CORRUPTION IN HIGHER EDUCATION AND RESEARCH: RUSSIA

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DEFINITIONS AND GENERAL INFORMATION ABOUT HIGHER EDUCATION

1. Definition(s) of the notion of corruption in your country

According to legislation enacted by the Russian Federation, corruption means the ‘use by an official of his/her powers, contrary to the interests of the civil service, if this deed has been committed out of mercenary or any other personal interests and has involved a substantial violation of the rights and lawful interests of individuals or organizations, or the legally-protected interests of the society or the State’. This definition can be considered official and is the definition most widely used in the academic literature as well as among common citizens. In addition, this legislation also provides definitions of several kinds of corruption, for example, bribery, unapproved usage and stealing budgetary funds, abuse and exceeding official authorities.

In the scholarly discourse the definition of corruption does not have a single meaning, and it is always structured by the limitations of the theoretical and methodological approach of a researcher. Therefore, in the Russian social and economic sciences, many definitions of corruption exist. As for Russian citizens, research data shows that most of them give intuitive definitions of corruption that are close in meaning to the legal one. Most Russians connect corruption to bureaucratic procedures and big business, but not to common citizens’ lives. However, sociological research demonstrates that, even in cases when routine corruption in everyday life is admitted, in most cases it is justified, for example, by receiving a place in a kindergarten, getting better treatment from a clinic or speeding up the waiting time in some public institutions (Denisova-Schmidt 2012, Denisova-Schmidt & Leontyeva 2012a, Denisova-Schmidt & Leontyeva 2013).

2. What is the annual budget of an average university? Variations?

The budget of a state university as opposed to a private university can be divided into two parts: federal budget funds and money earned by university. Federal budget money is directed towards educational and research activities. The budget for education completely depends on the number of students, and this principle was named ‘Den’gi idut za studentom’ (Engl.: ‘Money follows the student’) by Russian universities. The number of such students – that is, the number of the universities’ so-called ‘budzhetnye mesta’ (Engl.: ‘budget seats’)? – is defined by the Ministry of Education and Science every year. Therefore, the more students that enter the university, the bigger the budget. According to 2011 data, the State paid 223,400 Rubles (~ 6800 USD) for one student’s education. Using this figure and the number that enter the university, the bigger the budget. According to 2011 data, the State paid 223,400 Rubles (~ 6800 USD) for one student’s education. Therefore, using this figure and the number of students that enter the university, the bigger the budget. According to 2011 data, the State paid 223,400 Rubles (~ 6800 USD) for one student’s education. In an average university, this correlation is close to 50/50. The share of the federal funding might be slightly larger, but not over 60%. The richer the university, the bigger the share of state funds in its budget.

3. How much state funding is defined by the Ministry of Education and Science every year?

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4. Do the universities have lump sum budgets?

Formally, every university has some offices which distribute received and earned money. Such offices are created in accordance with the university’s Charter; they could include an Economic Council or an Academic Council. However, their decisions are limited by the structure of budget itself. A budget includes several expense items, such as, for example, salaries, investment in equipment, and payment for reconstruction. Financing from the federal budget comes not in a lump sum, but in separate sums designated for particular expense items and the university cannot redistribute that money between different items. Thus, the allocated federal money must be spent by university strictly according to the Ministry’s plans. We know cases in which university rectors were removed from their positions for breaking this rule.

5. Are the universities autonomous in administering the budget?

In the distribution of financing from non-budgetary sources, a university can be more independent. This money may be spent according to the university’s interests, including as contributions to faculties’ and chairs’ funds. At most universities, there are departmental ratings which serve as a basis for rewards. There are also special rector’s funds that provide bonuses and additions to the salaries of particular workers for their special accomplishments. On the one hand, this system allows the creation of stimulus funds, which is very important. On the other hand, the mechanism for their formation can easily be made non-transparent in order to hide manipulations.

