

## The Problem of Institutional Corruption in the System of Higher Education

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*Abstract.* The article analyzes modern problems and trends of development of the system of higher education. The persistent expansion of regulation and uncontrolled growth of bureaucracy increase dependence of regulated areas on private interests of those who have access to the regulatory machine. This tendency has not bypassed the academic sphere, and, in many instances, there is a clear discrepancy between the proclaimed objectives and observed results. The vivid example is the Russian system of higher education, which is the main focus of the present study. We explain this phenomenon through the lens of the institutional corruption theory and argue that the observing evolution of modern academia forms a wrong system of incentives, bringing to the hands of bureaucrats excessive power, which, eventually, distorts the performance of the higher education sphere and undermines the effectiveness of this important institution.

*Keywords:* institutional corruption, higher education, bureaucracy, regulation, academic manifesto

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### The concept of institutional corruption

Corruption is commonly perceived as a highly negative phenomenon, but it is interesting to note that there is a lack of a unified viewpoint among researchers of this area about the nature, scale and scope of the problem. Moreover, there is even an absence of consensus about solely negative consequences of corruption. While the mainstream position correlates with the common outlook, which considers corruption harmful for social wellbeing, there are scholars who argue about its “greasing effect”, that enhances performance of market mechanisms [1]. Even in comments of the Nobel Prize winners it is possible to meet the claims that corruption, when it allows

“to get around ... bad laws”, may be helpful for the economy and society: “[g]ood corruption raises efficiency” [2]. However, such claims raise questions about the essence of “bad laws” and this leads to the understanding that laws not always serve social needs, and, moreover, they often maintain private interests of those who have access to their formation. This understanding has been promoted by the public choice camp and many adherents of new institutional economics (see, e.g., Buchanan, Tullock, Stigler, North, Acemoglu).

In the mid 1990s, the anti-corruption discussion was enriched by the concept of “institutional corruption”, which mainly focuses on design

of institutions rather than on personal dishonest behavior of public officials [3]. Over the past decade, this concept has been popularized by Harvard University professor Lawrence Lessig. In his papers, he underlines that “not all bad comes from the bad acts of bad souls” and argues that “we needed to think about the ways in which systems of incentives, or economies of influence, might advance or deter a collective objective” [4]. In his definition of institutional corruption, he points out “a systemic and strategic influence which is legal ... that undermines the institution’s effectiveness by diverting it from its purpose or weakening its ability to achieve its purpose, including ... weakening either the public’s trust in that institution or the institution’s inherent trustworthiness” [4].

In other words, this theory calls attention to the problem of “bad laws” (and as we have seen above, “good corruption” in Becker’s view might help to “get around” these “bad laws”), supported by a system of dependence of real executors on bureaucrats or business actors who have abilities to incorporate their private interests in regulatory mechanisms, which, in turn, undermines the public trust in state institutions. The important feature of the institutional corruption problem is the fact that the decisions made within an institutionally corrupt system, which directly contradict socially desirable objectives, do not exceed the limits of legal frameworks, i.e. they are perfectly legal and are not deemed as corrupt activities by the law. Quite paradoxically, such systems of “systemic and strategic influence” are very often designed under the guise of fighting “individual corruption”, the problem that can be contrasted with institutional corruption.

Nowadays, the growth of the state and extending power of bureaucracy are observed in various spheres of life of modern society. This movement, which increases the dependence of regulated areas from private interests of those who regulate, has not bypassed the higher education system. There are many complains in the contemporary academic discussion about the way of evolution of academia, and that the out-

comes of the alteration are moving away from objectives expected by the society. These complains are heard not only in highly corrupt countries, but even in those institutional territories that have a reputation of the least corrupt places in the world. At the same time, the examination of the phenomenon through the lens of the institutional corruption theory gives an alternative explanation of this picture. In the next section we analyze the global trends and problems of the higher education system in the light of the aforementioned concept, and then we implement this approach to the Russian realities.

