

'If I receive it, it is a gift; if I demand it, then it is a bribe': On the Local Meaning of Economic Transactions in Post-Soviet Ukraine

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ABSTRACT: Challenging the main reports of corruption in Ukraine, this article proposes that most of the 'economic transactions' that are reported as bribe taking have a deeper meaning and can be analysed within the framework of gift exchange proposed by Marcel Mauss. This paper thus focuses on the three alleged most 'corrupted' places in Ukraine: a university, a hospital and a police control post, in order to develop a detailed analysis of the meanings behind these transactions. Furthermore, it examines the particular role that social actors take within these arrangements. Finally, I propose the recognition of a grey zone between corruptions as evident in the ethnographic examples analysed in the course of this paper.

KEYWORDS: bribe, corruption, gift, economic transaction, hospital, police, Ukraine, university

In 2002, a study of the Ukrainian Institute of Social Research showed that 44 per cent of Ukrainians had paid a bribe at least once in their lives. Seventy-three per cent of these bribes were to secure medical services.¹ Such figures have often prompted Western analysts and international observers to define corruption in Ukraine as endemic, totally ignoring local factors that could affect the results of such surveys. This situation resembles the Russian case that Humphrey describes as, '...the torrent of analyses of "corruption" in the Western press, mirrored often in the Russian press, does not correspond to the differentiated practice and discourse of the people themselves' (2002: 128). I would suggest these interpretations of corruption in Ukrainian society provide too superficial an explanation. To interrogate the cultural specifics of corruption in this case, we therefore need a picture of the socio-economic structures underlying Ukrainian society and

working definitions of bribe and gift that will aid in understanding the local perceptions of such phenomena, and sheds new light on the results of the above-mentioned study.

The aim of this paper is to challenge the traditional use of the words 'bribe' and 'corruption', ordinarily used to describe transactions taking place in contemporary Ukraine. In this manner, the paper shifts the already blurred border between gift and bribe to present a grey zone between those two phenomena to deepen our knowledge of the Ukrainian socio-economic reality. The main argument here is that the moral codes and values of some emerging states, and in particular post-Soviet ones, often offer an interpretation of phenomena such as gift and corruption adapted from Western moral and juridical codes, disregarding local features. Anthropologists working in the area have often warned of the existence of local—and different—perceptions of these

economic transactions at the very basis of post-Soviet economies. For example, when dealing with Kazakhstan, Werner (2002: 203) warns that anticorruption measures should take local perceptions of morality into account. Nevertheless, adoption of a broad interpretation of corruption often lets most transactions fall into the category of bribe. International organisations have the task to endorse international legal definitions of corruption regardless of the local reality, and this leads to paradoxical situations. In a World Bank report, Tanzi (1998), for instance, goes as far as to deny Mauss's definition of a gift, stating that a bribe implies reciprocity while a gift should not. This perspective reinforces Temple and Petrov's (2004) hypothesis that the routine practice of 'giving and taking' under communism has often turned into institutionalised, widespread corruption. However, this perspective completely overlooks the very structures underneath a society and rests on the assumption that the state has the same function and the same weight everywhere. Before endorsing such a black/white position, one might want to agree with Werner (2002: 191) and propose that it is worthwhile to compare the way locals define corruption with the way it is defined by powerful global organisations. Given that economic and social standards differ sharply in the East and West, there is a need to forge new definitions for some economic exchanges in the Ukrainian context.

In a society mostly based on informal economy and kinship networks, where the state fails to secure basic needs for their citizens, informal economic transaction—be this called gift exchange or corruption—often makes up for the incapacity of the state. According to Gupta (2005), informal practices are a way, for those strata of the population excluded from politics, to participate in the competition for accessing resources, using an alternative political arena. In this sense, I argue that exchange—be this called bribe or gift—is at the base of the Ukrainian society. As Srubar

(1991) maintained, soviet economies could not function without these transactions, and the extremely limited range of resources available officially on the market was soon matched by a virtually unlimited disposal of goods to be purchased, sold or offered on a parallel market. 'The shops were empty but the fridges were full' is a quote that well describes the situation in a socialist country. In a situation of forced savings, goods were often used as means of exchange in a context where they were more valuable than money. The problem was not to find the money to buy something, but rather to meet the person who could help finding the needed goods. In this respect, a complete system of payments had been set up: home-made spirits, food from the countryside, home-made clothes, favours, services, a transfer from a remote region to the capital, everything could be used as a means of exchange and augmented the necessity to cultivate an entourage that could provide the desired goods.