6. Who is responsible for controlling them?

In the first place, this would be the rector of the university, who is actually responsible for everything. Together with the rector, the chief accountant and vice-rector for economic or housekeeping issues also share responsibility for spending money. Such questions are out of the competencies of independent agencies or boards of trustees, although they exist. This might create the possibility for corruption.
7. Are there rich and poor universities in your country?
Yes, there are. 40 universities can be considered rich, and they include:
- 29 National Research Universities (NRU);
- 9 Federal Universities (FU);
- Moscow State University and Saint Petersburg State University, which have a special status as unique science and education complexes and the oldest universities in the country. The founder of these universities is the Government of the Russian Federation, and their charters are also approved by the Government.
All of the universities mentioned above receive priority financing from the federal budget. In July 2013, 15 out of 40 universities were selected by the Ministry of Education and Science as prospective universities for entering world rankings. According to an order from the President of the Russian Federation, by 2020 at least 5 Russian universities must enter top 100 in the world rankings and at least 15 should be in top 200. Nine billion rubles (~275 million USD) would be allocated for this project, and the money would be classified as state subsidies for the development of the international competitiveness of the selected universities.

8. Is the decision making process within the university public or secret? Is it parliamentary or bureaucratic?
The decision-making process depends on the particular problems that need to be solved. There are some questions which are not discussed publicly; these include, for example, issues of changes in university structure, appointments for administrative positions. Still, many questions, including, for example, issues of budget allocation, internal regulations are discussed publicly in the Academic Council. This is the main managing agency, elected by university representatives, and it includes members of all departments, including students. In addition, there are independent self-administered student agencies (Students' Council, student union committee), which have a right to participate in the decision-making process for issues concerning their interests by delegating representatives for negotiations with the university administration.

BACKGROUND INFORMATION ABOUT CORRUPTION
9. Which are the corruption-sensitive areas in the Higher Education System of your country?

a. Admissions
Entering university is one of the most problematic issues in higher education in Russia in terms of corruption. Since the late 1990s, higher education has been considered a luxury item for which people would be willing to pay large sums of money — including deals on the black market. Until 2009, all universities held entrance examinations for admission. The level of corruption in this sector was the highest of all kinds of corruption in education, and in 2002-03 it reached 10.7 billion Rubles (USD 455 million) (Galtitski & Levin 2004). In order to solve this problem, since 2009, university admission has been granted on the basis of the EGE, which all school graduates must take. Because universities do not conduct their own entrance examinations anymore (except for creative disciplines such as music, theater, and dance), but they accept only the results of the EGE, corruption has moved from the universities to the structures responsible for conducting this examination. Corruption in this context includes different affairs connected with readjusting the test scores and spreading exam questions before the examination (Denisova-Schmidt & Leontyeva 2012b). The exact volume of corruption in this sector is unknown, but every summer the examination period is accompanied by a large number of scandals and disclosures. As for other corruption schemes in university admissions, they are close to nonexistent now. There are some other tendencies, however: The number of students receiving certificates of physical disability and diplomas for achievements in academic competitions has increased significantly. Those documents allow a student to enter university without taking the examination.

b. Graduation
Graduation itself is not a sector of increased corruption. However, existing widely spread practices of buying prepared graduation papers and plagiarism are used in graduation theses very often, particularly by students in the distant learning system.

c. Personnel (recruitment, tenure, promotion, other)
In case of recruitment and career promotion, informal connections, protectionism, and the promotion of relatives are common. The majority of Russian universities recruit new lecturers from the graduates of the same university (Sivak & Yudkevich 2008). In 2009, for example, 90% of all lecturers at the National University of Science and Technology ‘MISIS’ (MISIS) were graduates of that institution (cf. Kastoueva-Jean 2013). 

d. Public research commissions
This may exist in universities with a large amount of financing for research activities (like national research universities), but there is no official data for such cases.

e. Private research commissions
Also no data is available. There are certain commissions which are subtracted from the total amount of a grant for university development, but this is not considered corruption.