#### **Global tendencies of bureaucratization of the higher education system**

In 2015, Dutch researchers Willem Halffman and Hans Radder published the article entitled “The Academic Manifesto: From an Occupied to a Public University” [5], which has attracted widespread attention of many academics and collected a number of responses from different countries. This manifest raises concerns about “absurd side-effects” of the situation where “universities are occupied by management” and points out such issues as increased accountability of researchers through various methods of measurement, “permanent competition under the pretext of quality” that can be considered “part of a culture of mistrust”, management promises of economic salvation that “has led to a radical transformation of the academic culture”, etc. [5]. The established managerial regime is unable to judge the quality results, and, thus, the new institutional settings transform the academic performance to the “illusion of excellence”. It distorts the system of incentives and forces scholars to work in particular ways, ignoring the tasks that are “not measurable and comparable”, even if they are highly important for scientific endeavors. The permanent rivalry between universities and between researchers even within an institution distorts “the social fabric of the university”. These processes lead to the outcomes that might be very far from the expected by the society and form peculiar “Kafkaesque worlds” within the academic reality.

Scholars from other countries have joined the discussion and many of them call attention to the regime based on the “indicator fetishism”, which leads to the excessive growth of bureaucracy and increase of the administrative load [6; 7]. There are many claims that the managerial accountability mechanisms, which are used to monitor the academics’ performance, in reality do not bring the expected value for society, create needless activity for academic staff and even undermine the trust in research output [8; 9].

A huge concern is the problem of funding of academic activities, and various methods and schemes are used by the universities. Batterbury and Byrne, for example, point out that many universities are obsessed with finding a solution to the austerity task by “retrenching staff, switching to online course delivery and converting the workforce to a higher percentage of (cheaper) sessional teachers and researchers, on short-term contracts”, and that forces a significant part of researchers to survive, “trying to meet the next target or deadline” [10]. Katsumori describes the new institutional environment of Japanese academia, where the reforms “under the guise of promoting the autonomy of universities, are in fact designed further to strengthen the government’s control of them”, and notices “obedience and conformism” of the academic community that takes these alterations without substantial resistance [11]. Batterbury and Byrne also stress the phenomenon of silence of “the university workforce”, explaining that the “dissent is muted as people worry about the implications of dissent” [10]. From the Finnish experience, there are concerns that the new settings create a fruitful environment for “increasing favouritism within academia” and that there will be “fewer opportunities for people from underprivileged groups to find their place in the academy” [12].

The analysis of the aforementioned studies demonstrates that the problems of Dutch universities, which played the central role in “The Academic Manifesto” of W. Halffman and H. Radder, are not a local phenomenon or phenomenon peculiar to certain territories. Quite

the opposite, we are dealing with a widespread problem, which often results in absurd consequences not only for academic staff members, but for society in general. The authors of the manifest rightly describe the current regulator’s understanding of the academic sphere where academics are perceived as the enemy: “academics cannot be trusted, and so have to be tested and monitored, under the permanent threat of reorganisation, termination and dismissal” [5, p. 166]. This view is expressed in the permanent growth of monitoring functions and bureaucratic procedures. Meanwhile, the new forms of the regulatory machine can be described as a system based on the “systemic and strategic influence”, which is precisely the main focus of the institutional corruption studies. In other words, the contemporary system of higher education makes academics more dependent on bureaucrats, while the latter have their own personal interests, biases and views, and have opportunities to incorporate them in regulatory mechanisms, which, in turn, inhibits achievement of collective objectives.

