

## *Corruption in Education and the Role of the Education System in Combating Corruption*

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*This programme was initiated through TI BiH "Advocacy and Legal Advice Centre" project (supported by German government). Pilot phase was **financed by Local Government, City of Banja Luka**, with assistance of TI "Accountability programme in the Western Balkans (government of Finland)" and Ministry of Education and Culture, Secretariat of Youth and Sport, Government of Republic of Srpska, Bosnia and Herzegovina.*



*Banja Luka, November, 2005*

## INTRODUCTION

Although the European and world philosophies have attached great importance to education and upbringing since the very first days of their existence, the philosophy of upbringing is one of the youngest philosophical disciplines. The idea that “edification at work is the first practical use of philosophy”<sup>1</sup>, i.e. that philosophy is in fact *paideia*<sup>2</sup>, is slowly but continually gaining momentum and forming a basis on which the philosophy of upbringing will finally be established, which will ultimately put it on a par with other traditional philosophical disciplines. That this should happen in a society as soon as possible is important not only for upbringing, but also for philosophy as such, because dealing with upbringing in a serious way is not possible without philosophy any more, nor is serious pursuit of philosophy possible by evading and marginalising issues of upbringing and education.

Preoccupied with big issues, philosophy has overlooked the question of educational and upbringing work, thus giving it over to those who treated the philosophy of upbringing as an “auxiliary science”. In an attempt to define itself as a separate science within the system of sciences, throughout its history (although this is not history in the true sense of the word, pedagogues merely call it so through ignorance) pedagogy has non-philosophically copied from the history of philosophy whatever addressed the issue of upbringing. Unfortunately, such an approach to philosophical texts is void of philosophical discourse, i.e. of what, if critically contemplated and creatively materialised, could have historically reached people through philosophical discourse and indicated what was still possible as really possible, not as predefined and compulsory.

So, neither is this possible for pedagogy which sees itself as the science of upbringing, despite its pretentious and imprudent aim to act not only as descriptive, but also as “normative science” of upbringing<sup>3</sup>. Pedagogy, therefore, acts neither as philosophy of upbringing nor as practical philosophy, and consequently neither as the critique of the existing upbringing nor as an endeavour to creatively improve it, but rather as a scientific illusion of the prevailing ideology, i.e. “scientific” description and prescription of what those in power expect from education and upbringing. Not only does such pedagogy feel no need for the philosophy of upbringing, but it also finds it bothersome. So, if allowed, pedagogy will do everything in its power to exclude philosophy. It is high time, however, that philosophy returned to upbringing and education and vice versa. This, of course, does not mean that pedagogy is impossible or unnecessary as a

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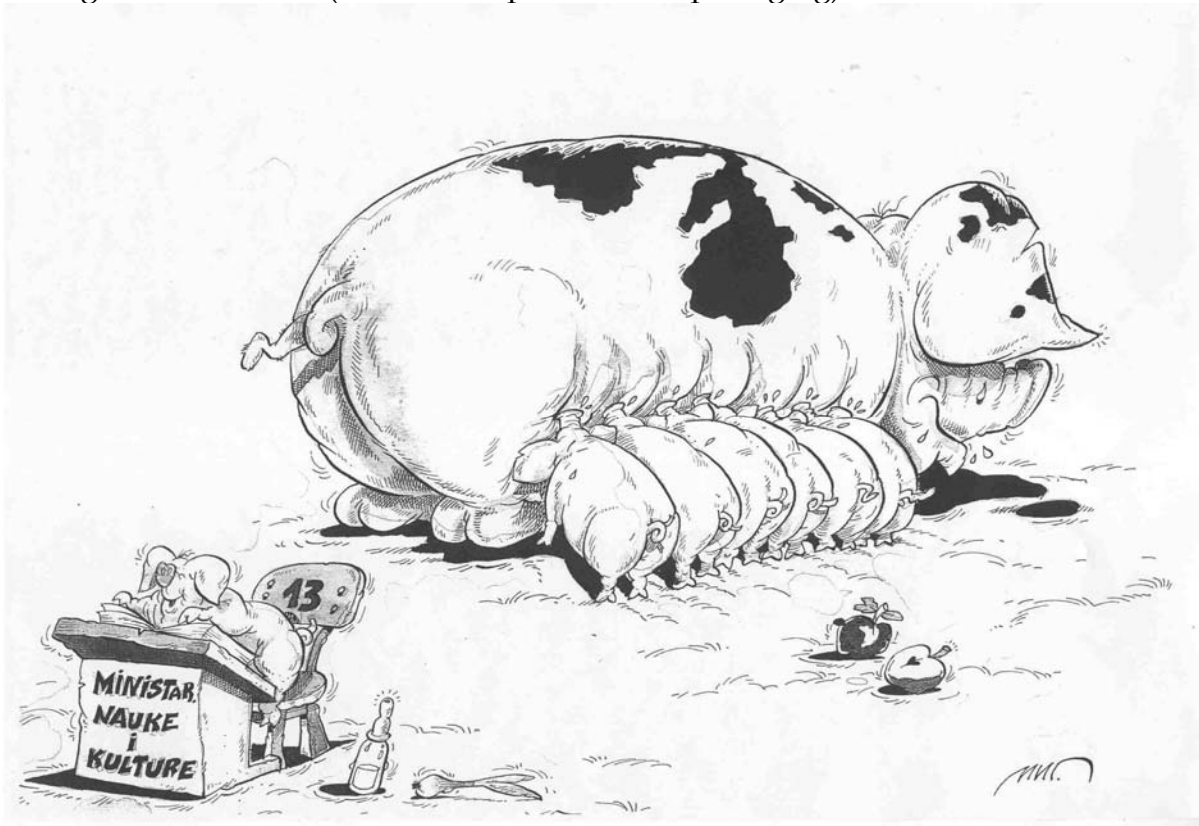
<sup>1</sup> Marinković, J/1983; p. 15,

<sup>2</sup> Despot, B.: “*Sociološko istraživanje mladih i problema obrazovanja*”, Fakultet prirodnih znanosti, matematike i obrazovanja, Sveučilište Split, 1991.

<sup>3</sup> Šimleša, P.: “*Pedagogija*”, Pedagoško književni zbor, Zagreb 1973, p. 21

science of upbringing. However, if this science seriously wants to be what it claims to be, it must free itself of express prescriptiveness that discredits it as a science because it inevitably places it in the context of authority, as it is an expression of will for power, rather than truth that each science by definition should pursue.

It is the task of philosophy, particularly the philosophy of upbringing and ethics as a scientific discipline, to contemplate the essence of upbringing and shed critical light on the possibilities of and attempts at its instrumentalisation in order to facilitate a genuine and realistic approach to educational and upbringing work. If education and upbringing is an intentional and purposeful effort, as it seems to be, then it is certain to contain elements of planning, but it can never (and this is very important) be a completely planned and premeditated activity. This is so because an act of creation is impossible to plan entirely, and true upbringing can occur only through creative work (unlike manipulation in upbringing)<sup>4</sup>.



Miro Gluhović

<sup>4</sup> Polić, M.: "K filozofiji odgoja", Zagreb 1993, "Znamen", Institut za pedagoška istraživanja

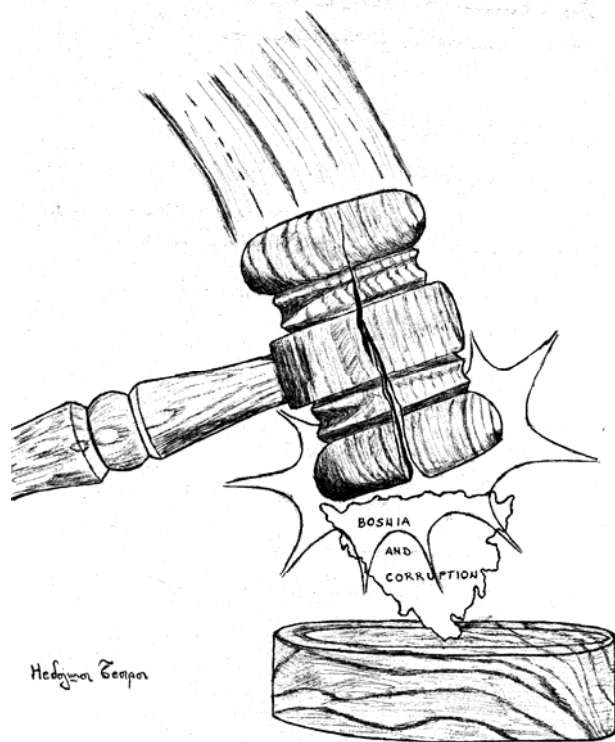
### *Corruption in the education system*

When we consider problems in the education system in BiH, as well as in the Western Balkans region as a whole, special emphasis is placed on corruption in any shape or form. It is important to underline this, especially in view of the recent conflicts and war destruction that affected this region and caused severe damage to it. This is also necessary to highlight because of the integration processes and aspirations of all countries in the Western Balkans region to become full members of the European Union. The education system should be one of the priorities and instruments of the integration process both among the individual countries in the region and in relations with the European Union. The presence of corruption in the education sector is most frequently associated with problems in the functioning and reforms of the secondary and tertiary education. Corruption is significantly less widespread in primary education, or, to be more precise, there are fewer opportunities for corruption in primary education. The experience TI BiH has gained in implementation of the ALAC project (Advocacy and Legal Advice Centre) shows that corruption in primary education is exclusively associated with nepotism and public procurement practices. Although these problems have an adverse effect on the development of the teaching process and general conditions of education, they have not yet reached alarming proportions, as is the case with secondary and, especially, tertiary education.