Once the country opened up, two main events affected the status quo. First, goods were made available; it was not any longer a matter of finding the right person but rather to find the money to buy what somebody wanted. Second, Ukraine, keen to receive international support (moral and monetary), agreed to be judged by international organisations and thus to apply 'international standards' to its moral and legal code.

In this analysis, I intend to explore the gift-bribe dichotomy that lies behind almost all transactions in post-Soviet Ukraine. Drawing on evidence gathered through participant observation in Odessa and its surroundings between 2003 and 2006, this article suggests that the sharp distinction between bribe and gift, applied almost automatically in most cases, requires redefinition to record a context-dependent significance. The ultimate goal of this paper is to show that some patterns of corruption can be reinterpreted in terms of 'brift', a phenomenon somewhere between gift

exchange and bribe and a fundamental fact for surviving in the modern Ukrainian society.

Studying economic interaction in post-Soviet spaces, a theoretical framework

The social meaning of 'exchange' in post-Soviet societies has already been investigated, albeit mainly in Russia (see for example Humphrey 2002). This has often been described variously as taking the form of a bribe (Humphrey 2002), a 'sign of attention' (Patico 2002) or a longer lasting relationship (Lonkila 1997, Ledeneva 1998). The similarities between the Russian and Ukrainian societies make findings from one country extendable to the other.

To achieve this end, it is necessary to further define the object of this study. I am interested in transactions of a 'present nature' to which people 'resort to' in the absence of the necessary network of friends (Humphrey 2002: 129). These are likely to happen once and do not give birth to a social relationship. For these reasons, they are more likely to be classified as corruption. In contrast to Rivkin-Fish (1997, cited in Patico 2002: 352), I do not consider that the order in which the exchange happens is relevant as, as we will see in the case studies, this does not affect the very nature of the transaction. Finally, opposing Patico (2002), we shall not attribute a different meaning depending on whether the exchanged encompassed some monetary donation or not.

Previous authors (Parry and Bloch 1989; Thomas 1989) have shown the subjective character of goods and money—whose meaning is strongly defined by local culture, political use and context. In line with Patico's (2002) discussions of 'chocolate and cognac', I would say that some specific objects take a special meaning when offered as 'signs of attention'. However, this argument alone is insufficient to encompass the totality of the Ukrainian cases, where money and goods are often interchange-

able. I would suggest that the main reason is a different historical moment and, although a tendency to offer chocolate and cognac—or brandy—is still present, money is largely gaining ground for the ever-increasing availability of luxury goods (of questionable quality, see Patico 2003) to the average Ukrainian. Money, similarly, drives the financial needs of people and is possibly responsible for a 'westernisation' of the Ukrainians: some informants reported that they were afraid to offer a 'classical' gift, given that the larger variety of choice has led people to develop more complex preferences that are not always matched by a 'standardised' gift.

Wanner (2005), accounting for the particular socio-economic structures of Ukrainian life, has proposed a switch from objective to subjective morality in order to justify—albeit not fully and only in specific conditions—some actions such as bribe giving or not keeping one's word, things that in a Western context would be stigmatised. She maintains that in Ukraine, people might 'subscribe to a different moral order' (2005: 14) suggested by *ad hoc* needs to which one might add the crisis of the modern state and its symbolic order analysed by Gupta (1995, 2005). In line with her thesis, I would like to propose a contextual morality that could ease the understanding of the perception locals have of some transactions otherwise stigmatised according to a Western—and often sold as objective—morality, forgetting that engagement in such transactions in the Ukrainian example is often not a choice but a necessity.

Little seems to have changed since 1991, when Srubar suggested that diversion of attention towards consumption—and the subsequent creation of social networks of redistribution of goods—was functional to the soviet economies; it made up for their ineffectiveness, and lowered the risk of political activism among individuals already busy in such transactions. For these individuals, their political position was weakened as they

became blackmail-able through engagement in transactions stigmatised by the public discourse. As of 2008, the Ukrainian government is still willing to unofficially tolerate bribing and smuggling of goods as long as this avoids demands for higher wages. In my study on the Odessa-Chisinau *elektrichka* (Polese 2006a), I have challenged the ‘unanimous idea’ held by political scientists and economists that ‘bribery’ is bad for the economy and the society as a whole (reported by Werner (2002): 203). Instead, I show that not all the actions classified as illegal by (Western) morality or by the juridical code of a country operate against the interests of that country, and that a number of transactions occurring ‘under the table’ might even have healthy results for the society—if not for the economy. As a result, we should either redefine bribery or accept that bribery should not automatically be associated with corruption.

Gift and bribe: universal concepts?