f. Publications and plagiarism
A widespread practice is students’ plagiarism, copying answer sheets and different kinds of students’ cheating during examinations and while completing written papers. Research into this phenomenon shows that 85-90% of students use one or another kind of cheating, the most popular of which is coping off during tests and exams (Latova & Latov 2007). The practice of buying ready-written papers, which are submitted and presented as original, is also used quite often. An obligatory plagiarism check is conducted only by certain universities (such as the Higher School of Economics), but for the vast majority it is only voluntary. Students actively take advantage of this situation, as well as the crushingly high workload of the teachers, and submit false papers. As some events involving plagiarism and document falsification during the presentations of dissertations at the Moscow State Pedagogical University during the winter of 2013 showed, plagiarism is actively used on a higher level, while attaining an advanced degree. Neither in dissertation councils nor in Vysshaya Attestatsionnaia Komissia (Engl.: the Higher Attestation Commission) are there mandatory checks to confirm the authorship of dissertation texts, which creates favorable conditions for widely spreading false papers.

g. Conference participation
h. Consulting
i. Other
In Russian universities, the most active site of corruption is the classroom itself. Here we can find a large number of cheating practices, including different kinds of student cheating, such as using paper ponies or copying off during tests and exams, plagiarism, as well as bribery in monetary and non-monetary forms, such as trading grades for money or services (in cases when student does something for a teacher) (cf. Leontyeva 2010). To cover up such bribery cases, special schemes have been developed, both with and without intermediaries. Receiving grades without passing an examination, due to personal requests from a dean, university administration or an acquaintance with a lecturer, is also quite popular. According to the Department for Fighting Corruption of the ‘Complex Security of the Fatherland’ parliamentary center, in 2009, the total amount of university bribes reached USD 200 million^20.

10. What kinds of benefits are available for university members in case of corruption?

Money?
Yes, in cases of bribery in the education process money is exchanged for grades.

Promotion?
Yes, promotion is possible in cases when a subordinate fulfills the administration’s request, supposedly breaking the rules. In exchange for loyalty, the administration promotes the subordinate by moving him or her up the career ladder or creating other preferences.

Grants?
This is seldom the case for the majority of universities, especially for those that do not receive substantial financing for scientific research.

Publicity?
This practice is unknown in Russia.

11. Who is willing to influence the university decision-making process through corruption?

Such decisions can be made by the university rector together with administration of faculties and departments. However the problem of making such decisions is that the system of higher education works in such a way that all participants in the education process are more or less forced to break the rules one way or another. It is impossible to solve the problem of corruption within one particular university.

PUBLIC AWARENESS

12. Is there any public awareness about corruption in education?

a. Research publications? Yes, although there are not many research results, all of them have been published and are widely accessible (cf. recent publications by Klein 2011, 2012, Oleinik 2012, Osipian 2012a, 2012b, 2012c, 2012d, 2012e, 2013, Rimskii 2010, Titaev 2012).^21

b. Media awareness? Yes, there is a lot of information, as this is one of the most popular topics, especially during the state examinations in schools and the examination sessions in universities. Also, many publications provide information on cases of disclosure of teachers involved in bribery. Openness and publicity are important factors which are currently used by the most active representatives of civil society for uncovering and disclosing the facts of corruption. For example, the initiative of a few bloggers led to the beginning of campaign by the Ministry of Education to verify the quality of dissertations^22. As a result of these checks, some facts of improper work of dissertations councils were revealed, the Vice-Minister of education Igor Fediyukin lost his position, and amendments to the process of obtaining advanced degrees were made.

INTERNAL PROCEDURES

13. Are there Codes of Conduct regarding corruption?
No, in Russia, codes aimed at resisting corruption are not a popular practice. In the sphere of education there are no such examples. In other spheres there are cases when anti-corruption behavior is included in the code of professional ethics. For example, in the code of ethics and professional behavior for federal state civil servants, there are special articles prescribing resistance to corruption.