#### **“Economies of influence” in Russian realities**

It seems that possibly the most salient example that exposes vividly the problem of institutional corruption in the higher education system is the current tendencies in the Russian academic field. There are robust reasons to argue that the Russian system represents an exaggerated form of the problems highlighted in the previous section, and, thus, an examination of this case allows to look deeper at the core of the issue. Moreover, it is necessary to bear in mind that corruption in Russia in the traditional meaning of this term is a tremendous problem, which has penetrated all spheres of social and economic life<sup>1</sup>. The contemporary academic realm of the country in terms of the institutional corruption approach can be char-

<sup>1</sup> According to the Corruption Perceptions Index 2017 of Transparency International, Russia shares the 135<sup>th</sup> position with such countries as Honduras, Kyrgyzstan, Laos, etc.

acterized as a system where particular groups of actors have enormous power to influence the performance of the entire field, and the actual outcomes of this “systemic and strategic influence” are not only the poor scientific results and low quality of higher education in the country, the ongoing processes destroy opportunities for recovery of the universities even in the long term.

As G. Zborovskiy, E. Shuklina and P. Ambarova point out in their research, “the system of higher education in the country appeared as a result of the authoritarian pressure of the government and was forcibly implanted into the social life “from the top”, without taking into account any opinions of those who are engaged directly or indirectly into the educational process and the entire spectrum of institutional interactions”. The analysis of the transformational processes of the last decade leads to the conclusion that the forcible implantation of the “enhancing” norms was not only an episode, it had become the mainstream course of actions within the system of institutional influence. Numerous studies of characteristic features of the evolution of the Russian scientific and higher education system emphasize “pathological elements” of the dominant bureaucratic process (V. Babintsev, E. Balatsky, S. Gorin, K. Guba, O. Donskikh, L. Krasinskaya, M. Kochetkov, M. Sapunov, Kh. Tkhaqapsoev, E. Trubnikova, and others [14–26]). Many researchers argue that the actual “primitivization of the educational process”, which is observed in the country’s educational system, is often disguised as improvement, technologization, innovation [14], integration with European educational standards [22] and other socially desirable objectives [25]. At the same time, the growth of new norms is expressed in particular behavior of actors, who are forced to search for new ways to meet these new requirements, and since any such actions might be judged in a subjective way, the “judges” become more powerful in the system and obtain new tools to influence the system’s performance. And if you look at the issues of Russian realities de-

scribed in the aforementioned studies through the lens of the institutional corruption theory and identify the main beneficiaries of the situation, you’ll see that the fundamental problem becomes more apparent.

#### **The beneficiaries of the system of institutional influence**

Under the guise of the socially important goal of improving the quality of domestic higher education, the government has adopted various mechanisms: new educational standards, increased qualification requirements, programs of additional funding of certain universities (see, e.g., the Russian academic excellence project 5-100), new tools of fighting corruption and subjectivism, etc. Generally speaking, there have been introduced new methods and regulation that, at least according to the official position, should lead to the growth of the quality of higher education and increase of the level of research. However, the observed outcome is pretty far from the planned targets, but, since the system of influence is becoming only tougher and nothing is going to change the way of this process, it can be concluded that the results satisfy the real wishes of those who govern the field.

The response of the academic system to the new regulatory initiatives is expressed in redirection of resources towards “compliance actions” and attempts to get around the inadequate and overwhelming norms, which leads to the appearance of various kinds of “gaming the system” methods, and, consequently, results in aggravation of other problems and institutionalization of “bad behavior”. Very often the strategy of the actors of the field is a simulation of required activities, while any suspicion of the sham induces new actions of regulators and raises new regulatory burdens. The unpleasant outcome of this vicious circle is the dominance of controlling and administrative busywork over scientific and teaching activities. Moreover, there is a permanently growing task to control those who perform the controlling functions at a previous level of the hierarchy, and the consequence of it is a recur-