As the border between gift and corruption becomes more and more fluid, it becomes important to explain how I mean to employ them as terms. Starting from Marcel Mauss's (1924) definition of a gift as a total social fact, gift is a fundamental structure of the relationship between people in a society, which always retains an element of its giver. This definition implies some kind of personality of the gift, meaning that the considered exchange could not happen but between the two individuals concerned. In addition, as Mauss spelt out, there are three main obligations involved: the obligation to give, to receive and to reciprocate, with the ultimate goal of ensuring communication and building up social relationships between individuals. Recent studies have shown that reciprocity may not be ensured in material terms, like when the donor benefits from the act of giving (Parry 1986), or when the receiver is perceived as a guest

by the giver (Polese 2006b). Mauss stated that this form of networking is proper to archaic societies, where the idea of the state—as welfare manager—is absent. However, the border between an archaic society and a modern state in crisis is often blurred. A ‘failed state’, like Ukraine, which is unable to act as a regulator or a provider of welfare even in big cities, has similar characteristics to his description of archaic societies. I therefore argue that his analysis of gift exchange is appropriate to the Ukrainian case.

In Ukraine, liberalisation of several sectors has not been accompanied by the creation of *super partes* controlling organs and dynamicity of the economic life—and prices or wages, at least for the public sectors, where workers see their purchasing power decrease day by day. As a result, several categories of workers—teachers, doctors, police officers and pensioners—are unable to live on the revenue the state is providing and need to make up for the shortfall somehow. I have argued elsewhere that demand for ‘extra payments’ in higher education is generated by the meagre amount of money allocated for university staff by the state, so that universities are *de facto* private (Polese 2006c), and this analysis could be extended to other sectors. This occurs because the Soviet tradition of goods exchange has been reproduced, at least partially, in monetary terms, and Ukrainian society is still based on small kinship and socio-economic networks that allow the individual to get access to a number of things—free medical care, education, documents, social help—that he could not otherwise access through the simple relationship between the citizen and the state.

The elements of a gift that are relevant to this analysis are its moral and social obligations, and its character of reciprocity and [relative] spontaneity. This means that, theoretically, even when a gift starts up a number of mutual exchanges, the initial action was aimed at giving rather than receiving something in return. This reveals the ‘enigma of the gift’ as Gerard

(1998: 72) intended it; the analysis of the gift allows the understanding of its social meaning. However, it does not answer the question of why somebody, spontaneously, decides to offer a gift to another person.

Corruption has been defined in several ways, and for this article I use Palmer's (1983) definition, which defines corruption as 'the use of the public function for a private advantage'. It is useful to remark that the very meaning of the word 'abuse' varies according to local legal and cultural standards (Tanzi 1998: 8–10). This recognition has an impact on the particular meaning of public function in countries like Ukraine. A person is working in the public function when he serves his country. This should come because of a contract; the worker offers labour, through which the state secures its material needs. However, what happens if the state is unable to secure a person's needs? In Ukraine, most of the public functions are underpaid and payment of the stipend may be delayed by several months. What implications does this then have for the state–citizen contract? The use of a public function for a private advantage means a gain in welfare for an individual and a loss of welfare for the society. Recognising the context of individual cases, how significant is this interpretation when the state has already 'damaged' the individual in some way? In the case of the *elektrichka* (Polese 2006a), the state itself hinders the economic development of the country—allowing a protectionist monopoly managed by local oligarchs—damaging its citizens' welfare.² Is it possible, therefore, to talk of corruption and damage to the state when smuggling is perpetuated to make up for the state's failure to bring welfare to the citizens?

Switching moralities

Power is granted to the state by the citizens, who, in turn, give up some of their freedom for the good of the community. But the state

must not only be a state; it has to act like a state and protect its citizens and workers. Once the state fails to respect its obligations, there is a wide spectrum of 'acceptable' reactions by the public worker. One might accept, in certain cases, that the 'worker' feels no obligation towards the state and refuses to work, but he has, in any case, the obligation not to damage his fellow citizens. I was reported an anecdote of a doctor who refused to treat an anonymous child who had been run over by a car on the ground that he would not get 'rewarded' for this. The child eventually died from lack of assistance and turned out to be the doctor's son. If a doctor imposes monetary reward as a *conditio sine qua non* to help patients, or when a public servant lays claim on money to provide somebody with a job in their department, they have to think carefully about the consequences of their actions.

Gift and corruption are not objective; they do depend on the context and the same definition is not applicable everywhere. Offering a box of chocolates to a teacher, therefore, does not have the same meaning in Odessa and London. Harrison (1999) advises that, in African societies, monetary exchanges may just be the modern equivalent of gift exchange. For this reason, corruption in Africa has been considered by some social scientists as a mere infusion of a culture of traditional gift giving into the bureaucracy. This follows the logic of family, village or tribe loyalty, and in this context 'the "practice" of bribe giving [is] not...simply an economic transaction but a cultural practice that requires a great degree of performative competence' (Gupta 1995: 217).