According to the TI BiH's 2002 BiH Corruption Perception Study, corruption is remarkably widespread in secondary and tertiary education. As many as 89.3% of the respondents believe that at least one form of corruption is present in these institutions. Administrative corruption includes, for example, failure to fulfil duties and obligations on the part of civil servants, who tend to make personal gain to the detriment of their profession, thus causing enormous damage to the institutions they work in, society as a whole, and the education system in particular. The society whose values are compromised by crime and corruption has no prospect of becoming a member of the family of democratic societies. The state that closes its eyes or keeps them half-open to corruption has no place in the society of advanced countries. Reasons for corruption can be traced to the poor economic situation, low salaries of the teaching staff, lack of interest on the part of the state to solve problems in the education system, etc. However, according to a number of studies and surveys undertaken by TI BiH, realistic indicators are as follows: the surveys conducted in BiH in 2002 show that the majority of BiH citizens believe corruption is widespread in the education system "to a moderate degree". What could that mean? That means that not every teacher or professor is corrupt, but over one third of them are. A total of 24.7%<sup>5</sup> of the respondents think corruption is widespread in the education system "to a high" and "very high degree".

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<sup>5</sup> TI BiH, "2002 Corruption Perception Study".



Nebojša Beara

However, the 2002 results indicate that the education system is not nearly so affected by corruption as other public sectors. When asked about the reasons why corruption is so widespread, citizens perceive them in different ways. However, most of them think poor economic situation and compromised ethical values are the main reasons for corruption. A post-war society still undergoing transition can rightfully expect poor economic situation, but what should be done about moral values?

According to the 2004 Corruption Perception Study, the situation has improved somewhat, but only in terms of the percentage of the respondents who believe that corruption is widespread to a “moderate”, “small” or “very small degree”. However, the education system remains a relatively less corrupt sector. In the 2002 survey, the respondents thought of the education sector as the least corrupt public service. It remained so in the 2004 survey, although in a somewhat less percentage, i.e. there is a perceived growing corruption trend in the education sector or, at least, increased public awareness of its existence.<sup>6</sup>

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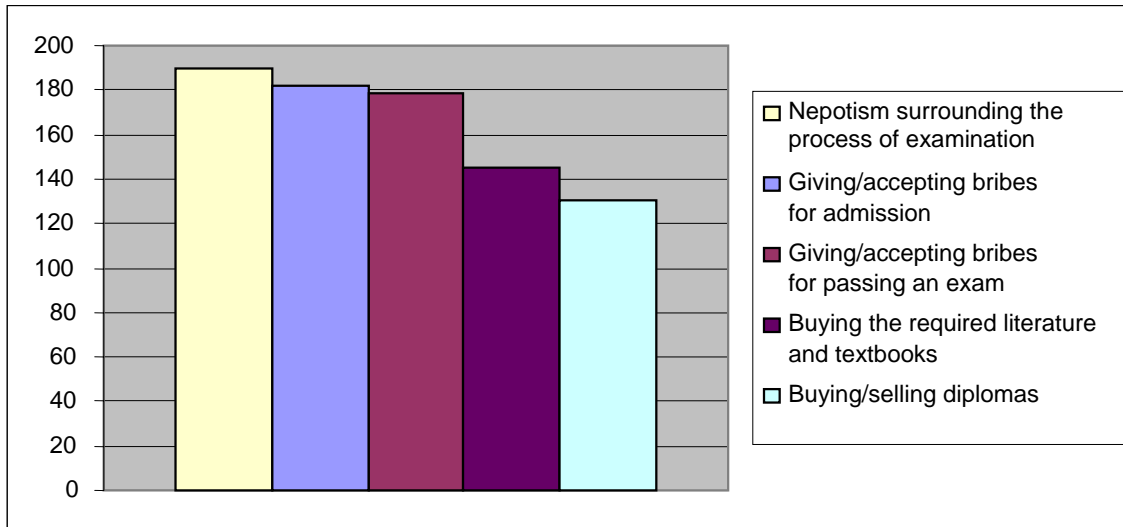
<sup>6</sup> TI BiH, “2004 Corruption Perception Study”.

### *Corruption perception surveys among students (quantitative survey)*

In response to a large number of cases of corruption in tertiary education reported by both students and professors, TI BiH undertook in June 2004 and January 2005 two corruption perception surveys among students of the two largest universities in BiH, namely in Banja Luka and Sarajevo.

The results of these surveys were presented in public debates and press conferences in both cities. The fact that no representative of the RS Ministry of Education and Culture showed up in the public debate, although they were duly informed of it, just goes to reinforce the impression that the Ministry is uninterested in solving the urgent problems identified in the surveys. However, a thematic meeting with the Ministry of Education was organised a little later, when the Ministry supported in principle TI BiH's efforts in this field, but what remains to be lacking is the genuine commitment on the part of the Ministry. However, it is necessary to note that certain organisational changes did take place in the Ministry. Younger personnel have got more power to make decisions and undertake initiatives, but they still do not have much influence in much-needed fundamental changes.

The corruption perception surveys conducted among students at the Universities of Banja Luka and Sarajevo had an aim to identify forms of corruption in certain spheres of the education system at these higher education institutions. All respondents were asked the same questions and offered the same answers, and the results differed only slightly. In short, corruption does exist in various forms and at different levels, and it affects almost every part of the system, especially examinations, textbooks, diplomas and admission process. Applicable here is the old saying "*when money speaks the world is silent*". In this particular case, money speaks where knowledge and ethics fail. The survey results show that at these two institutions one can achieve almost anything with money, even bypass the higher education system altogether by simply buying a diploma.

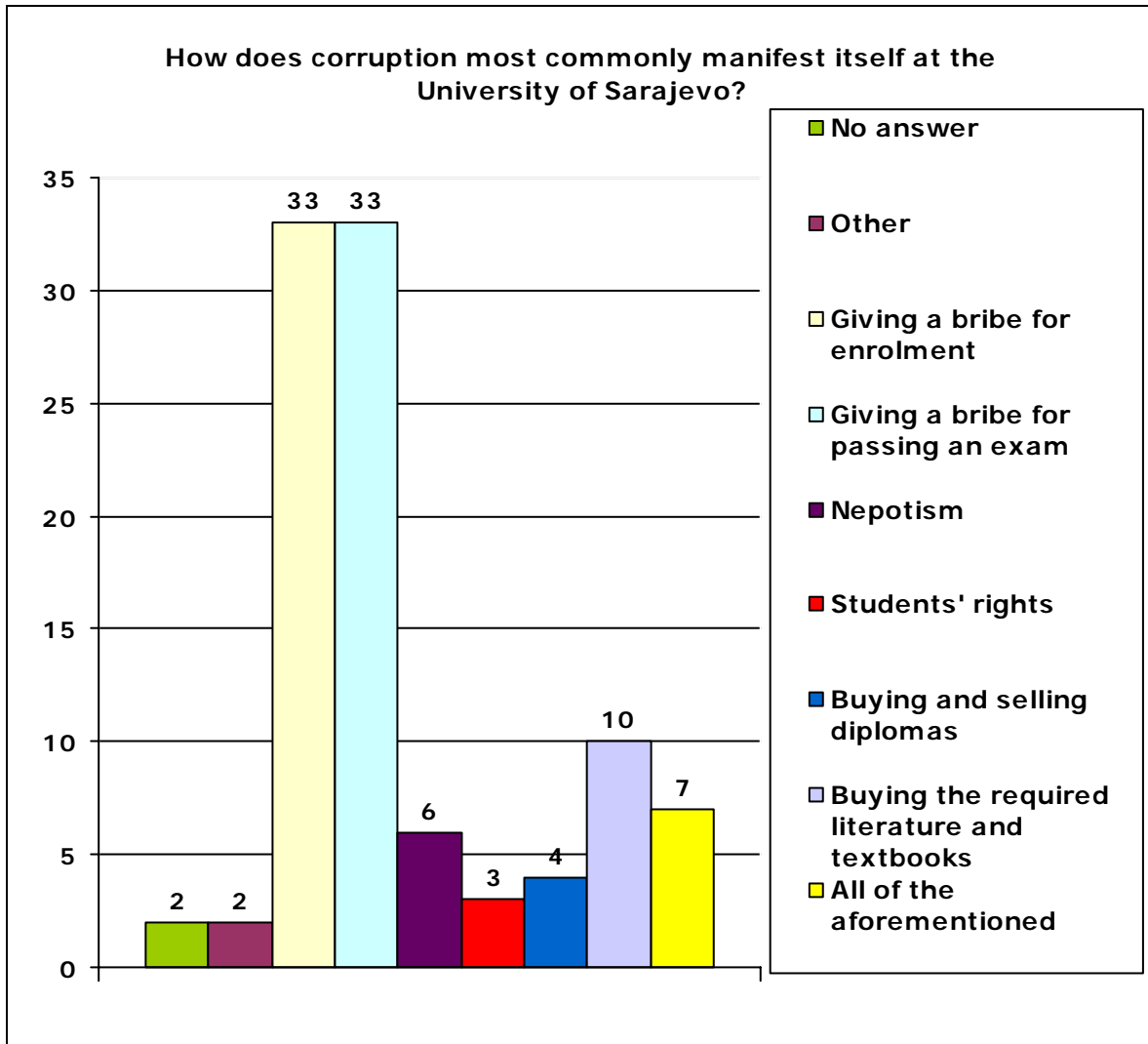


*How corruption manifests itself at the University of Banja Luka – average mark*  
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*The suggested answers are partly based on certain previous indicators and they have been developed on the basis of previous TI BiH's experiences.*

The survey results show that money or other forms of personal gain are most commonly given for admission and passing an exam, while family, personal and other connections are used for passing an exam and are likely to play a major role in admission as well. Buying and selling diplomas got the lowest average mark. Should one think of it as consolation?