sive structure of controlling and monitoring procedures, which only increases the needless work, subverts the system of incentives and gives even more power into the hands of bureaucrats (“*quis custodiet ipsos custodes?*”). Thereby, even when a university participates in an excellence program and have additional funding for its development, the financial resources are spent not on the needs to create genuine research teams and motivate their members, but on feigned research activities, simulated conferences and occasional visits of guest “stars”, whose earnings for these rare visits are often in order of magnitude higher than the meagre salary of domestic academic staff (in regional universities a salary of a full professor often does not exceed 350–400 Euro per month). The approach often results in several hours of lectures of a person from a well-known institution, which mainly serve broad advertising purposes, and, at best, a couple of articles where the visiting scholar will mention the affiliation with the generous university. At the same time, the enormous payments to the visiting staff appear in statistic reports and contribute to the simulation of the growth of incomes in the Russian higher education system. Obviously, there are no reasons to believe that such expenditures are able to increase the level of research in domestic universities or quality of education, while these methods perfectly meet criteria that can be monitored, inspected and verified, and they also form additional arguments to increase the bureaucratic apparatus in order to control the expenditures.

Moreover, since expenditures are divided on those that can be easily monitored and verified and those that are subject to subjective judgments, the former are less risky for a particular decision maker within the established hierarchical system of total control. If a bureaucrat has a choice to hire a renown scholar for a couple of lectures per year or to spent the same amount of money for a group of young researchers, the first option has clear advantages from the purely administrative point of view because of the uncertain future of any research output in

the latter case. Moreover, due to short terms of funding and a substantial period required for research and publishing, the support of research groups often looks less attractive than alternatives, which in fact only simulate worthwhile endeavors. Therefore, the internal mechanisms of the system of “strategic influence” mainly aim not at motivation of genuinely useful work, but rather at “correctness” of expenditures where personal interests of bureaucrats might be cleverly embedded in a suitable scheme. Sometimes the gaming system methods lead to the point of complete absurdity: acquisition of appliances in China and their demonstration as university’s research achievements; financial support of conference participation for bachelor’s and master’s students from CIS countries in order to maintain the “international” status of the conference without even reviewing their proposed contributions, while the university staff is severely limited in opportunities for their mobility, etc.

Mechanisms of the system of institutional dependence not only increase the gap in the incomes of different academic groups; it also leads to an outflow of financial resources from researchers to administrative departments responsible for monitoring and control. The further expansion of their power perfectly fits the budget-maximizing model of W. Niskanen [27], where bureaucrats are obsessed with increasing the budget of their agencies. Within this model, managers pursue the aim to increase the power of their departments when they have opportunities to do it, and an institutionally corrupt system is a fertile soil for such endeavors. The permanent growth of administrative burdens has increased dramatically the role of administrative staff in universities, as well as within the entire system of higher education. Paradoxically, the development of information and communication technologies has only worsen this tendency, providing more tools for monitoring and, thereby, increasing the number of documents and reports required by the insatiable bureaucracy.

Another factor that makes things worse is the ever expanding phenomenon of adverse social selection, when candidates with best characteristics (from the point of view of social objectives) are filtered out by the system, while their less competent rivals have much more opportunities to build a successful career. Within this system, the most precious competitive advantages are not publication activity, degrees, experience or any other scientific achievements. Quite the opposite, the most important characteristics are loyalty and fidelity to the boss, conformism, obedience and readiness to be a silent bolt in the senseless bureaucratic machine. The administrators, who have been promoted through the adverse selection mechanisms, become important actors at different levels of the academic system and make decisions regarding the financial flows, allocating resources to numerous rent-seeking groups, and protecting, thereby, their positions and their future incomes within the system. They use various methods to simulate different scientific or educational activities in order to capture budgets of their organizations. The situation sometimes even leads to an outflow of real researchers from the “captured” organizations [24]. The adverse social selection “automatically casts out everything new and all those who are able to innovate ... there is a reduction of resource capabilities for transition to the economy of the future” [28]. In such conditions, the development of the academic system of the country and achievement of desirable positions in the international rankings look extremely dubious.

### Conclusion

Summarizing the results of different studies of modern problems and tendencies in the higher education system in different countries, it is interesting to note that the Russian case helps to look deeper at serious problems, which many western researchers mainly perceive only as a potential threat. However, it is also important to take into account the tremendous level of corruption in the country that penetrates all spheres of life, where the academic area is not an

exception. Confluence of individual corruption and bad institutional settings reveals explicitly that this road does not lead to any socially desirable ends.