The switch from an objective—state—morality to a subjective one (Wanner 2005) occurring in post-Soviet Ukraine requires consideration of all the peculiarities of that society prior to analysing the phenomenon itself. This is in line with the anthropological method as Geertz (1973) considers this contextualisation of phenomena to be the very essence of ethnographic research. In this respect, it is useful to recall the

findings from Rasanayagam (2003) and Fogarty (2005). The former reported the gap between local morality and the morality imposed by international institutions on Uzbekistan, where some of those interviewed believe that a ‘little corruption’ does not hurt anyone. The latter showed how in Moldovan society labeling something as ‘corruption’ has only a moderate moral effect on locals who ‘...all do it and [we] think it is bad’. If ‘corruption’ is embedded in the society and socially acceptable to a certain degree, is it correct to stigmatise monetary exchanges as corruption always and everywhere? Most, if not all, studies on bribing in post-Soviet societies present—implicitly or explicitly—the idea of a dual morality, a notion that is applicable to all sort of exchanges. Locals are often ambivalent about monetary or commodity exchanges. When talking informally sometimes I heard people referring to those transactions as wrong, when informants present complaints about corruption at the level of the state. However, those same informants sometimes refer to it as ‘thankfulness’ (this is especially the case when talking of a doctor), the only way to ensure the survival of a particular category of people (mainly doctors or teachers).

This ambiguity derives from the very meaning of the word bribe in Russian; *vzyatka* comes from the verb *vzyat’*, to take. In English, this word is translated from the morally sensitive word ‘bribe’. Normally the word *vzyatka* in daily life is used to describe somebody else’s action; when the story is told in first person, people tend to use light synonyms like ‘present’ or ‘way of creating interest’. In some cases people may also decide not to use it as, as many informants reported, petty payments to a doctor are rather seen as a sign of thankfulness rather than a bribe.³ In Ukraine, the word *vzyatka* is not a taboo anymore and people increasingly tend to use it when talking of their own actions: ‘I gave a little *vzyatka* and everything was solved’. The concept is so embedded in the society that the very act is

sometimes perceived as fully normal, though the word is avoided in official discourses. To extend the concept of gift to other categories of economic transactions, I present some evidence in the next three sections, dealing with the most frequently discussed working environments in Ukraine: universities, hospitals and police posts.

The academic ‘moral code’

Dimitry is a student in the Faculty of Medicine in Odessa. To pass an examination he ‘gifted’ the teacher with a 10-dollar bill. Svetlana, in the same situation, offered the teacher a bottle of ‘kon’yak’ (brandy) after passing the examination. I would like to argue, in this section, that the border between corruption and gift giving is so fluid that the opinion by Papava and Khaduri (1997), when analysing corruption in higher education institutions in Russia, that no ‘discount’ should be applied for a practice that is likely to put a country on its knees may not apply in all cases.⁴

Mikhail, a university professor, reported the following:

Some of my colleagues require money or presents as *conditio sine qua non* to pass an exam, I agree that this is to blame and is ruining our country. But when a student [who has been bouncing around several exams] comes to me and wants to pass my exam, my reasoning is: I know that, sooner or later, he will pass and I also know that it is not his fault if he is obliged to get a degree to work afterwards, since in Ukraine it is unthinkable to get a job without university education.⁵ In this case, he will pass my exam; I see this as a personal favour. In return, if he offers a bottle of spirit or a box of chocolates I do not refuse, this is simply thankfulness for my action.

Mikhail works for the state and earns 200 dollars per month with a teaching load of 900 hours per year. He is paid only for his teaching hours, not for research that he carries out in his ‘leisure time’. The state and the society

are taking advantage of his research findings, but he is unable to feed his family (wife and two daughters) and pay bills on a 200-dollar income. It is difficult to conceive this exchange as classical gift exchange theorised by Mauss (1924) as it gives birth to no social link.⁶

Trying to theorise academic exchanges

What happens if, instead of a good, money is offered? Patico (2002: 355) maintains that there is a sharp difference between offering money and offering 'chocolate and cognac', as only the latter recognise the 'personhood' of the teacher. However, Wanner (2005) reports that sometimes teachers bring the chocolate back to the shop to get a refund. This implicitly lowers the difference between monetary exchange and offering consumable goods. From a legal point of view, there is also little difference: both donations in money and commodity are punished as corruption though a difference exists at socio-cultural level.