What is even more depressing is the fact that students “have given up” fighting for their rights, as almost half of them (42.1% in Banja Luka and 43% in Sarajevo) said they would not undertake any action if asked to give a bribe. This is very discouraging, as it suggests that not only students are inert when their rights are concerned, but they also remain acutely unaware of the fact that this contributes to the degradation of their knowledge. One might ask: what if this trend continues? Will these faculties be recognised in future in terms of their scientific and research work and what would that mean for somebody who graduated from a particular faculty at these two universities? How valid will their diplomas be? To what extent will the international academic community recognise the work of our universities and what will happen with our students? What about the efforts and money invested, not to mention research and scientific works and papers, which are rather scarce anyway? Where will this take the academic community and how much damage will this cause? Who will suffer the consequences?



*How corruption most commonly manifests itself at the University of Sarajevo - percentages*

The survey undertaken at the University of Sarajevo has confirmed the results of that conducted in Banja Luka. Corruption is most obvious in admission and examination processes at faculties. Nepotism is present to a much smaller degree than at the University of Banja Luka. A great percentage of the respondents chose the answer that encompasses all of the forms of corruption offered as possible answers. A relatively small percentage of the respondents think corruption is present in the form of buying and selling diplomas, which is similar to the results of the survey conducted at the University in Banja Luka. The indicators can be defined as very negative, because, when asked about the existence of corruption, only 1.3% of the respondents from Banja Luka and 3% of those from Sarajevo said there was no corruption at faculties. A small percentage of indecisive or frightened students did not answer this question, while 93.6% of the respondents in Banja Luka said that corruption existed with opinions differing as to its extent.



The results of the survey conducted at Sarajevo faculties are similar. As many as **91.8%** of the respondents believe there is corruption at university. The survey that TI BiH conducted in higher education institutions in Sarajevo and Banja Luka is representative of the student populations in both cities. The survey took a representative sample of 300 respondents from the University of Banja Luka and 500 respondents from the University of Sarajevo. The indicators are clear – corruption has become an integral part of the university life, at least judging from the opinions of students as possible participants in corruption. What is even more worrisome is the fact that a high percentage of students from both universities would not react to cases of corruption. The causes of this lethargic response to the situation and inexplicable acceptance of this malign phenomenon should be looked for in both students and professors and treated by taking a right approach to upbringing and education.

A more in-depth analysis of the discussions about corruption indicates that there are even more causes of such an unsatisfactory situation. To put it mildly, the causes lie in lack of awareness of one's own rights and possibilities (i.e. ignorance about the law that could facilitate the achievement of a certain goal and lack of knowledge about basic civil rights) or, to put it less mildly, the causes can be traced to a strong sense of inferiority in people, which naturally leads to apathy and reconciliation with the existing situation.

The fact remains that, when asked about corruption and places where one most often encounters it, the majority of the respondents say that corruption is *inter alia* present in the education system. Therefore, this study should deal not only with corruption in education and the forms it takes in this segment of society, but it should also seek out models for educating citizens, especially young people, in anticorruption combat and raising awareness of the existence of corruption, its effects and ways to curb it. It is difficult to measure out to what extent the internal self-valuation and self-respect is conditioned by the collective experience, traditional notions and norms or whether it appears as a defence mechanism against the obstacles that seem insurmountable.

For the aforementioned reasons, TI BiH organised on 29 September 2005 in Banja Luka a qualitative study of this problem and held a focus group with representatives of the line ministry, association of scientific and teaching staff, professors and OSCE representatives.

## ANALYSIS OF THE FOCUS GROUP

The focus group was organised by the TI BiH's staff and volunteers<sup>7</sup>.

### TOPIC I

#### BRIBERY AND OTHER FORMS OF CORRUPTION IN THE EDUCATION SECTOR

Each participant in the focus group was given a list of areas in which corruption occurs, might occur, exists, etc. Based on their knowledge, opinion and experience, the respondents were asked to assess the extent to which corruption occurs in each of the following areas.

<i>Clientelism, nepotism, cronyism</i>	4.5
<i>Employment</i>	3.5
<i>Teaching process</i>	2.5
<i>Advancement/promotion</i>	2.7
<i>Scientific work/research</i>	3.3
<i>Testing/marking</i>	2.3
<i>Enrolment into university/secondary school</i>	3.1
<i>The required literature</i>	2.2
<i>Diplomas/certificates</i>	2.3
<i>Conflict of interest</i>	3.5
<i>Structure management</i>	3.7
<i>International cooperation</i>	2.5
<i>Cooperation with other institutions</i>	2.3
<i>Public procurement</i>	4
<i>Fiscal system</i>	3.1
<i>Access to information</i>	3.5
<i>Transparency</i>	3.5
<i>Inspection/supervision/control</i>	3.8

It is important to note that the results in the table are presented as a sum of the marks given by all participants on a scale of 0 to 5, where the marks had the following values:

- 0 - there are no problems whatsoever
- 1 - there is a problem to a certain extent
- 2 - there is a problem, but it is not dominant
- 3 - there is a problem and it is dominant
- 4 - problem is present to a large extent
- 5 - problem is alarming

<sup>7</sup> The list of participants in the focus group and the methodology used is given in Annexe 1.

The respondents' first reaction to the above table was that the first item in it represents the very essence of corruption, so they jointly agreed that corruption is most obvious in this area because these forms of corruption are present in every aspect of our lives and form a malign tissue which thwarts the normal functioning of society, first at the primary level and then in all other spheres of society. One of the participants in the focus group said: *"Owing to corruption, higher education does not produce experts, but quasi-experts, which is why we don't have elite, but quasi-elite. For decades the top of our education pyramid has been occupied by "experts" coming from vocational schools, which is why all this is happening to us."*

When expressing their views about corruption in the abovementioned areas, the participants in the focus group almost unanimously agreed that the most serious problem of our society was the fact that various forms of corruption started to live as separate organisms, parasites in society. Clientelism, nepotism and cronyism are almost impossible to avoid in the everyday functioning of society at all levels. The participants recognised that corruption was widespread in public procurement practices in schools. Many of them witnessed corruption on several occasions, e.g. when decision had to be made about contracting firms for construction works, but reported to have been unable to oppose the obvious corruptedness because of very strong "lobbying". The education system faces numerous problems, besides those marked as most serious. Although they gave highest marks to corruption in public procurement and work of inspectorates, the respondents also identified corruption in the areas related to the education process and functioning of the education system, especially the managements of schools, faculties and universities, which follow the rules known only to a small group of people and operate without clear procedures and without rational and functional instruments.

Corruption was naturally identified in other areas of the education system besides management, but it is in these areas that the *solution* was recognised too. Anticorruption combat should start with a fundamental reform of the education system and it should be done by educating and upbringing young people in a proper way because the education system does not only imply education and upbringing, but also creation of young, conscious people as well as production of healthy persons that represent the heritage and future of a people, nation or a state. Although this is a long-term process, the things will not move along so long as somebody does not make the first step.

Further solutions to these problems can be found in a whole range of actions that aim at changing public awareness. It is in the education system itself that anticorruption combat should undoubtedly commence if highly moral persons are to be educated, who could subsequently be an effective instrument in combating corruption. Another solution is the citizens, who, if given adequate information and knowledge about the relevant legislation, can raise their voice against

corruption. As common as these proposals might seem, they can still serve as a basis for specific actions such as *establishing an external and independent control mechanism*, etc. However, there is a prevailing opinion that “*nothing can be changed*” or “*it is very difficult to change anything*”. This is sometimes very close to the attitude that any form of anticorruption combat is either inevitably doomed to long-lasting actions producing only marginal effects or calls for a complete change of management structures at all levels, which the respondents find almost impossible to enforce. During the focus group discussion, the participants identified the following as the main problems:

- managers who have been in office for several mandates but are doing almost nothing to effect positive changes;
- professors and scientific-teaching staff who only fictitiously work at the university, while in fact they are committed to political careers and use education for the attainment of personal goals;
- the 2004 audit report about the work of the line Ministry, which failed to act on the recommendations of the Supreme Office for the RS Public Sector Auditing and did not adopt a plan and programme for rectifying the identified irregularities:
  - the Ministry did not ensure efficient functioning of the accounting system;
  - there are no internal control mechanisms and no adequate inventory of resources, sources, obligations and outstanding debts;
  - the Ministry did not carry out public procurements in accordance with the law (procurements were fragmented with the aim of evading public bidding);
  - budget planning is not based on the planned programme tasks;
  - procurement of permanent funds does not go through the account;
  - significant investments in buildings and facilities without knowing their property status;
  - no record of the property acquired through joint investments with municipalities and funds received from donations and credits;
  - the Ministry has not introduced controls on the work of other institutions that are within its jurisdiction (the Institute for Preservation of Cultural, Historical and Natural Heritage, the Pedagogical Institute, the Archives, the Secretariat for Sports and Youth and the Secretariat for Religions);
  - contracts were signed on behalf of the Ministry by persons who are not authorised to do so, etc.