14. Is there a special office within the State or the University administration for corruption problems?

As a rule, there are no such special offices. When necessary, such as when students or their parents file a complaint to administration concerning suspicion of corruption, a special investigation commission is created. However such complaints are very rare, first, because students are afraid of a latent conflict with lecturers and a department with whom they would need to cooperate afterwards. Second, a university is not interested in loud scandals and such cases are dealt with very quietly and formally. In those rare cases when students reveal allegations of corruption, most often they complain to the office of the public prosecutor. Situations in which investigations are conducted and guilty officials are punished due to student complaints happen regularly.

15. Is there an internal supervision process?

No, there are no special structures or organizations in Russia which would fulfill this function in relation to universities. However, recently, non-governmental organizations offering ideological programs for anti-corruption consciousness raising started appearing. These organizations spread information among a wide strata of citizens about their rights and opportunities to stand against corruption; they also publish informative products providing basic knowledge on corruption, codes of conduct in situations with a risk of corruption, trust services’ phone numbers, etc. For example, the Saratov Center for Civil Control and Resistance to Corruption published in 2011 a manual for citizens entitled ‘Cost-free education without bribery and abuse’.^23 Although there are not many such organizations, their activities are well known in the information space and their products are available to people through the Internet.

JURISPRUDENCE

16. Are there means of redress?
Corruption in education like in any other sphere is governed by the norms of criminal law. According to the article 290 of the Criminal Code of the Russian Federation (see question 20), for receiving a bribe there is a punishment ranging from a large fine to imprisonment of up to five years, as well as the loss of a professional license for up to three years. The problem is that it is very difficult to prove bribery, especially when a deal includes non-monetary
forms of compensation. All known cases that revealed corruption with the assistance of the police were based on a scheme of ‘catching at the scene of the crime’. In reality, more resourceful and complicated schemes are used, as well as non-monetary exchanges and multi-level negotiations, which are practically impossible to uncover.

17. Are there cases of corruption in higher education and were they brought before the courts?
Yes, as a result of students’ complaints to police, such cases are sometimes brought forward. In most cases, punishment means a fine and a prohibition from engaging in professional activities. Imprisonment is almost never imposed. Here are some typical examples of such cases:
- December 2012, Ulan-Ude city (Buryatia), a lecturer on physics and information technologies at the Ulan-Ude Institute of Railway Transport was punished for 23 acts of bribery ranging from 500 Rubles (~ 15 USD) to 3000 Rubles (~ 90 USD) with a fine of 450,000 Rubles (~ 13,700 USD) and a prohibition from teaching for two years;
- June 2012, Nizhny Novgorod city, a lecturer at the Agriculture Academy was punished for 12 acts of bribery in the amount of 46,000 Rubles (~ 1400 USD) with a fine of 900,000 Rubles (~ 27,000 USD) and a prohibition from teaching for three years;
- February 2013, Krasnoyarsk city, a lecturer of the Krasnoyarsk State Agriculture University was punished for 59 acts of bribery ranging from 1000 Rubles (~30 USD) to 1500 Rubles (~45 USD) with a fine of 240,000 Rubles (~7000 USD) and a prohibition from teaching for two and half years.

18. Are there cases of corruption in research and were they brought before the courts?
Astounding cases of illegal obtaining and granting of advanced degrees have been widely publicized in the mass media, but these scandals did not make it to the courts. Nevertheless, in February 2013 by an order of the Ministry of Education and Science of the Russian Federation, 11 researchers lost their advanced degrees and the time limitation for reconsidering decisions on granting advanced degrees was raised from 3 to 10 years.

19. Can the administration and/or the university be sued in case of corruption?
In case of corruption caused directly by the administration of the university, it is possible, for example, when budget money was stolen or used not in accordance with plans. In this case the university administration's activity becomes subject to the Criminal Code and is considered to be a professional crime. From time to time the mass media bring to light some cases when, for example, a very expensive car was purchased for the university rector using university funds, or when the rector is dismissed for misdeeds revealed during a checkup. However, there are no outstanding cases with decisions made by a court of law. Besides, an accusation of corruption can be used as means of punishment for disloyalty towards decisions by the Ministry of Education. For example, a suit alleging corruption was filed against Moscow university rectors who demonstrated disagreement with the project of reorganizing ineffective universities. In case when corruption factors take place with respect to a certain lecturer or a coworker at the university, he/she (and any accomplices) becomes personally responsible for corruption. The university’s administration and management in this case can act only as witnesses or advocates.