Following Wanner (2005), who asked how present takers used the chocolates, I asked a doctor what he did with his 'gifts'. He told me that boxes of chocolate were recycled as presents for nurses or to celebrate birthdays. Simultaneously, he offered some chocolates from a box whose origins I think I can guess! There are several ways to receive money in a higher education institution; nobody dared to tell me how he accepted a gift, but I collected quite a number of interviews with students describing the conditions to pass an examination. In some cases there are prices fixed by the professor and a bill in the student book will allow you to get an A, B or C according to the money paid; in other cases it is sufficient to attend the course to get the minimal grade.⁷ There is also an in-between case. One of my informants—Katya—told me:

When I was a student in Psychology there were two ways of passing an exam. You could study and learn what you needed to pass or you could

simply pay; ultimately this distinguishes the person who wants to work in this field from that willing to get a degree to decorate his room.

To distinguish transactions as corruption or gift exchange, respondents first drew attention to the regularity of this service; was this a habit of the teacher or did he do it 'only' once or twice? Those with the worst reputation were known to regularly accept presents, whereas some others only accepted presents sporadically. Another sign was whether the counterpart for the 'service' was given before or after the 'service' itself. Finally one of my informants came up with a definition that satisfied me, 'If I receive it, it is a gift. If I demand it, then it is a bribe'.

I have already shown (Polese 2006c) that the utmost source of those strategies in the academy is the weak role of the state, allocating minimal funds to educational institutions (including schools), or tolerating these forms of exchanges so as not to be obliged to increase wages. The fact that working conditions for teachers and professors are so low not only pushes a flow of brilliant minds out of the country but also obliges those who stay to augment their meagre wages by taking up two or three jobs and live on with the daily practice of gift (or commodity; the distinction starts getting blurred at this stage of the discourse) exchange with other strata of the society. To further understand the picture, I propose to analyse another 'hot spot' that is the most corrupted place according to the Ukrainians.

'Survival techniques' of hospitals

A friend got injured during a football match. We had to go to the hospital to check his eye. The doctor received us (it was after midnight), accurately checked him and prescribed some drugs. While leaving, my father-in-law slipped 20 hryvnia (hr) into the doctor's pocket, saying 'thank you'. Once back home, my wife asked whether we had 'paid' for the service or not.

Could this be rephrased and told as, did you have to bribe the doctor for his service? As medical assistance in Ukraine is free of charge, this may be technically a bribe. But a different interpretation is suggested by the words of Liliya, a doctor:

I earn 600 hr. per month (around 90 Euro), of which 100 go on taxes. If somebody comes to the hospital and needs assistance I will give it, but also I will expect that he thanks me afterwards. I have studied 10 years to get this position, those patients get specialized help, but we do not get enough to live on from the state.

That same informant explains she could not find a job in Odessa as she was asked 3000 dollars by a local doctor to get a post; in the end she was able to get a job 'for free' in Ilichovsk (a city 30 min from Odessa), where she is working now.

Births and surgery are other special cases. The normal procedure is to find a doctor that one judges able and helpful and 'interest him' so that he will follow your case. In case you fail to produce the money, your fate is unclear, you might still get help but you might not. Money is not the only mean of exchange, though it is becoming the main one. In Soviet times it was more possible to exchange a 'hospital performance' with another service, once the two parts came to agree on compensation. As Gaal suggested for Hungary in the Transparency International Report (2006) and Lonkila (1997) for Russia, there seem to be a common belief that, without informal payments, you will not get access to good services. This was confirmed by the words of a Ukrainian relative, when I was looking for a good hospital in Germany for my wife to give birth, 'you did not find a good one so far...perhaps you should give a *vzyatka* to a nurse, this would ease up things'.

When is a public worker a public worker?

As in universities, classifying the above cases as mere corruption needs reviewing, particularly

in the case of petty transactions. As a public worker in Ukraine gets no real benefit from the state, I am reticent to consider them as full-time public workers. Once the state fails to reward its workers, there are two options: to leave the game or to enter a circle of dependence and exchanges that will allow them to augment their wages. Most of those transactions occur on a quasi-personal basis, when both sides have the option to negotiate what to give and how. The doctors decide themselves the kind of service according to their possibilities (and conscience), and the patients offer something according to their medical condition and the service received.⁸

This is generally accepted for petty transactions. Serious operations are a different case, where the existence of a doctors' price list for taking births and performing other duties makes the transaction impersonal, and so the fact that the 'obligations' are specified in advance.⁹ By doing this, the relationship takes the form of an oral contract and I would see this transaction more in terms of exchange at the level of primitive society than of corruption. The state that fails to fulfil its role, which is to protect and secure the citizens, does not exist; or better, it exists in theory but is absent in practice. In the absence of the state, the public function is void of its content; the only obligation for a doctor is to secure a minimum of working hours (to deserve his meagre 90/200 euro stipend, apart from not damaging his patients). Furthermore, we can imagine the different prices of doctors as the result of their prestige and ability, so that a real demand–supply graph can be traced. The most requested doctors are more expensive, just like in a functioning market economy. The result is that in Ukraine, *de facto*, all hospitals are private. Patients pay for what they get, sometimes having to buy the pen with which the nurses will take notes on their conditions. The side effect is that they would be unable to claim the money back from an insurance company as no receipt is issued for those transactions.

