl/i8Nw4M>.

42 Levada-Center (2013b), 'Uroven korruptsii y vliyaniye byurokratii na zhizn strany ne umenshayutsya', available from <http://goo.gl/D4CPQ>.

43 Kordonsky, S. (2012), op. cit.

result is not important, and the aim is to redistribute the money allocated for the anti-corruption work.

The dissatisfaction of citizens with the ruling class led to the emergence of the second level of the interpretation of corruption, where anti-corruptions slogans figure as an important factor of the formation of the political opposition in Russia. At the same time, on this level, the anti-corruption fight is not the principal goal of political movements, but one of the reasons to protest against the current political regime. Everyone's involvement in corruption determines the specific character of this protest movement. The Russian citizens, who participate daily in fraudulent schemes, on the one hand, are not ready to change their ways, but on the other, consider them as crime when public officials are involved. Very much would depend on the amount of money that is being illegally transferred. Thus, a doctor who issues a medical certificate for a tip, in violation of the existing procedures, is not considered as a criminal, but only as a person who has to do it because their salary is very low. At the same time very few Russians would doubt the fact of crimes having been committed by the ex-minister of defence Anatoly Serdyukov and his associates.

A very interesting example here is the process against Alexei Navalny. During the last several years, Navalny has been engaged in anticorruption activity, having exposed quite a few fraudulent schemes involving public resources. The authorities remained largely indifferent to this activism: it received no support from the authorities, but did not provoke any harsh negative reaction on the part of the Kremlin, either. At times, information published by Navalny would be taken into consideration, and a fraudulent scheme would be abandoned, but no criminal charges were ever brought on the basis of his accusations.⁴⁴ This had lasted for some time, until Navalny became one of the leaders of the opposition by formulating one of its key slogans. The principal problem of Russia, according to Navalny, is not corruption in its pure form, but the corrupt official, and the fact that "the party of power" has become a "party of swindlers and thieves". In this way, corruption led to the demand to replace the officials. The officialdom reacted very quickly and simply – Navalny himself was accused of having been engaged in corruption schemes. When Navalny was pronounced guilty, it was very difficult for an ordinary citizen to understand whether he had indeed broken the law. But what is important for this study is that even Navalny's allies allowed for the possibility of violations having taken place, and justified him by saying that it was impossible

44 Karimova, A (2013), 'Regionalnie navalnie', *Kommersant.ru*, available from <http://goo.gl/fXlslT>.

to do business in Russia in a completely legal way.⁴⁵ This argument is based on the assumption that Navalny's contribution to the fight against corruption on the state level is more important than his own possible violations in the past.

A similar scenario involved another member of the Russian political opposition, member of parliament, Ilya Ponomarev, who was accused of receiving an unreasonably large salary for a lecture course at Skolkovo Innovation Centre (750 000 US dollars).⁴⁶ Ponomarev claimed that the salary was legitimate, and argued that it is impossible to prove the disparity between the salary and the scientific contribution. Ponomarev's allies claimed that this salary is completely adequate because Ponomarev attracted a lot of investment for the Skolkovo project. Thus, many commentators appeared ready to accept the legitimacy of a salary that is not paid for services specified in the contract but for something else (in this case, bringing in investment).

However, it is a usual practice in Russian educational institutions to have only one type of activity listed in the employment contract, while performing other functions is expected at the same time. This has become particularly common now, when achieving high places in global university ratings became a key goal, which resulted in more federal money being allocated for academic projects. At the same time, it is very difficult for educational institutions to attract good professionals to teach for a small salary. Frequently, universities fund weak research projects of professors with a heavy teaching load, compensating for the low salary they get for teaching. Formally, the grant money is awarded for academic achievements, while in fact it constitutes a part of their salary for teaching. These schemes are motivated first of all by the desire to simplify bureaucratic procedures and circumvent various restrictions, and are organized by employers rather than employees. The former have to commit these violations in order to attract or keep a valuable employee.

The problem is the involvement of every person in the corruption system and the fact that most corruption fighters are themselves vulnerable to potential charges.⁴⁷ Thus, a deep gap has emerged in the anti-corruption discourse: the willingness to combat corruption coexists with routine, widespread corruption in everyday life. For example, according to polls conducted on the Finnish-Russian border, practically all Russian civil servants believe that corruption is an evil, but at the same time many officials agreed that bribes are "acceptable in certain kinds

45 *RIA Novosti* (2013b), 'Sokurov: million ludei ne znaut o Navalnom i sude nad nim', available from <http://goo.gl/FDRbrH>.

46 *Chastnoi Korrespondent* (2013), 'Delo "Skolkovo"', available from <http://goo.gl/KEfJWg>.