All these speak in favour of a very absurd situation that calls for novel approaches, strategies and actions. Support in these changes is expected from nongovernmental organisations, although opinions as to their engagement vary widely: some believe that NGOs can prove helpful, while others are of the

opinion that most NGOs are guided by personal interests of people who work in them or they work in the wrong direction, or at least this has proved to be so. There is virtually no trust in the government – at least not among the respondents who work in governmental institutions. What they expect is the establishment of independent commissions that would take care of transparency in all the abovementioned areas. Emphasis was placed on the commissions that make decisions about the recruitment of new staff or professional advancement of the existing ones. It was noticed that due to inadequate regulations and procedures and lack of transparency in the work of these commissions, recruitment of new competent staff, especially young people, is obstructed because personal connections, familial ties, etc. have become more important than expertise and competence. Such a system leads to pessimism among young experts and “brain drain” or forces these people to go for jobs that are inappropriate for their level of knowledge. A question was raised about who supervises the work of these commissions and whether they apply the same criteria for the revision of the work of old staff and for selection of new candidates.

Another serious problem concerning corruption in the education system is the lack of transparent procedures for public procurement where they are supposed to exist. Open job competitions are not announced, which constitutes a deliberate attempt at preventing certain people and allowing the advancement of other, chosen people, supposedly, according to the “rules” of nepotism and clientelism.

Another discouraging finding is that there is very little trust or no trust whatsoever in governmental institutions and organisations as potential actors of positive changes and sources of support to citizens in solving these problems. Almost all of the participants in the focus group displayed a similar level of pessimism about progress towards solving the abovementioned problems, emphasising that all these things are interlinked and one cannot be solved without the other (*vicious circle*). There are only sporadic examples of relatively proper functioning of the system (e.g. recruitment based on merit) or positive steps that could lead to the improvement of the situation in education (the new University Law in Republika Srpska or the new Law on Higher Education in BiH which are yet to be implemented). However, the respondents think it is realistic to expect certain progress, at least because “*we are just one step before reaching the bottom and once we reach it, we can only go forward*”.

## Conclusions:

- Cronyism, nepotism and clientelism embody the very essence of corruption. The respondents therefore jointly agreed that corruption most commonly manifests itself in these forms as they are present in every aspect of our lives and form a malign tissue which thwarts the normal functioning of society, first at the primary level and then in all other spheres of society;
- Corruption was identified in the areas related to education and the functioning of the education system, especially the management structures in schools, faculties and universities, which operate in accordance with insufficiently transparent rules;
- Corruption was also identified in other parts of the system, but this is where the solution was identified too;
- Anticorruption combat should start with a fundamental and comprehensive reform to the education system;
- Education and upbringing should mean the creation of young, conscious people as well as production of healthy persons, who should represent the heritage and future of a people, nation or a state.



Predrag Ikončić

## TOPIC II

### CHANGES THAT HAVE TAKEN PLACE (IF THEY HAVE TAKEN PLACE) IN THE ABOVEMENTIONED AREAS AFTER RATIFICATION OF THE BOLOGNA DECLARATION AND BEFORE THE ANNOUNCED WIDE-RANGING REFORM TO THE EDUCATION SYSTEM

Each participant in the focus group was given the same list of areas in which corruption occurs as in the table above. The marking system was the same, with only one difference. Namely, the marks had opposite values because the respondents were supposed to rate the level of changes that have occurred, if they have occurred, at different levels of the education system.

<i>Clientelism, nepotism, cronyism</i>	1.2
<i>Employment</i>	1.3
<i>Teaching process</i>	1.5
<i>Advancement/promotion</i>	1.3
<i>Scientific work/research</i>	1.3
<i>Testing/marking</i>	1.5
<i>Enrolment into university/secondary school</i>	1.5
<i>The required literature</i>	2
<i>Diplomas/certificates</i>	1.7
<i>Conflict of interest</i>	1.8
<i>Structure management</i>	1.5
<i>International cooperation</i>	2
<i>Cooperation with other institutions</i>	1.8
<i>Public procurement</i>	1.6
<i>Fiscal system</i>	1.7
<i>Transparency</i>	1.6
<i>Inspection/supervision/control</i>	1.6

- 0 - situation is much worse,
- 1 - situation is worse
- 2 - situation has not changed
- 3 - situation is better
- 4 - change is visible
- 5 - situation is much better

The first reaction of the respondents was very negative, as they seemed to believe that no changes have taken place in any of the above-mentioned areas. The respondents very often gave zero marks to all the areas. Somewhat higher marks were given to “*cooperation with other institutions*” and “*international cooperation*”, although the situation was found to be almost unchanged in these areas too.

Generally speaking, or at least judging from these marks, the participants in this group discussion do not entertain a positive opinion about the changes that have supposedly taken place since ratification of the Bologna declaration, which is when the governmental institutions announced a comprehensive reform of the education system. The marks given ranged between *"situation is much worse"* and *"situation has not changed"*. A great deal of the abovementioned areas were rated as *"much worse"* than they were two years ago, while two areas were rated with *"two"*, which means that the *"situation has not changed"*.

It is important to note that the respondents gave comments spontaneously without any restrictions and guidance on the part of the moderator, who just gave non-suggestive and general instructions. The initial attitude towards this topic, which was based on partial resistance to the tested concept, showed that the respondents' views were authentic and the data are logical and compatible with survey results.

The structure of the question asked in Topic II only shows the grouping and categorisation for the purpose of easier understanding of the authentic contents and needs of the participants in this focus group. The main problem in the discussion about this topic is that the respondents had said *"there was no application of the Bologna Declaration whatsoever"* even before the serious discussion began. This was the view of one respondent, which was generally accepted by everyone.

The main problem is that those who should take part in the implementation of the Bologna Declaration are not entirely familiar with its details and guidelines. There is a general agreement that the guidelines must be adhered to because *"if we want to become a member state of the European Union, we have to adopt the European criteria"* and, most importantly, we have to know whether these guidelines can be followed or not, how they should be applied and over what period. Critical approach to this problem was evident when the respondents expressed the opinion that the complete management of the education system was *"on the wrong track"* and that the staff working in the education sector, together with students and the entire academic community, were to blame because they were inert and did not exert pressure on the government through the existing legitimate bodies that should deal with the reform of the education system and implementation of the Bologna Declaration.

The new University Law of Republika Srpska was accepted with approval as its provisions contain almost 90% of what is required by the Bologna Declaration. However, there was a certain amount of pessimism with regard to its enforcement, i.e. timely and full implementation. Negative emotions emerged again when the respondents said that illiteracy and lack of education on the part of citizens posed an obstacle to the development of the country and society!?!



The respondents were also negative about cooperation between the line Ministry and teachers and professors, about contacts that had not been made and lack of interest on the part of the Ministry for real problems in the education sector. The respondents expressed disbelief at the information that there is the Administration Agency and Commission for Complaints, because they did not know of their existence. Summing up the respondents' comments and statements and analysing their perception of changes in different segments of education, we can say that no significant changes have taken place and the situation in all segments is worse than it was before, but is better than it will be in the future because *"we are just one step before reaching the bottom"*. Despite the pessimistic mood that permeated the discussion about changes that, after all, have not taken place in the above-mentioned areas, the respondents agreed that there were some indications that the situation could take a turn for the better:

- *There is progress if there exist complaint channels such as the Administration Agency and Commission for Complaints,*
- *New law will be adopted soon and its implementation will commence,*
- *The work of certain NGOs is a welcome and positive change,*
- *Significantly better cooperation with international institutions,*
- *If there are any positive changes, they were produced by the institutions that took part in the signing of the Bologna Declaration,*
- *Knowledge and merit should be the paramount eligibility criteria in future.*

Conclusions:

- Judging from the responses, the participants in this group discussion do not have a positive opinion about changes that have taken place after ratification of the Bologna Declaration;
- At the very beginning of the discussion, the respondents agreed that *"there was no application of the Bologna Declaration whatsoever"*;
- Critical approach to this problem was evident when the respondents expressed the opinion that the complete management of the education system was *"on the wrong track"* and the staff working in the education sector, together with students and the entire academic community, were to blame because they were inert and did not exert pressure on the government through e.g. nongovernmental sector or legitimate bodies that should deal with the reform of the education system and implementation of the Bologna Declaration.

### TOPIC III

#### POSSIBLE NEGATIVE CONSEQUENCES OF THE APPLICATION AND IMPLEMENTATION (OR NON-IMPLEMENTATION) OF MEASURES BY TOPICS - WHAT CAN CORRUPTION LEAD TO -

Here again, the respondents were given a table describing “possible” consequences of corruption which were derived from the “answers” given in discussions about the previous two topics. The respondents were asked to rate the possible consequences of corruption with marks on a scale of 0 to 5.