Within the existing Russian system almost every inspector is simultaneously an inspectee, while every position depends on results of different inspections, and that affects behavior of all links of the bureaucratic chain when they perform their administrative tasks. Their conduct is often determined by their aspiration to please their bosses, and tilts the outcome of the inspections to the results that are desired on higher levels of the chain. Any indicators in such a situation become important factors in this regulatory game regardless of their usefulness from the public interest position. This subverts the entire system and fortifies bad institutions that determine the system’s performance. Moreover, all layers of the system’s hierarchy fall under those or other mechanisms of strategic influence.

Implementation of the institutional corruption approach to examination of bureaucratic elements of the higher education system, which is filled with a number of “red tapes” [25], allows to look at the problem from a new angle. Rules that according to proclaimed objectives serve public interests in fact result in various kinds of bogus activities and strengthen the system of “strategic influence”. The regulatory capture in the higher education system maintains a stable rent flow into the hands of those actors who have access to the regulatory machine at different levels [24], while the complicated mechanisms of the bureaucratic system protect their positions and their future incomes. This situation very often leads to some “converted forms” [23] that even do not match the declared goals of regulation.

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### Проблема институциональной коррупции в системе высшего образования

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***Аннотация.** Статья представляет собой анализ современных проблем и трендов развития системы науки и высшего образования. Наблюдаемый в настоящее время рост бюрократии и роли чиновников в современном обществе увеличивает зависимость регулируемых сфер от личных интересов тех, кто включён в систему управления или влияет на неё. Данные тенденции не обошли стороной и академическую среду, которая ярко демонстрирует несоответствие декларируемых целей и наблюдаемых результатов. Приведенный анализ сфокусирован на российских реалиях, где глобальные негативные тенденции проявляются особенно заметно. Статья объясняет наблюдаемый феномен через призму теории институциональной коррупции. Особенностью данного подхода является то, что и дизайн системы, и решения, принимаемые в ее рамках, даже если они противоречат общественным интересам, не выходят за пределы правового поля. Наблюдаемые тренды сопровождаются формированием неправильной системы стимулов, в которой бюрократия получает чрезмерную власть. Несмотря на то, что стратегическое влияние в рамках системы науки и образования легально, оно подрывает эффективность всего института и ослабляет доверие общества к этому институту.*

***Ключевые слова:** институциональная коррупция, бюрократизация, регулирование, высшее образование, академический манифест*

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ПСИХОЛОГИЧЕСКАЯ НАУКА И ОБРАЗОВАНИЕ	1,675
СОЦИОЛОГИЧЕСКИЕ ИССЛЕДОВАНИЯ	1,532
ВОПРОСЫ ОБРАЗОВАНИЯ	1,466 (2016)
<b>ВЫСШЕЕ ОБРАЗОВАНИЕ В РОССИИ</b>	<b>1,034</b>
ВОПРОСЫ ФИЛОСОФИИ	0,934
ВЕСТНИК МЕЖДУНАРОДНЫХ ОРГАНИЗАЦИЙ	0,765
УНИВЕРСИТЕТСКОЕ УПРАВЛЕНИЕ: ПРАКТИКА И АНАЛИЗ	0,639
ПЕДАГОГИКА	0,635
ИНТЕГРАЦИЯ ОБРАЗОВАНИЯ	0,613
ОБРАЗОВАНИЕ И НАУКА	0,607
ЭКОНОМИКА ОБРАЗОВАНИЯ	0,558
ИНЖЕНЕРНОЕ ОБРАЗОВАНИЕ	0,542 (2016)
ЭПИСТЕМОЛОГИЯ И ФИЛОСОФИЯ НАУКИ	0,318
ФИЛОСОФСКИЕ НАУКИ	0,295
ALMA MATER	0,291
ВЫСШЕЕ ОБРАЗОВАНИЕ СЕГОДНЯ	0,274