47 *Izvestia.ru* (2013), 'Ponomarev mojet lishitsia mandata iz-za Skolkovo', available from <http://goo.gl/uwQr6l>.

of situations of personal distress;” e.g. in case “one’s family member is seriously ill and needs an expensive operation”, “one’s home has burned down” or “there is not enough food for the children”.⁴⁸

Corruption and fraud in everyday life are presented not only as a normal part of the socio-economic system, but as a parallel system of redistribution of goods, which is often more even-handed than its official analogue. According to this interpretation, corruption, fraud and other forms of law-breaking can be presented as admissible in certain cases, when they serve the cause of social justice, as seen by the common people. The question is not whether corruption is evil or good, but rather what to do in a situation when ordinary citizens are already so involved in the system that they cannot determine where a corruption scheme takes place, and where it does not. If corruption were to be interpreted as a “system of redistribution of goods”, or “an alternative tax system”, etc., where all people participate, it would mean that within this system there are no enemies, and the classical interpretation of the political according to Carl Schmitt cannot be applied to this situation. The fight against corruption is converted into a fight between political clans or into a fight against inconvenient political personalities. This fight is waged not against corruption but against the person who is proclaimed corrupt.⁴⁹ This does not mean that this person is not corrupt, but the problem is the selective use of justice.

DOMESTIC DISCOURSE ON RUSSIA’S PARTICIPATION IN THE INTERNATIONAL FIGHT AGAINST CORRUPTION

Moscow’s official anti-corruption discourse is crystal clear. Russia actively seeks to promote international cooperation in this field. According to article 4 of the Federal Act “On Combating Corruption”, the Russian Federation is ready to cooperate with both other states and international organizations.⁵⁰ Russia participates in many anti-corruption structures: the Group of States Against Corruption (GRECO), the International Association of Anti-Corruption Authorities, International Anti-corruption Academy (Rossia, 2013) and other initiatives.

Moreover, in his article “Democracy and the Quality of the State”, President Vladimir Putin emphasized the need to pay attention to anti-corruption practices

48 Kauko et al. (2009), *Corruption on the Finnish-Russian Border: Experiences and Observations of Finnish and Russian Civil Servants and Businesspersons on Corruption on the border between Finland and Russia*, HEUNI, p. 43.

49 *Deutsche Welle* (2013), ‘Georgii Satarov: Borba s korrupciei ne v interesah vertikali vlasti’, available from <http://goo.gl/X2VHW1>.

50 ‘O protivodeistvii korrupzii’ (2008), op. cit.

of European countries. At the same time, in his other speeches, Putin clearly classifies corruption as an economic issue: "Unfortunately, corruption, without any exaggeration, is the greatest threat to our development. The risks here are far more serious than the fluctuations of the oil prices"⁵¹

For the Moscow political elites it is vitally important to emphasize economic causes and consequences corruption, because to address it as a political predicament would mean putting in doubt the democratic "achievements" of the regime.

At the same time, the fight against corruption has been proclaimed officially and the government does make efforts in this direction. Most of the measures are technocratic in nature, involving, for instance, closer control over the expenditures of state officials⁵², setting up help-lines and an internet portal for reporting corruption⁵³, and funding anti-corruption education and informing the citizens which services are chargeable and which are provided by the Constitution.⁵⁴ It is interesting that the Kremlin actively appeals to civic consciousness⁵⁵, but at the same time citizens are allowed to appeal to international cooperation in the anti-corruption field.

As an example, one could refer to a recent scandal involving the Duma deputy Dmitry Gudkov, whose speech before the US Congress resulted in major resonance in Russia. In this speech, Gudkov called on US authorities to support Russia in its anti-corruption efforts:

"I suppose that it would be much better if American authorities, instead of criticizing Putin, supported his declared fight against corruption and money laundering through foreign countries. In all his interviews he emphasizes the importance of fighting corruption."⁵⁶

In reality, Gudkov said nothing that Putin himself has not said. For instance, in a programmatic article, Putin claimed that "(t)he West has accumulated some

51 Putin, V. (2012a), 'Address at the plenary session of the XVI St Petersburg International Economic Forum,' available from <http://goo.gl/n0c0hV>.

52 'Voprosi protivodeistvia korruptzii' (2013), available <http://goo.gl/NmmLo1>.

53 Shoygu, S. (2008), 'Obrachenie Ministra po chrezvichainim situiziam k polzovateliam razdela internet-portala MCS Rossii, posviachennogo voprosam protivodeistvia korruptziei,' available from <http://goo.gl/T0NwHV>.

54 Putin, V. (2013), 'Vistuplenie na zasedanii prezidiuma Gossoвета o povishenii dostupnosti i kachestva medizinskoj pomocschi v regionah,' available from <http://goo.gl/42qwEc>.

55 *Gazeta.ru* (2012), 'Putin otvetil Makarevichu na pismo o totalnoi korruptzii: nado napisat vtoroe pismo dlia bisnessa,' available from <http://goo.gl/G2A9e9>.