<i>Control over the education system by political parties</i>	3.6
<i>Decrease in the quality of the teaching and scientific staff</i>	3.6
<i>Students are deprived of knowledge and skills</i>	4.1
<i>Lack of prospects for professional advancement and promotion</i>	4.1
<i>Lack of scientific and research work as a basis for progress</i>	4
<i>Production of less educated staff</i>	3.8
<i>Limited acquirement of knowledge and disappointment on the part of students</i>	3.5
<i>Illegal accumulation of wealth, copying, copyright infringements, one-sidedness</i>	4.3
<i>Uneducated, untrained and inadequate staff</i>	4
<i>Poor management</i>	4.3
<i>Dissension, self-will in management and structural collapse</i>	4.3
<i>Isolation</i>	4
<i>Disorganisation and lack of common interest</i>	4.3
<i>Inappropriate use of budget funds</i>	4
<i>Creation of an illusion of success</i>	4.1
<i>Prevention of the proper/real development of the education system</i>	3.7
<i>Failure to implement laws and procedures and punish systematic abuses of power, misappropriations and breaches of law</i>	4.2

- 0 - there are no problems whatsoever
- 1 - there is a problem to a certain extent
- 2 - there is a problem, but it is not dominant
- 3 - there is a problem and it is dominant
- 4 - problem is present to a large extent
- 5 - problem is alarming

All the participants in the focus group think that problems do exist to a very large extent. Thanks to the “tradition”, legacy of the communist era and unwritten rules, corruption has installed itself in all domains of everyday life and become a normal part of the education system.

Although the members of the focus group see that the causes of this lie, to a certain extent, in the legacy of the former regime, they also identify them in lack of respect for the law and omnipresent corruption. According to the respondents, the blame, in the broadest sense of the word, for this situation and lack of accountability rests with university managements, highest-ranking government officials and all those who were in a position to bring about positive changes over the last few decades, but decided not to do so.

According to the respondents, combat against corruption and crime has not even begun (or is still in embryo), while crime, in the widest sense of the word, is on the increase. Judging from the marks they gave, most members of the focus group see the situation in higher education as very grave.

Laws are not implemented or are implemented very slowly. Budgetary funds are spent unwisely, i.e. it is unknown where the funds earmarked for budget beneficiaries are going. This is happening to such an extent that educational centres do not have money for some of the basic teaching aids and educational materials. Here again, the respondents think that the blame falls on all those who participate in corruption, i.e. the blame lies with those who initiate corruption and those who accept it, but the special blame rests with those who keep their eyes shut to numerous cases of corruption.

The most serious problems of educational corruption can be noticed in the area of management, in terms of self-will, dissension and structural collapse, and lack of common interest and organisation between high-ranking and low-ranking educational institutions, which act as autonomous organisms rather than in symbiosis, as they are supposed to. The problem was also identified in the teaching process. One of the members of the focus group said: *"How can my students think of acquiring knowledge if they think of my moral values and possibilities of bribing me"?*

A lot of respondents expressed bitterness over the lack of opportunities for professional growth (*"there's always some relative, godchild, child of the colleague from the political party or son/daughter of dad's/mom's friend who goes abroad for professional advancement..."*) and lack of scientific work, research and academic papers which would constitute a basis and recommendation for further advancement.

The following are some of the recommendations arising from this part of the survey:

- Insecurity, vulnerability, feeling that the important decisions about education are made *"somewhere else"*, could be certainly reduced if there

was better communication between ministries, faculty managements, i.e. universities and professors and students;

- It is very important to designate a person who will communicate with the media on behalf of the education sector. It is necessary to pay more attention to organisation and professionalisation of PR departments in educational and academic institutions;
- Change of the existing management structures would contribute to the better functioning of the education system and increased transparency;
- It is necessary to organise on a sound basis institutions that would be in charge of selecting and recruiting new staff, advancement, and quality control in terms of monitoring progress and supporting scientific work;
- It is necessary to introduce independent, external controls on several levels, which would help to nip corruption in the bud;
- It is imperative that young people are taught to become moral and conscientious individuals, which is the primary goal of education;
- Besides ratifying various declarations and laws, it is also necessary to implement them. As one of the participants in the focus group said: *"...one should start with workshops and seminars that would introduce direct (and indirect) beneficiaries to these changes; it is necessary to set up commissions, agencies and services that would be responsible for implementation and, ultimately, monitoring of these laws and declarations..."*;
- First of all, it is necessary to devote closer attention to education of as much of the population as possible and work on the development of critical thinking among citizens and civil society as a whole.

Throughout discussion, the respondents displayed heightened sensitivity to these topics. Although such reactions sometimes activate some of the positive potentials, they can also generate undesired associative and emotional responses, which was the case with the participants in this focus group. These topics definitely deserve more time and dedication, especially when such a touchy and important issue as educational corruption is concerned.

However, one of the main conclusions arrived at during discussion is that emphasis should be placed on education of both young people and adults with the aim of making them conscious and conscientious participants in positive and democratic changes in civil society.

The system of teaching, studying, marking and enrolment into faculties and secondary schools should become more transparent. Good practices from countries that have gone much *"further"* than BiH in terms of reforms to the education system, should be used as models for reforms of our education system, of course, in accordance with the identified needs and real possibilities. It is necessary to start applying these positive examples in our education system,

otherwise the much-needed reform will be subject to sporadic initiatives and remain "a dead letter". At the time of writing, information was published that the new BiH Law on Higher Education was being prepared. A working group was formed for the purpose of realising this process. The group has been given a deadline to prepare the draft law by 9 December 2005, when the Parliament is supposed to adopt it. Will this process go unnoticed too? Is this just another political farce when higher education is concerned? Whether the newly-adopted Higher Education Law is going to offer real possibilities, set priorities and be implemented in a transparent and responsible way remains to be seen. The roof Law on Higher Education has been discussed for years. However, various obstructions, petty interests and political conditioning have significantly delayed its adoption, which mostly affects professors, students and scientific workers.

***Will the educational reform bring about changes and will the corruption trend be discontinued?***

Having the aforementioned in mind, one can think in the following direction. If we accept that the countries which invest heavily in education have the lowest level of corruption and the highest attainable living standard, we can conclude that it is the education system that is supposed to bring about changes. *These are the changes in behaviours and attitudes towards education and culture, towards public institutions, towards accountability, market, moral values, business behaviours and solidarity of the society. These are the changes that help to curb corruption, enhance accountability and improve the standard of living.*

These are the necessary changes, but do they occur? Yes, they inevitably occur, but at the moment they are poorly run, implemented on an *ad hoc* basis, without clear vision, strategy, aim, timeframe needed for individual actions, without parameters to be assessed, without clear instruments to be used and without real monitoring and evaluation. Changes to the education system constitute a serious, if not the most complex, intervention in a social and political system. They are not to be carried out without meticulous preparations, thorough analysis of the existing "state of affairs", adequate financial support, social consensus, appropriate legislative support, realistically set goals of education, and valid assessment of effects and various consequences arising from these changes. These changes should be seen as the most momentous event in the cultural history of a nation, people or society as a whole, which will fundamentally change its civilisation code, its value system and mentality, its truth and "outlook on life", its tradition and reality. These changes manifest themselves in a number of components (anthropological, psychological, economic, political, sociological, cultural and ideological, etc.). Reforms to the education system should therefore not be undertaken offhandedly and hastily, let alone for political or trendy reasons, nor

should they ever be carried out without the necessary “*pool of experts*” and support from “*subjective factors*”.<sup>8</sup>

How serious these imminent reforms are, has more often been indicated by those who have less reason for fear than those who have entered them unpreparedly. By a bitter irony, the numerous risks accompanying these changes in the former socialist/communist countries were pointed out in many West European studies and by renowned macroeconomic and social analysts. For example, in his study “Universities after Communism”, Lord Ralph Dahrendorf, a renowned British philosopher and social theorist, has pointed to the problem of reforms in societies that are unfamiliar with *competitive spirit* in education, that have failed to create their *intellectual elites*, that have not cultivated *liberal spirit* and that have entrenched themselves into the monistic “*outlook on life*”.

Not only has this range of problems gone unnoticed by those responsible, but they also failed to address them. Another example, an economic power such as Germany spared no effort to address every single segment of the university education reform. No question was treated as trivial or economically insignificant. Therefore, there was no room for either reform surprises or unfounded enthusiasm. The reform is still undergoing a test of reasoned discussion and serious critical discourse. German Federal Government did not hesitate to ask a great number of questions, ranging from justification to expected results of the reform. In all the countries that were formed after the breakdown of Yugoslavia, however, the education reform of primary, secondary and tertiary education has not been accompanied by public debate, let alone consensus on fundamental issues. Everything is more or less concealed behind the cabinet and ministerial doors, hidden from public and expert scrutiny, i.e. from those who are most affected by the reform. It is not surprising, therefore, that those who should implement the reform are completely unfamiliar with its basic principles.