20. Is corruption in Higher Education a crime under the Criminal Code of your country?
Yes, it is the same as in other spheres, in cases where the participants’ actions are subject to articles 285, 290, 291. There are no specific articles or clauses which would consider responsibility for corruption in higher education – a situation that leads to discussions between lawyers. The aforementioned articles of the Criminal Code are designed for civil servants, as indicated by the term ‘official’. This became grounds for discussion as to whether it is correct to consider a lecturer to be a civil servant or an official. Still, all known court decisions in corruption cases involving teachers are decided on the basis of article 290.

Article 290. Bribe-taking
1. Bribe-taking by a functionary, in person or through an intermediary, in the form of money, securities, or other assets or property benefits, for actions (inaction) in favor of a bribe-giver or the persons he represents, if the functionary then takes actions (inaction) which are part and parcel of the functionary’s official powers, or if the latter, by virtue of his official position may further such actions (inaction), and also for overall patronage or connivance in the civil service, shall be punishable by a fine in the amount of 700 to 1,000 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of seven to twelve months, or by deprivation of liberty for a term of up to five years, with deprivation to hold specified offices or to engage in specified activities for a term of up to three years.
2. Bribe-taking by a functionary for illegal actions (inaction) shall be punishable by deprivation of liberty for a term of three to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.
3. Deeds provided for in the first or second part of this Article, and committed by a person who holds a government post of the Russian Federation or a government post of a subject of the Russian Federation, or by the head of a local self-government body, shall be punishable by deprivation of liberty for a term of five to ten years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.
4. Deeds stipulated in the first, second, or third parts of this Article, if they have been committed:
   a) by a group of persons in a preliminary conspiracy, or by an organized group;
   b) repeatedly;
   c) with the extortion of a bribe;
   d) on a large scale, shall be punishable by deprivation of liberty for a term of seven to twelve years, with confiscation of property or without such confiscation.

21. Is corruption in Higher Education an infringement under the Disciplinary Code?
In the Civil Code of the Russian Federation there are no special articles for corruption. However, article 575 (chapter 32) prohibits giving presents worth more than 3,000 Rubles (~ USD 90). Therefore it is customary to consider any present beyond this value a bribe.

Article 575. Prohibition of Gift
1. It is not allowed to make a gift, with the exception of customary gifts whose value does not exceed five times the minimum monthly wage established by a statute:
   1) in the name of minors and citizens found incompetent, by their legal representatives;
2) to employees of medical and educational institutions, organizations of social protection and other analogous institutions, including institutions for orphan children and children without parental care, by citizens who are in them for treatment, maintenance or education, nor by the spouses and relatives of these citizens;
3) to state employees and employees of agencies of municipal formations in connection with their official position or in connection with their fulfillment of official obligations;
4) in relations among commercial organizations.

The prohibition to give presents to persons in position of government officials of the Russian Federation, government officials of an administrative region of the Russian Federation, municipal officials, civil servants, municipal servants, personnel of the Bank of Russia, defined by clause 1 of this article, does not extend to cases of giving presents during events according to diplomatic protocol, business trips and other official events. Presents received by persons in position of government officials of the Russian Federation, government officials of an administrative region of the Russian Federation, municipal officials, civil servants, municipal servants, personnel of the Bank of Russia which are worth over 3,000 Rubles (~90 USD), are considered federal property, property of the administrative region of the Russian Federation or municipal property respectively, and they are transferred by coworkers with a report to the agency where the person holds his/her position.

MONITORING

22. Does the administration make use of special rapporteurs in case of corruption?
No, disclosed and proven cases of corruption are reported only by the mass media, which has no relationship with the university. The administration most often holds a neutral position, giving no comments on the situation. We know cases in which the university administration conducted internal investigations on corruption within the institution by questioning students, but this is a rare practice and the data is never publicized for a wider audience.