56 Gudkov, D. (2013), 'Speech at the U.S. Senate,' available from <http://goo.gl/cBJ2oB>.

experience in fighting corruption; Russia can use this experience.”⁵⁷ However, the subsequent discussion at the Duma about Gudkov’s speech was very disapproving. Gudkov was proclaimed an agent of the West, and some members of parliament demanded that Gudkov return his mandate.⁵⁸ The famous opposition figure and corruption fighter Alexei Navalny is in a similar situation, having been called “the fifth column” in the society.⁵⁹ Thus, it becomes clear that although fighting corruption has been declared a priority at the highest political level, only selected individuals have the right to raise the topic, especially at international meetings. While the appeal of Putin to international cooperation is legitimate, the same appeals by the political opposition are interpreted as provocations.

But the opposition itself does not have any clear vision of the possibilities of the cooperation with the West in this field. Thus, in August 2012 the father of the above-mentioned parliamentarian Dmitry Gudkov, parliamentarian Gennadi Gudkov, together with other representatives of opposition parties sharply criticized the anti-corruption recommendations of the GRECO group to the Russian Federation. Moreover, the opposition leaders underlined that the West does not have a clear idea about the processes in Russia, and its recommendations only contribute to the development of corruption in Russia.⁶⁰

Addressing the European Union, Alexei Navalny wrote: “The best strategy would be an additional anti-corruption regulation on European-Russian projects, primarily ones to do with energy ... Projects implemented by major Russian corporations should be subject to independent anti-corruption checks similar to environmental impact assessments, which are carried out on pipeline projects.”⁶¹ In his address to the EU about possible help in the fight against corruption, Alexei Navalny asks Brussels for “enforcing rule of law in EU member states... stopping Russian criminals from using European banks and offshore structures to conceal their ill-gotten gains.”⁶²

In this interpretation, the solution to the problem consists not in political measures, but in perfecting the legal regulations governing EU-Russia economic cooperation, first of all in the energy sector. In other words, Navalny implies that

57 Putin, V. (2012b), op. cit.

58 Rybakova, M. (2013), ‘Dmitriy Gudkov zayavil chto nazlo zhulikam y voram mandat ne sdast’, available from <http://goo.gl/LN1GxZ>.

59 Pankina, D. (2013), ‘Zhirinovskiy: Prigovor Navalnomu – predupregdenie tem, kto svyazan s Zapadom y rabotaet protib Rossii’, available from <http://goo.gl/oeDF52>.

60 Korchenkova, N. et al. (2013), ‘Partiinie budgeti sdelaet prozrachnee’, *Kommersant.ru*, available from <http://www.kommersant.ru/doc/2001291>.

61 Rettman, A. (2013), ‘Navalny to EU: Stop Russian criminals using your banks’, *euobserver.com*, available from <http://goo.gl/llqr9H>.

62 Ibid.

ultimately, only economic restrictions imposed by the EU can be useful in the anti-corruption fight.⁶³

To summarize, the following ruptures and gaps in the discourse on the possibilities of international anti-corruption cooperation are evident. First of all, the Kremlin is ready to collaborate with foreign partners in the anti-corruption fight, which is understood by the Russian political elites, as well as by the majority of the Russians, as an economic problem. The logic is as follows. Corruption has a negative impact on the economic prosperity of the citizens, and it is necessary to analyze and tackle it in economic terms, taking technocratic measures. Note that there are no significant differences between the official representatives and those of the opposition with regard to the demand that state resources, the money illegally received from the state budget, must not be transferred to foreign countries. Both appeal to the West to support economic measures to control the problem. But the ruling political elites try to monopolize the right to speak about international cooperation in fighting corruption, depriving the opposition of this right. The rupture of the structure of the anti-corruption discourse has appeared. On the one hand, the Russian political elites appeal to the civic consciousness in the fight against corruption, on the other, the appeals of Russian opposition to the West, even though they do not contradict the official trend, are considered to be undesirable, because they are seen as an attempt to criticize the quality of democratic development of the Russian Federation. It is evident that these domestic divides will not facilitate Russian participation in the international fight against corruption.

BACK TO ECONOMY, FORWARD TO POLITICS

The partnership between the Russian Federation and the European Union is not developing as fast as both parties would prefer. The new 'The Partnership and Co-operation Agreement' has not been concluded, the project of a visa-free zone does not have a real deadline, and intermediate projects, like the Partnership for Modernization have not yielded expected results. Today it is evident that the list of problems hampering this cooperation is not limited by the misunderstanding about the topics like human rights, democracy and energy security. Many other areas of cooperation need clarification, however clear or uncontroversial they might seem at first glance. Moreover, not everything depends on the position of Moscow or Brussels and the official discourses. At first glance, the fight against corruption

63 Ibid.

as a shared goal is a very promising direction of collaboration. Everyone agrees that it is necessary to address this problem, all parties are ready to cooperate, and it seems that it should be possible to reach an agreement and devise a programme of joint action without any delay. However, the reality is far from this expectation. The normative gap between the Russian and European societies is very wide and cannot be bridged just based on the wishes of the parties.