Tertiary and, to a certain extent, secondary education in the former Yugoslav countries was very good for the most part, even when compared to education systems in some more well-to-do western countries, and there was no need to arrogantly change and humiliate everything in it. In the meantime, not only did the line ministries fail to identify weak spots in the education system, make a situational analysis and produce a “project for rescuing the education system”, but they have systematically kept their eyes closed to any serious problem and buried their heads in the sand, leaving things to fix themselves – things like enrolment in the university, problems with classroom teaching, nepotism, extremely low salaries, teaching staff working at five or six schools/faculties, conflict of interest, falsifying, personal interests, neglect of students, etc.

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<sup>8</sup> “*Naša stvarnost i njemačka iskustva*”, Novosadska novinarska škola, Novi Sad, 2004.



Nebojša Peulić

## ROLE OF THE FREEDOM OF ACCESS TO INFORMATION ACT IN COMBATING EDUCATIONAL CORRUPTION

The Freedom of Access to Information Act was adopted by the Parliamentary Assembly of BiH in 2000. A year later it was adopted at the entity level. According to this Act, every natural and legal person has the right to access information in the control of a public authority. The purpose of this Act is to establish that information in the control of public authorities is a valuable public resource and that public access to such information promotes greater transparency and accountability of those public authorities. The following are some of the essential principles underlying this Act:

- *It promotes greater transparency and accountability of public authorities,*
- *It helps to detect and prevent crime and corruption,*
- *It contributes to the cost-effectiveness of the procedure and more efficient public spending,*
- *It promotes participation of citizens in the public authorities' decision-making processes,*

- *Free access to information promotes greater transparency and accountability of public authorities and is essential to the democratic process,*
- *It provides a legal framework for accessing information,*
- *It builds public trust in governmental institutions,*
- *It makes life easier...*

Better implementation of this Act would help to improve work of the managements in educational institutions (what the participants in the focus group most complained about) and increase transparency in all segments of the education system. This Act applies to all budget beneficiaries in the country, including those working in scientific and educational institutions. This Act and its implementation will enable greater transparency in one part of the work of educational institutions, create increased sense of responsibility in the most responsible individuals working in education, and make all the public information in the control of public authorities publicly accessible *here and now*<sup>9</sup>! United Nations recognised the right to free access to information as a fundamental human right in 1946, at the first session of the UN General Assembly, when Resolution 59 (1) was adopted: "Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated".

The Universal Declaration of Human Rights (1948) guarantees freedom of expression and free access to information in Article 19: *"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers"*.

The right to freedom of expression is also guaranteed in Article 10 of the European Convention on Human Rights, which BiH is signatory to. Article 3 of the Constitution of Bosnia and Herzegovina guarantees all citizens the highest standards of internationally recognised human rights and fundamental freedoms, including the right to freedom of opinion and expression. The Freedom of Access to Information Act defines "public authority" as any executive, legislative and judicial authority in the country. This means that citizens can seek information from any government, parliament or court in Bosnia and Herzegovina.

Furthermore, the Act is not confined only to the typical three-layered structure of the state, but it also applies to other organisations performing public functions or using budgetary funds (for example, public enterprises, hospitals, universities, schools, etc.), i.e. the institutions owned by or under the control of the government. The Freedom of Access to Information Act is based on the premise that all

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<sup>9</sup> The first law to regulate the right to access to information in the control of public authorities was adopted as far back as 1776 in Sweden (Press Act 1776).



information in the control of a public authority should be available to citizens and that public authorities have the obligation to disclose this information. Information means any material which communicates facts, opinions, data or any other content, including any copy or portion thereof, regardless of form or characteristics, when it was created and how it is classified.

To put it simply, information is any written or printed text, document, record, map, plan, written note, minutes, audio or video recording, photograph, sketch, electronic data, electronic mail or any other database.

In order to gain access to certain information in the control of public authorities, citizens should submit a request for access to information. The request has to be in writing in one of the official languages in Bosnia and Herzegovina. The competent authority should respond within 15 days by either delivering the requested information by post or allowing the requester to visit the competent authority and make a photocopy of the requested information. If citizens contact a public authority that is not competent for disclosure of or does not have the requested information, it is the obligation of this authority to transfer the request to the competent authority. However, there are certain exceptions. The Act also provides for cases when public authorities are exempted from disclosure of the requested information. There are three groups of exemptions. The first group refers to exemptions for functions of public authorities and applies in cases where disclosure of the requested information would reasonably be expected to cause substantial harm to the legitimate aims of public authorities (the foreign policy, defence and security interests, and the protection of public safety; the monetary policy interests; crime prevention and crime detection; and the protection of the deliberative process of a public authority insofar as it involves the expressing of opinion, advice or recommendation by a public authority). The second group of exemptions applies in cases where the competent authority reasonably determines that a request for access to information in its control involves the confidential commercial interests of a third party, whose disclosure would result in irreparable harm to the third party in question. The third group of exemptions refers to the protection of personal privacy. Notwithstanding the abovementioned exemptions, the Act introduces the so-called public interest test. Public interest test, which is carried out by the authority in control of the requested information, means that the a competent authority shall disclose the requested information, notwithstanding the abovementioned exemptions, where to do so is justified in the public interest having regard to both any benefit and harm that may accrue from doing so. In determining whether disclosure is justified in the public interest, a competent authority shall have regard to considerations such as but not limited to, any failure to comply with a legal obligation, the existence of any offence, miscarriage of justice, abuse of authority or neglect in the performance of an official duty, unauthorized use of public funds, or danger to the health or safety of an

individual, the public or the environment. Should a public authority refuse to comply with the request, the requester can file an appeal with the authority from which the information was requested, whereupon the appeal shall be forwarded to the second-instance authority which will consider the appeal and issue the appropriate decision.

If the requester is dissatisfied with the second-instance decision, he or she can institute administrative procedure before the competent court.

On the occasion of the International Day of Freedom of Access to Information, every year TI BiH organises a conference for representatives of civil society organisations (CSOs) as well as youth and students' organisations in order to familiarise them with instruments provided for in the Freedom of Access to Information Act. These and similar activities will get priority in future work with CSOs, young people and students, primarily because this Act is currently one of the best instruments for continuous monitoring of the education process.



Nebojša Peulić

### *TI BiH's past experiences through the ALAC project*

The key issue here is the appointment of directors and school boards in secondary schools and deans and faculty councils at university. It is an open secret that schools, as well as enterprises and public companies, are “shared” among ruling political parties at different levels of authority. It is not at all uncommon to hear that a certain school “belongs” to a particular political party. This means that directors of primary/secondary schools obtained their positions primarily because they are members or sympathisers of political parties. As such, they are not answerable to anyone else but their political party (as was the case with Tito in the famous 1928 “bombers’ trial”). Of course, the selection of directors, albeit seemingly consistent with relevant administrative regulations, is definitely politically sponsored by both the relevant ministry, which is also partisan, and school boards, which are rather “colourful” in terms of their political allegiances and thus susceptible to manipulation and threats, which is particularly the case with the members who were elected to the board from among the school staff. The school board consists of 2 members of school staff, 2 representatives of the line ministry, 2 representatives of the parents and 1 representative of the local community.

As a consequence, school directors behave as little tin gods and regard themselves as untouchable. They are prone to dereliction of duty and misappropriation. They often lease school gyms, especially in wintertime, and keep little or no record of such leases in account books, they sponsor various “school” kitchens (regardless of whether these are their own premises, family relations or even school premises, but without clear contractual relations or adequate sanitary conditions), they organise excursions without meeting the relevant regulations and standards, they authorise organisation of exams outside the examination period, they enrol more students than allowed by the law, they invite fictitious tenders, they manipulate public procurement for their private gain, etc.

What is especially worrying here is that school directors are “masters of life and death” for their staff, they dismiss employees without explanation, reduce the number of classes they teach, etc. There is an illustrative example of a recognised and highly esteemed secondary-school teacher, who, in his capacity as the member of school board, raised the question of several unclear items in the school budget, which was his duty and obligation. First, his quota of classes was reduced, then he was dismissed, then the labour inspectorate reinstated him in his job, but he got dismissed again without disciplinary procedure having been conducted and without having been explained the reasons for his dismissal. The director told him to “seek justice in court” and threatened to call the police to physically remove him from the school premises.

It is obvious that the system is completely turned upside down. The following are the words of the abovementioned director, as reported by the highly esteemed teacher: "I'll sack you though I have no reason to, I'll take revenge on you for stirring up a hornet's nest, I'll discredit you as a man and as a professional and then you try to prove you're not guilty." This would be similar to prosecutor saying to the defendant: "You are guilty, you go to gaol, and now you prove you are innocent". This case is indicative of the prevailing behaviour among school directors. The director knows (or he does not know because he believes he is so powerful and untouchable) that he will lose the case, that the court will order the reinstatement of the sacked teacher, that he will have to recompense all court costs, lost wages and fees. However, what is most absurd, the director will not bear the consequences of his illegal actions and arrogant behaviour. Once the competent court issues the order to reinstate the sacked teacher, the director will do everything he can to prevent or at least slow down the reinstatement only because he is absolutely confident that his position as school director or, what is even more tragic, his reputation will not be called into question. Although the sacked teacher has had 37 years of work experience, he was sacked and exposed to moral, professional and financial humiliation without any disciplinary procedure, where he would be given an opportunity to answer allegations against him (which is the standard recognised in all procedure codes in BiH, the European Convention of Human Rights and a substantial body of decisions of the European Court in Strasbourg, Human Rights Chamber of BiH and Constitutional Court of BiH). Despite everything, neither the labour inspectorate nor the Pedagogical Institute nor the line ministry want to lift a finger to help him, because the director drinks coffee during work hours with the Deputy Minister. The trade union in the school protested strongly against the dismissal, but the director sacked the teacher even before he got their negative opinion. What is tragic is that there are no reactions to these and similar situations, but, on the other hand, there are no appropriate mechanisms for challenging the director's self-will either. The said teacher stresses that the director dismissed all former presidents of the trade union in that school in the same way. There are many similar examples in other schools to a greater or lesser degree.