23. Is there an independent institution outside the administration, like a governmental ombudsman or similar?
In some cities there are special anti-corruption services which are created on the initiative of public organizations and have free phone lines for consultations. They provide legal and information support in cases of corruption, but their decisions and actions have no obligatory power for any organization.

24. Is there regular reporting on corruption in Higher Education?
No, there is no such practice, at least is not one that is freely available. Even the scarce empirical data and estimates that sometimes appear in the mass media with reference to the Ministry of Internal Affairs do not reach a wider audience. The mass media only publishes isolated reports, investigations and scandals. A broader systemic picture based on scientifically collected data in this sphere can be made based on the results of interviews conducted in 2003-08. Within the project called ‘Monitoring of Education Economy’, which was realized by the National University Higher School of Economics, there was a block of questions designated specially for corruption. There has been no newer data, and certainly no complete reports.

25. Are the independent commissions for certain decisions?
If such commissions are created at universities, they may be formally independent but in fact they are not. Their main job is to do their best not to allow negative information to spread and to minimize damage to university’s reputation. As state universities are subordinate only to the Ministry of Education and Science, and they do not answer to regional or municipal authorities, theoretically such commissions can only be created by the federal Ministry, but the Ministry does not do this. The best example of an independent commission is the one from the Office of the Public Prosecutor, but it acts only when corruption suits are filed.

26. Are the independent commissions for exams or research commissions?
According to the rules at the majority of Russian universities, examination commissions are created only for special kinds of examinations. They could include entrance exams for the arts (painting, performing, composition, etc.), state examinations before graduation, and entrance examinations for master’s or doctoral degrees. These commissions are not independent, as they consist of representatives from the same university and deal with students of that university. Common exams during session are conducted without a commission by the lecturer in this discipline. At the majority of universities there is a rule that only in cases where a student failed to pass the exam with the same lecturer three times can a commission be created, consisting of lecturers from the department that could conduct this exam one more time. In cases where the student does not pass the exam with the commission, he/she would be expelled from the university. Such a commission can be only formally independent.

27. Are the protocols available?
Yes, the protocols can be submitted on request but they have a formal character, as a rule, and they can hardly be considered reliable documents for making important decisions about the quality of the procedures or whether they are followed.

Corruption in higher education in Russia is not an isolated phenomenon, however; it is tightly embedded into general corruption in society and seems to be a part of the system (cf. Ledeneva 2013).

References:
Denisova-Schmidt, E. & Leontyeva, E. 2012c, Perception of Corruption by First-Year and Final-Year Students in Russia. Boston: Center for International Higher Education.
Endnotes

1. We would like to thank Tatiana Kastouéva-Jean for her valuable comments and discussions.


6. Russia has a large number of universities; in September 2012 there were 965 universities in Russia, including 607 state and 358 private schools (cf. http://stat.edu.ru/, accessed August 12, 2013.

7. There are two different groups of students in Russia: 'budgetary' students, who have their tuition paid by the state, and 'non-budgetary' students, who pay their own tuition (cf. Leontyeva 2013).

8. Obrazование в Российском Федерации. Статистический сборник (2008), Москва, ГУ-ВШЭ.


13. For example, the rector of the Moscow Power Engineering Institute was dismissed for this reason. See http://rosbalt.ru/main/2013/03/15/1106218.html, accessed August 12, 2013.


15. Some possible schemes include taking this exam in advance for ‘valid reasons’, such as health problems, participation in sports competitions or performances.


17. See more about the work of RFBR, a government science foundation, in Graham & Dezhina 2008.

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21. Conducting empirical studies on corruption in academia is not an easy task. Take for example the case of the Russian scholar Igor Groshev: After conducting his empirical investigation into the sources and roots of corruption in Russian law enforcement authorities at the ‘Juridical Institute in Tiumen’, and publishing his study outcomes in 2008, Groshev was dismissed from his academic position and asked by the local court to disprove his previous results ( Denisova-Schmidt & Leontyeva 2012b).