For example, in the "Progress Report adopted by the coordinators of the EU-Russia Partnership for Modernization for information to the EU-Russia summit of 12 December 2012", the sides noted "good progress" over the last two years. It seems that certain points of contact have been established. However, when during a regular meeting on the visa-free regime the question of corruption and its relationship to domestic politics was raised, all the mutual understanding disappeared. How is it possible, Russian officials asked, to put the problems of democracy, human rights and corruption in one basket?

While for the West the corruption theme is, above all, the debility of the judiciary system that is detrimental to the progress in the field of democracy, human rights protection, and the economic development of the country⁶⁴, for Russia the use of the political approach is very limited. Corruption and the fight against it are relegated into the field of economic analysis and technocratic measures. It is interesting that on the level of private business, this mutual understanding between Russian and European citizens does exist. For example, in the work 'Corruption on the Finnish-Russian Border: Experiences and Observations of Finnish and Russian Civil Servants and Businesspersons on Corruption on the border between Finland and Russia', the Finnish respondents noted that although corruption is absolutely unacceptable, in dealing with Russia it is a necessary evil.⁶⁵ Simultaneously adding, that in Russia corruption "may be regarded as a part of subsistence and social security."⁶⁶

The European Union has its own problems with anti-corruption policies. According to Patrycja Szarek-Mason, the European Union begun a new round of the fight against corruption in 2004, after the enlargement. But the EU concentrated all efforts only on the internal market, without special attention to a broader competence in this area.⁶⁷ At the same time, the European Union cannot limit its anti-corruption action to the economic dimension only, and ignore "Normative power" and European values, especially in international relations. This is why in the above mentioned case about a visa-free regime between Russia and the EU

64 Csonka, P. (1997), op. cit.; Mauro, P. (1998), op. cit.; Tanzi, V. (1998), op. cit.

65 Kauko et al., (2009), op. cit., p.39

66 Kauko et al., (2009), op. cit., p.33

67 Szarek-Mason, P. (2010), op. cit.

the questions of human rights and corruption are inseparable. For example, in the words of Kristiina Ojuland, member of the European Parliament:

“Putin’s regime has turned its back on liberal democratic values and the rule of law. Corruption has become a byword for governance in Russia. The Transparency International index shows Russia, together with Nigeria, to be at the bottom of the list. It is therefore especially arrogant of Putin to ask for visa liberalisation for the holders of the so-called ‘blue passports’ that are used by the representatives of the state administration. Does he really believe that the EU should welcome the masters of corruption?”⁶⁸

Thus, a peculiar situation has emerged. The European Union and the Russian Federation are ready to collaborate in the fight against corruption. There are some common points where both partners can begin this collaboration: the close official definitions of corruption, the readiness to make efforts on the technocratic level, a common interest to improve the relations on the borders, etc. At the same time the executive organ of the European Union cannot ignore European public opinion on the corruption in Russia and its link with human rights. In this manner, the agreements that were viewed only as technocratic and economic began to acquire a political dimension. In the case of corruption in Russia it only causes confusion.

This confusion is determined by ruptures, which exist in the Russian corruption discourse. The notion of corruption is predominantly interpreted in Russian society as a part of the socio-economic system of the redistribution of goods, in which practically the entire population of the country takes part, either personally or by means of family or other social links. The real problem is a complete loss of understanding by the ordinary people what is an act of corruption or fraud. Many practices that can be interpreted as criminal are absolutely regular in Russia and nobody pays any attention to them. If everyone takes part, fighting against themselves becomes complicated. The anti-corruption discourse, even though it is included in the political agenda, is only very poorly connected with the fight against corruption as a practical talk. The discourse is used for populist ends, both by the Kremlin, which calls on the citizens to focus on economic problems and measures of technocratic character, and the opposition, which uses the theme of corruption in order to attract attention to the problems of the current regime.

The economic initiatives have greater chance of success. On the one hand, it is necessary to give more attention to the improvement and harmonization of different technical standards, which will reduce the border corruption – and this

68 Ojuland, K. (2012), ‘Common visa restrictions for Russian officials involved in the Sergei Magnitsky case (short presentation)’, available from <http://goo.gl/MmXDGf>.

activity has already started. On the other hand, the European Union can affect legendary Russian corruption by limiting the influx of “dirty money”, preventing corrupt Russian officials from investing in the European economy. The EU’s “Normative power”, to return to the classical construction in the texts about the European Union, cannot be extrapolated to the Russian reality in this case, but it can impose serious restrictions on Russian corruption in Europe.

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