As for higher education and "*purchase of knowledge*", it is an open secret that the diploma can be "*bought*" in two ways. The first way is cheaper but riskier - one can buy university diploma, but if they get exposed, everybody sees they have never even been enrolled at university. The other way is more expensive, but also safer - one can buy one exam at a time, while being full-time student at university, they have regular exam applications for each exam, every change is entered into the registry and student's booklets, and they eventually obtain officially recognised diploma. The fact that they learnt very little or nothing at all does not seem to worry anybody.

Another worrying fact is that the same person has been president of the university for 13 years and that there is no jurist in BiH who could be able to explain his "acting president" status for two years, while the university has lost its credibility because of its president and nobody seems to care much for that. What is even worse, the dean of a certain faculty has a deal with the prosecution for 3-month release on parole, which was confirmed by the competent court, but he still gets elected as dean. This case is mentioned for two reasons. First, deans simply dismiss professors and tell them to seek justice in court. Second is the election of the dean. In the election process participate full-time teaching staff at the faculty and external associates. At certain faculties, the latter hold only one lecture during the whole academic year, but they never miss the meetings of the Faculty Council, when they have to raise their hand and give their vote to the dean who regularly pays them for the job they do not do. It is known that no faculty has enough full-time teaching staff, so the faculty has to hire external associates (or visiting professors), who as a rule constitute majority in comparison to the full-time staff. It is only natural to expect that the visiting professors will always vote for the dean who hired them to work at his faculty.

Another case involves a still non-effective court ruling against a university president in connection with the fact that the election process was not conducted in accordance with the law. Allegedly, the ruling is waited to take effect, as if this was criminal proceedings, so that they can send him to gaol, while he has been in office for almost half a year now. But once the first-instance ruling is confirmed (if it is confirmed) no-one will ask: *"Well, what has this man been doing in office that he was illegally elected to and what will happen to the actions and activities he undertook during his mandate?"* In this case too, political connections are so obvious and recognisable that no-one even tries to hide them anymore.

But what about the most malign phenomenon reported by certain professors in connection with corruption in the process of obtaining MA and PhD degrees? In these cases too, the rules and procedures are met only formally, but not in reality. How is it possible that certain individuals can complete technically demanding scientific works such as doctoral theses in the field of mechanical or electrical engineering in less than a year or year and a half, when the professional community claims that the practice has shown that this is impossible without at least three, four or even more years of hard work, especially when technical sciences are concerned. The fact that certain individuals obtain postgraduate degrees in such short time while performing operative functions in line ministries or managing large private companies goes to show that it is unrealistic and impossible to acquire quality knowledge and ensure instruments for implementation of scientific works and achievements in such a short period of time while at the same time performing such demanding and responsible functions.



Zlatko Pavlović

### ***TI BiH's observations and key recommendations***

Given the results of previous studies, examples from TI BiH's everyday practice and experience in the field of education against corruption and combat against educational corruption, it is necessary to highlight a very important fact indicating the insufficient knowledge of the principles of the Bologna Declaration and the Bologna process on the part of competent institutions and those who should implement this process. This is exactly what the conclusions of the qualitative study show - those who should implement the Bologna Declaration are not familiar with its key principles aimed at ***quality, accountability, reality, credibility, development and efficiency***. This section identifies deficiencies and consequences pointing to the main problems in implementation of the Bologna Declaration.

Neither the public nor students nor professors at most faculties have been adequately introduced to the Bologna Declaration and the Bologna process. The Bologna process is a continuous process aimed at creating a unified education/academic space in whole Europe. It requires continuous evaluation and monitoring of learning processes and acquired knowledge and skills. It also

requires quality assurance mechanisms, credit transfer system, and orientation towards outcomes and competences. Curricula should be developed in accordance with the work hours of students rather than professors. It is also necessary to take account of social aspects; develop critical thinking in students as a basis for learning and studying; and allow interdisciplinary approach, mobility of students and professors as well as greater participation of students in the work of university. This will ultimately lead to recognition of diplomas, not only pro forma, but with the exclusive aim of achieving the most effective learning process. In a nutshell, *the Bologna process is based on quality.*

As this qualitative study does not aim to deal exclusively with the Bologna process, but rather with ethics and corruption in higher education, the TI BiH's future activities and projects will pay more attention to the Bologna process *per se*. However, one of the conclusions is that corruption in higher education undoubtedly hinders the development of the Bologna process.

*Questions to be raised before the academic community with regard to the functioning of higher education institutions and university as a whole:*

- Does future belong to small universities with supreme quality and strong competitive philosophy?
- Does "digital capitalism" breed a society of science and information technology and is it present at BiH universities to a satisfactory degree?
- Is the education system attractive enough for students from other countries?
- How will the knowledge acquired at BiH universities compare to those acquired elsewhere?
- Have better chances and shortcuts been created for "fresh people in science"?
- What capacities does the state have to go into expert and educational competition with universities from abroad?

As for the teaching process, conditions for studying, and methodology of acquiring knowledge and skills, it is important to mention that certain professors deliver only *ex cathedra* lectures (at some faculties for over 500 students), which in contemporary practice is considered to be merely one of the teaching methods. Furthermore, application of methods such as group work, mentorship and direct contact with professors, case study analysis, individual development, team work, development of interpersonal skills, acquirement of practical knowledge, utilisation of modern technology, etc. remains quite limited.

In order to improve this process, it is necessary to follow the following sequence of reform steps: development of a strategy, careful planning of the sequence of tactical steps, and, finally, putting each individual solution into practice. This logic

is “legitimate” in every system that aims to pursue a reform path. None of these phases should allow for wrong steps and mistakes. In other words, there is no excuse for a poorly prepared concept of reforms, and this particularly goes for systems characterised by unstable political institutions, limited economic power, shifting social values, unpredictable democratic prospects, poorly developed legislation, and legacy of an outlived ideological matrix amidst merciless transition process, which our society has found itself in either of its own will or because this was imposed on it or both.

***TI BiH's recommendations with respect to the still poorly developed curricula that define “Ethics” as a separate science and subject of study***

It is well-known that hardly any university/faculty in our region teaches “Ethics” as a separate subject or scientific discipline. What usually happens is that ethics is taught as part of another subject such as sociology, philosophy, psychology, etc., which should change in future for all the abovementioned reasons.

Students should be given the opportunity to study ethics as a separate science discipline and obtain postgraduate degree in it. Ethics, as a separate science discipline, should be taught to a much larger degree, regardless of the subject or type of science studied (i.e. it should be taught in natural and social sciences alike). Such ethics should study various concepts and topics of contemporary relevance, depending on the students’ and professors’ needs and interests.

Such ethics should first of all include *economic topics* (compulsory and voluntary consultations; globalisation and global market; recruitment and social control; social planning; ethics in public administration; sustainable development; business ethics and its impact on the environment, etc.) as well as *legal* (ethics of duties, morality and justice; right to truth; right to privacy; women’s’ rights; right to fair treatment; right to discretion; equality; right to make decisions; autonomy; accountability; ethics and the role of justice in transition, etc.), *philosophical and pedagogical* (definition of morality, ethical theory, norms and evaluation; relation between facts and values; heteronomy and autonomy; relation between “correct and good”; normative ethics; ethics of virtues; ethics of actions; theological and deontological ethics; utilitarianism, etc.), *psychological* (psychological hedonism and universal ethical hedonism; inviolability of life; definition of life and death; morality and rationality of suicide; euthanasia vs. natural death; active and passive euthanasia), and *medical topics* (patients’ rights; abortion; foetal research: contraception; in vitro fertilisation – homologous and heterologous; bioengineering; genetic research; medical education, etc.) as well as other areas of interest that deal with *ethics and logic, ethics and politics, ethics and genetics, astrological ethics, Christian and Islamic ethics, ethics of the media and press, general and common ethics, ethics as dialectics of moral experience, etc.*



### *Experiences in local communities*

In 2001, Youth Group *Milenijum*, an NGO from the Srbac municipality (northern Bosnia and Herzegovina), launched an anti-corruption initiative at the municipality level with support from the World Bank Small Grants programme, Open Society Foundation, International Rescue Committee, Care International BiH and Croatia, the Helsinki Citizens Assembly, Council of Europe, Ministry of Youth and Sport and the local government of Srbac. Since August 2003, activists from *Milenijum* have also been working with TI BiH, whose Advocacy and Legal Advice Centre in Banja Luka has been a contact point for students concerned with corruption since its inception.