Similarly, as tomorrow is uncertain, the doctors will not have to pay taxes on their revenue, nor they will be willing to invest 'their' money to buy new equipment for the hospital—actions that would ultimately ease their work.

The transaction 'pay me money and you will get a job here' is the only category that, according to our theoretical framework, might fall specifically into the traditional corruption category. It has evidence that it causes damage to the society for a private advantage: selecting a future doctor on the basis of the money he will pay to secure his position and not on the basis of his experience results in imperfect functioning of the system, because of employing a possibly incompetent doctor who could damage future patients.

'Militsioner tozhe chelovek' (A policeman is also a man)

Maria's car was stopped by a policeman because she passed the crossroad in spite of the red light. Maria puts a 10-hr bill into her car documents and hands them to the policeman. Then she is let to go. The meaning of this transaction seems clear. However, a further case might be helpful. Sergey is stopped for a routine control and asked to produce a document that does not exist. While reminding this to the police officer, Sergey notes the officer's name so as to be able to address his complaint to the competent organisation. The reaction of the policeman is unexpected: he cries 'were my salary five times higher I would never bother stopping people like you'. Sergey then asks how much money he wants, but the policeman is not willing to ask for anything as his name is now recorded and he could be identifiable. He just threatens now to jail him for drunkenness.¹⁰

Humphrey (2002: 143–145), interestingly, calls most of those cases—when a policeman stops a car, gets some money and then lets it go, regardless of any infraction—'tributes'

that confirm the position of the policeman as the one who rules the streets. It is important to acknowledge, however, that the situation is somehow more complex in Ukraine as those payments are not always due, and there are various cases in which the driver will be free from financial obligation. First, there are a number of ways in which to negotiate with the police officer; informants reported getting along using the magical expression 'I have no money' or 'we are late and I have foreigners in my car'. Second, the driver might end up not paying anything if he gets the sympathy of the policeman: one informant got along several times by showing a pack of pampers and explaining he was running to the closest pharmacy because his child was sick. Even the police officer is a father.

What is the rule? When are police officers to be 'rewarded'? To what extent are the above cases similar? In most cases, policemen expected some benefit from their action but the driver's attitude differed. It is worthwhile to complete the picture. The complementary information is the police officer's wage—between 600 and 1000 hr. A police officer will never be able to live on this amount of money. In contrast to the university teacher, he is not always able to manage his time and take on two or three jobs. Furthermore, I was informed, police officers are under pressure from their superiors, who lay claim to a certain amount of money every month. Alternatively, they can pay in goods or even in labour.¹¹ This is why they might be willing to wait in some strategic points to stop a car with drunk drivers and try to get as much money as they can.

An explanation alternative to corruption is the following. The policeman, according to his job, is obliged to stop people who break the law, just like a doctor is obliged to cure a patient. The act of stopping a car in the first case is fully legitimate, whereas in a routine control we are unable to bet on the good or bad faith of the policeman. There are two main differences between the above cases (university and hospi-

tal): (1) that the transaction occurs in a reverse order (compensation before, and not after, the 'service') and (2) that one is likely to be much more sympathetic towards a doctor or even a teacher than towards somebody whose job is to impose fines. One way of looking at the transaction might be to regard it as a favour from the police officer to avoid a long bureaucratic process to pay the fine in exchange for a standard gift. This is a win-win transaction as the police officer supplements his salary; the driver can get rid of bureaucratic problems and the society gains in that the driver might remember that the law should be respected and that he should not get exposed to such consequences.¹² The only loser is the state, by way of failing to fulfil its role and being unable to pay its workers appropriately; it will not get any revenue from a transaction that 'never happened'.

The nature of these payments is quite complex, but seems closer to a 'voluntary offer' or an—neither always spontaneous nor welcome—act of solidarity than to a tribute or a bribe. It is nonetheless quite hard to classify this transaction as a pure gift exchange as the spontaneity of the gift seems lacking. In favour of the gift argument, I would argue—as in the case of border officers (Polese 2006a)—that the economic conditions of the police officer are closer to those of other public dependants. Once again, this voids the public function of its very meaning as the state is unable to feed its dependants and because of the fact that his behaviour might not bear any relation to the gift he gets (like in the university and hospital cases).