The Municipality of Srbac adopted the Local Development Action Plan as part of the EU LIFE LICENCE Project for the developing countries and set new priorities for the future development of the town and the municipality as a whole. In order for scientific, research and professional community to adequately follow this process, a lot was expected from the cooperation with the Faculty of Science in Banja Luka. On the one hand, the local community has adopted a new approach to development and planning, while, on the other hand, the Faculty got an excellent institutional opportunity to develop research and new projects. So, in 1998 in Bardača (which is the base of the EU LIFE LICENCE Project and the largest natural habitat for birds and fish in this region, located some 15 km from Srbac) two research bases with the capacity to house over 30 researchers (professors and students) were built with the support of the Government of Republika Srpska and Government of Italy as a starting point for the future construction of an international scientific and research centre comprising a total of 9 buildings with all the accompanying facilities and infrastructure. The construction of the two bases was worth over KM 200,000. The research bases are located on the land plot with a surface area of 16,690 square metres, which the Municipality of Srbac gave to the Faculty of Science as a present.

The construction involved a large amount of money, hard work and commitment on the part of a great number of people. However, when the deadline for the construction of these important facilities expired and the international donors, partners and associates gathered at the opening ceremony, they found out that the whole process was not very transparent and that a certain amount of funds allocated for the construction of the international scientific and research centre was obviously misappropriated. Nobody is held responsible for that today. The faculty dissociate itself from the affair claiming that this was a major blunder of the education system and that the two buildings should be sold with the aim of improving the work of the Faculty of Sciences. The Council of the Faculty of Science has invited tenders for the sale of the two research facilities with a total floor area of 165 square metres for KM 279,193.00. These are two field bases

intended for the advancement of the teaching process at the Faculty through research of the Bardača biodiversity as well as for the development of the international research and scientific work, and they are directly linked with the adopted measures and plans of the local community through the LIFE LICENCE Project. Due to the interest politics conducted over the last few years and inappropriate privatisation that they themselves participated in, the local authorities have no professional or financial power and support to get engaged in this process on their own. People from Srbac and the Banja Luka region, especially young people and students, were very interested in and expected much from this project, but now they are utterly confused. Everyone is now afraid that the buildings will be sold and used for the purposes that are not related to research, scientific work and sustainable development. Much was expected from the development of this and similar programmes that are aimed at the development of local communities and their resources as well as the advancement of the educational process and support to the reform of those segments of higher education that have been identified as the most important (development of research and scientific work, mobility of students and professors, field work, practical training, etc.). On the one hand, in the context of the poor situation in higher education, scientific experts and institutions regularly complain that not enough funds are made available for the development of higher education, research and scientific work, that the Bologna Declaration is not implemented, etc., while, on the other hand, when there are both local and institutional conditions and prerequisites for this, those responsible for higher education make absurd decisions and misappropriate funds, leaving citizens, especially young people and students who are interested in these processes, utterly confused<sup>10</sup>. On the other hand, the official position of the Faculty of Sciences on the Bardača nature reserve as the largest habitat for birds and fish in this region is that Bardača has lost all characteristics of a nature reserve and lost the capacity to remain an oasis of nature, natural habitat and basis for scientific work and research due to the non-transparent and improper exploitation (tree cutting, inappropriate privatisation of natural resources and big, sudden artificial changes).

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<sup>10</sup> More information is available on: [www.milenijum-youth.org](http://www.milenijum-youth.org)

## ANNEXE I

### QUALITATIVE STUDY

#### **Participants:**

1. Prof. Jasminka Nikolić, PhD, full-time professor, Biochemistry Department, *Faculty of Medicine, University of Banja Luka*
2. Prof. Radojka Praštalo, PhD, full-time professor, Cybernetics Department, *Faculty of Electrical Engineering, University in Banja Luka*
3. Prof. Đurađ Davidović, PhD, *Faculty of Technology-Chemical Engineering, University in Banja Luka, Chairman of the Republika Srpska Association of Educational and Scientific Workers,*
4. Prof. Jadranka Regoje, *University Council in Eastern Sarajevo,*
5. Prof. Ilija Kalaba, professor of Democracy and Human Rights, *Grammar School in Banja Luka,*
6. Jugoslav Vuk Tepić, Head of the Higher Education Sector, *Ministry of Education and Culture, Government of Republika Srpska,*
7. Snežana Đorđević, Assistant to the Head of the Higher Education Sector, *Ministry of Education and Culture, Government of Republika Srpska,*
8. Radmila Trifković, *OSCE, Regional Centre, Banja Luka*

Such focus groups can be defined as group discussions on a selected topic, led by a trained moderator. What sets focus groups apart from other survey methods (apart from collecting information about people's characteristics and behaviours) is group interaction. Since attitudes and opinions are to a certain extent formed in interaction with other people, focus group offers a possibility of immediate insight into how attitudes are formed and how they change. Group interaction helps to articulate opinions more clearly and easily, exchange experiences related to the topic being discussed, etc. Focus groups are also preferred as a survey method because they create a natural atmosphere for the participants and, therefore, yield valid data and results, which would be more difficult to achieve by using some other methods. The distinctive characteristic of this focus group is that it was a discussion with people whose professions were closely related to the topic discussed in this study. The participants in this focus group were selected in a planned manner, in accordance with the predefined criteria. The most important selection criterion was that the group should be homogeneous. However, individual differences (e.g. demographic, social, psychological, educational, etc.) between participants allow comparison of trends and patterns of perception, opinion and behaviour of different categories of the respondents. A total of 8 respondents took part in the focus group. They differed widely in terms of their demographic characteristics, age, gender, geographical region of Republika Srpska they come from, etc. Their educational backgrounds and professions cover the

following areas: secondary and tertiary education, work of the Ministry of Education and Culture and its Tertiary Education Sector, and work of international organisations dealing with education.

#### **DEFINITION OF GOALS - strategic level**

- ⇒ Develop awareness of and capacities for anticorruption combat in civil society,
- ⇒ Develop and implement anticorruption programmes in education and science,
- ⇒ Disseminate relevant information for civil education,
- ⇒ Support the educational reform and promotion of democratic values and standards.

#### **DEFINITION OF GOALS - recommendations for strategic behaviour**

- ⇒ Make recommendations to governmental institutions for the widespread introduction of “Ethics” into compulsory and facultative curricula,
- ⇒ Involve young people in anticorruption networks and initiatives.

#### **DEFINITION OF THE PROJECT TASK - level of planning**

- ⇒ Focus group with opinion leaders in the form of a semi-structured discussion with some of the leading experts in secondary and tertiary education,
- ⇒ Define the role and responsibilities of institutions involved in the education system,
- ⇒ Involve students in the education process and, to a certain extent, in its monitoring in terms of education on anticorruption issues, availability of information, and work in NGOs, students’ and youth organisations.

*...System that ensures the monitoring of all aspects of work of higher education institutions...*

#### **DEFINITION OF THE PROJECT TASK - analysis of the accomplished task**

- ⇒ Categorisation of raw data; the data presented as quotations from the respondents are categorised in accordance with specific interests or, for example, demographic characteristics,

- ⇒ Description of raw data; after categorisation and selection, a summary of typical and relevant statements is made and corroborated by illustrative examples,
- ⇒ Interpretation, which is based on the description of raw data and is aimed at understanding the phenomena studied.

**ANALYTICAL LEVEL; ANALYSIS OF THE SURVEY RESULTS - VERIFICATION OF RESEARCH HYPOTHESES, PROCESSING OF THE DATA OBTAINED**

- ⇒ Get direct insight into the crux of the problem,
- ⇒ Generate ideas for new strategies,
- ⇒ Identify a future strategy that might enhance implementation of the newly-adopted University Law in Republika Srpska,
- ⇒ Identification of a strategy for better application of Bologna guidelines and dissemination of information about the Bologna Declaration to the general public,
- ⇒ Identification of needs, motives, etc.

### **I. Sample, survey, method**

- The survey consisted of a semi-structured discussion with eight highly qualified experts in their respective lines of work, who were highly motivated to discuss this topic and had been informed beforehand of the topics and contents of the group discussion,
- The respondents were of both genders, and of different interests, and held different positions in society, but thanks to this methodology they were partners in discussion,
- Basic quality of this type of interview lies in the development of mutual trust and creation of a warm atmosphere, thanks to which one can get a more profound insight into the participants' views because such an atmosphere opens the possibility of interaction and prepares participants to defend their views and oppose their views to those expressed by other participants in the group.

### **II. Survey structure**

- The respondents displayed a very high level of cooperation and established a good relationship between each other as well as with the moderator,

- Contrary to expectation, the topic of this survey was not easy for emotional and rational processing and verbal articulation. The general tone of discussion was at times coloured by personal and collective fears. One of the more cohesive factors in the group that allowed a freer exchange of opinions was the recognition of the moderator as a representative of an international NGO that is exclusively devoted to anticorruption combat,
- This group session was carried out in suitable premises and lasted for about an hour. The moderator used the task structure and discussion guide that had been prepared beforehand. However, depending on the relevance and significance of individual topics, the moderator adapted and modified certain sections of the discussion guide, taking into account the group's dynamics and the participants' personal capacities and keeping to the main topic of the discussion,
- Presentation of the survey results will follow the same sequence in which topics were presented and discussed during the group discussion.