Who can blame 'bribing'?

Although different in time, space and modality, the three above environments present some common points. First of all, they are characteristic of a transition economy, which is the case of Ukraine. In the West, there are other

ways to take advantage of the situation and other levels of risk. As Bovi (2003) remarked, economic fraud towards the state is performed only when the citizen does not see a real advantage in playing correctly. For instance, if the state fails to reward the taxpayers, why should one deliberately choose to come out instead of keeping on acting in the shadows? Second, all the described transitions are punishable by the law and are dealt with as corruption. Ukrainian jurisprudence specifies that money or compensation can be paid before or after the transaction, but this does not affect its criminal nature. Third, all those transitions are harmful to the economy as they generate an uneven distribution of revenue. Should the money be received legally, the income should be declared and the state could be able to collect some taxes on it, with consequent benefits for the whole population and not only for the money receivers.

In a Western logic—where the state functions and is likely to be able to use those extra incomes for the benefit of the citizen—it is normal that most reports describe corruption in Ukraine as an evil undermining the stability of the country, but is this not a risky conclusion? What would happen should the executive power succeed in stopping all the above-mentioned transitions? What doctor would agree on working in a public hospital and what teacher in a public university? Using corruption to define the systematic thankfulness of the patient to the doctor seems to ignore the Ukrainian context and its peculiarities. The *de facto* privatisation of Ukrainian public sector (Polese 2006c) is allowing a whole generation of scholars and doctors to survive, avoiding a brain drain that would be much more damaging for the country. I therefore challenge Temple and Petrov (2004) and state that the practice of taking and giving has allowed this society to survive, in the face of an economic and budget policy that is stubbornly ignoring the needs of the hospitals, universities, schools and executive institutions.

Between gift and bribe

The bribe–gift distinction seems much more complex than at the start of the paper. We can reckon with the three main features of a gift: reciprocity, spontaneity and inalienability of the gift as a social fact starting up a relationship. Mauss maintained the reciprocity of a gift, but reciprocity may be perpetuated in different ways. In some cases (Tanzi 1998), this reciprocity has even been associated with bribing. Literature on bribing in the former Soviet Union distinguishes a long-term economic relationship (Ledeneva 1998), called ‘*blat*’ from those transactions with a character of immediate reciprocity of a bribe—*do ut das*. However, this model fails to gauge the meaning of an economic exchange with partial spontaneity aimed at a personal benefit that is hard to classify as mere bribe or as gift.

Spontaneity is closely linked to reciprocity. We cannot know when somebody is going to offer a gift, but most of the time a return is expected. Perhaps we can say that we are dealing with a gift when the return is expected but not demanded. If it is laid claim to, then the character of spontaneity is lost. But in some cases, the enigma of the gift can also be the enigma of the bribe. Not all informal payments in hospitals, universities and police posts are anticipated, and one should learn to understand when—and how—to pay and when not. In this regard, I have collected as many cases of unpaid consultations as I have of paid ones.

Therefore, when dealing with corruption and gift giving, attention should be paid to (a) analysis of local context, reckoning with local culture and understanding of local, or even contextual, concepts of morality and gift, and (b) the fluidity of the border between bribe and gift and the existence of a grey zone in between, which can host some hybrid phenomena. If so, then gift and bribe do not suffice as categories to explain the complexity

of the socio-economic relations in a modern transitional society. To better understand the Ukrainian perception of those payments, I propose that it is necessary to consider both gift and bribe as results of the same phenomenon of human economic and social interaction. Putting those phenomena on a line, we could have gift and bribe as the left and right extremes, and a continuum line between them. Slowly moving from the left (gift, spontaneous with no obligation of reciprocity) to the right (bribe, lack of spontaneity and obligation of reciprocity), we have a number of exchanges that are neither a pure gift and whose spontaneity and lack of obligation are not pacific, nor a pure bribe, but something combining the features of a gift and a bribe, which we could call ‘*brift*’ (half bribe half gift).

Conclusions

Informal economic transactions, whatever they are called, are at the basis of the Ukrainian society and economy. In some cases, as most scholars agree, they harm the social and economic structures of a country; in other cases, they can be seen as complementary to an economic system that does not guarantee even distribution of welfare and needs to be somehow ‘helped’. With economic life strongly permeated by social networks and informal exchanges, like in Soviet times, it comes as no surprise then that all the practices developed under the USSR are hard to erase in the emerging market economy. Nevertheless, we cannot ignore features proper to the Ukrainian culture and society and impose a universal definition of corruption that would phase out some local traditions of social and economic interaction. One of my colleagues agreed to give a catching-up lecture on Saturday; after the lecture she was rewarded with some flowers—offering flowers, both to men and women, is a common offering in Ukraine as in many countries—but according to the law in Ukraine it attempts to

impose a moral code of anti-corruption; this act was illegal.

The impression in Ukraine is that the current understanding of corruption—by the authorities or Western reports—is so wide as to encompass most of the aspects of social life. The incapacity to concentrate on some essential phenomena and therefore to focus on what is really worth fighting for results in wasting government energy and money. This risks going against the socio-economic structures of the country. Preventing doctors from accepting gifts while keeping wages so low will push the best doctors out of the public function, with consequent further worsening of the already poor hospital conditions, rather than eradicate corruption. Corruption thus needs to be redefined, at least when dealing with cases in which it helps people to survive.

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Notes

1. Reported by Zerkalo Nedely, see <http://www.zerkalo-nedeli.com/nn/show/427/37370/> (accessed 4 June 2006).
2. The article suggests that shadow economy is the response of local traders to a monopoly that local businessmen have imposed, thanks to their relationship with the power, and resulting in low quality, shortage of goods, high prices and a lack of jobs. The effect is that the *elektrichka*, a train commuting from Odessa to Chisinau, has a function of generating an independent—and uncontrollable—economic system from which all the actors have a gain; traders can smuggle goods and clothes into Moldova and Transdnistria; border officers round up their wages; and citizens can find goods that otherwise would not exist on the local market or would be too expensive.
3. The perception of those exchanges is strongly affected by two main factors. One is the amount of money paid: people are much more sympathetic to petty payments than to significant ones, like the ones due for complicated operations; the other is the relationship with the person who offered the present. When the informant speaks of himself or of a close acquaintance, he is likely not to condemn morally the act and accept solidarity towards the doctors, but when talking of doctors and people not close to them, people are generally ready to call them *vzyatki* and state that Ukraine is corrupted.
4. On ‘putting a country on its knees’, I am currently working on an article to show that informal payments do not affect irremediably the quality of teaching and researching in Ukraine.
5. In Ukraine, like in many other post-Soviet countries, the legacy of the Soviet Union and its programmes of massive education has transformed higher education into a must to get a non-physical job and into an asset to get a physical job (sometimes to work in a shop you will have to compete with people holding a university degree). The ever-increasing demand for a university degree has matched the expectations of university teachers for a higher wage. According to the market principles, the prices of education have increased and so has the supply: public universities have been accepting more and more students, lowering the entrance barriers, and there is an increasing number of small private universities—sometimes not even accredited—in the country, where university teachers integrate their wages and students have to pay much more than in public universities, at least officially. The average level of public universities has lowered and people completely illiterate and uninterested are regularly enrolled (as they mean a marginal income for the university, be this public or private) and need to go further to keep the university income regular. This will give the teacher a difficult choice: to pass the student and contribute to cultural sinking of the country, or to fail the student and face the dean’s reaction after the student drops and stops paying the fees.

6. Even though Mauss's original discourse dealt with material goods, we can extend the analysis to abstract goods and services as a consequence of the impact of modernity on contemporary societies.
7. Having a certain number of students attending your course can be a source of prestige during departmental negotiations and is certainly preferred to having few students; this is why, an informant reported, you can get passed for with a 'political C' for the simple fact of having attended the classes.
8. Although you may be pressured to be paid, you might get away for free. One informant reported to have been asked for money for blood analysis. He first protested that medical assistance is free of charge in Ukraine and then that he had no money that month (which was true). As a result he did not pay. Unexpectedly, his analyses were processed and he received medical treatment for free, as stated by the Ukrainian Constitution.
9. The normal procedure is that the doctor and patient agree on the price in advance. Then the doctor might require an advance or 'trust' the patient.
10. Eventually Sergey will get along with the situation, will not pay anything and go home sound and safe, just to reassure the reader.
11. An informant reported, policemen were supposed to bring a certain amount of money to their superiors. Alternatively, they could be employed as manual workers. If the superior was building up a *dacha* (country house), they might be requested to produce bricks, raw material or even to work on the construction during their working hours. This information is relative to the president Kuchma's administration. Although I was told that Yushchenko's administration is less greedy, I have no concrete information on the matter.
12. I limit the discourse to the case of civic responsibility. When the driver breaks the penal code, it might be hard to maintain his right to convert this infraction into a cash payment.

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