

(Cyber) Bullying by Faceless Bureaucracy in Research Funding

A Case Study from the Balkans¹

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1. Introduction and Background

Most of us in academia will have had their fair share of bureaucratic adventures throughout their research careers. Those among us with a more long-running track record might perhaps still remember the old days, when there was not a special administrative or financial form in need of filling out and someone's preapproval for every step along the way of doing research. For my own part, I have no such memories. I belong to an academic generation that has been bred to regard such bureaucracy as given and as a crucial part of daily academic business. In that sense I am probably not fully equipped to question its meaningfulness – and so I won't. However, with regards to its reasonability, alike any other fellow researcher, I am both competent and called upon to critically question it. Moreover, as a criminologist and in case I have good reason to suspect such bureaucracy might be displaying harmful behaviour, I am essentially predestined to scientifically investigate it. The paper at hand is the result of such a criminological investigation and presents first findings on (cyber) bullying by faceless bureaucracy in the domain of public research funding.

In terms of transparently providing for the background of our case study, three decisive factors need to be addressed. The first of these factors relates to the crucial impact the Croatian Science Foundation (CSF) has had on our study. Without the diligent work of CSF's unnamed administrators or the dedicated activities of around a dozen renowned Croatian academics engaged in CSF's main bodies, we probably never would have come up with the idea of conducting a victimisation survey on cyberbullying in Croatia. The second factor comes down to the pure necessity of having

¹ The research for this publication has been conducted as part of the CroViMo project, jointly funded by the Croatian Science Foundation and University of Zagreb's Faculty of Law (www.violence-lab.eu). The publication has partly (Sect. 3.2 and 3.3) also been prepared within the framework of Balkan Criminology, funded by the Global Initiative Against Transnational Organised Crime's Resilience Fund (www.balkan-criminology.eu). An extended version of the paper, including numerous examples for each of the "bureaucratic cyberbullying" characteristics in Sect. 2.2, is available online: <https://www.bib.irb.hr/1054936> [04.02.2020].

to design and conduct a meaningful study on cyber harassment in Croatia within three months, including the publication of its findings.² Last but not least, the third factor relates to my own professional experience and a somewhat specific academic background.³ Having had the opportunity to autonomously lead and manage several large research projects and two own research groups during the past 15 years and (up to now) never having had any difficulties with diverse funding agencies, I permit myself a certain level of expertise in recognising the differences between ordinary public project administration and excessive faceless bureaucracy or its systemic dysfunctionalities. In addition to that and academically speaking, I basically grew up motherless and as a lonely child, self-raised on the streets of criminology-land, somewhere in between Germany and Croatia. No one ever took me motherly by the hand or offered to lead me through the great plains of criminology-land. In that sense, I might probably appear to be some sort of unfortunate academic orphan, perhaps even the sad result of lacking care or grooming of the academic offspring. Such perception would, however, largely disregard that in the realm of academia *grooming* as well as *mothering* have a well-known tendency of getting confused with *smothering*, which clearly undermines any notion of freedom or autonomy – the very foundations academia builds upon, and which we commonly take for granted – until compromised.

But how can one be expected to recognise these very foundations have been compromised, if one was not ‘misfortunate’ enough to grow up by truly living them? In that sense, my *patron* raised me well by supporting and protecting me whenever needed, while essentially letting me enjoy all the benefits and challenges of a truly free and autonomous academic childhood. Now, academically grown up, I can actually recognise when academic freedom and autonomy are compromised, just as I can recognise harmful behaviour when I see it. This brings me to the paper’s broader subject and its specific research question.

The *broader research subject* my question is imbedded in is manifold and complex. At its very core it deals with potential misconducts of (faceless) bureaucracy which has meanwhile inflated academia, research and its funding.⁴ Such inflation has long reached the point where it seems compelling to take a closer look at the porous line that separates mere bureaucracy from (cyber) bullying and (cyber) harassment, administrative censorship and the infringement of academic freedom as a fun-

² The almost impossible timeframe is the result of CSF denying our project adjustment request which asked for a minor substantial change in the workplan, by replacing an add-on cyber harassment-component with a new component on preschool violence. Since the replacement component on preschool violence had already been long approved, we were completely taken by surprise. Notification on CSF’s unreasoned denial was received on November 18th 2019, whereas the adjustment request dates back almost a year prior to that (December 5th 2018).

³ For more details, see www.violence-lab.eu/teams/anna-maria-getos-kalac [04.02.2020].

⁴ For example, see Martin 2016; Nehring 2016; Glaser 2015.

damental human right.⁵ This issue inevitably touches upon the ongoing discussion on academic capitalism globally,⁶ but even more in transitional societies, like those found in the Balkans.⁷ Here, in the Balkans, where corruption meets criminal state capture and dictates daily public and private business,⁸ one must seriously doubt that the sector of public⁹ research funding might somehow miraculously prove to be immune to its (*criminal*) *tycoonisation*¹⁰. Such immunity appears to be as likely as bureaucrats' or academics' overall immunity to deviant behaviour, misconduct, corruption, or, for that matter, any kind of criminal behaviour at all.

Not only is the topic of criminal tycoonisation as such at the very core of a long-standing research focus of Balkan Criminology, but it also provides preliminary ideas on the aetiology of (cyber) bullying by faceless bureaucracy. This broader research subject also vividly portrays the overall social and academic context in which our case study is embedded in.

The *specific research question* is in no way less complex or manifold, than its overarching research subject. It deals with issues such as:

- How (in)appropriate are funding priorities, funding rules, reporting and control mechanisms of public research funding?¹¹

⁵ Academic freedom includes “three aspects: (a) Far-reaching individual rights to expressive freedoms for members of the academic [...]; (b) Collective or institutional autonomy for the academy in general and/or subsections thereof [...]. Said autonomy implies that departments, faculties and universities as a whole have the right (and obligation) to preserve and promote the principles of academic freedom [...]; (c) An obligation for the public authorities to respect and protect academic freedom and to take measures in order to ensure an effective enjoyment of this right and to promote it.” Cit. *Vrielink, Lemmens & Parmentier* 2011, 117.

⁶ For a condensed overview of ‘academic capitalism’ see *Münch* 2016, or in more detail see, e.g. *Slaughter & Rhoades* 2004.

⁷ According to *Sundhaussen*, one should distinguish a broader concept of Southeast Europe and the narrower concept of the Balkans. Southeast Europe ranges from the western part of the former Kingdom of Hungary, the present Slovakia, over Hungary and the Republic of Moldova to approximately Odessa on the Black Sea, and everything that lies below this line is Southeast Europe. The Balkan includes Bosnia and Herzegovina, Serbia, Kosovo, Montenegro, North Macedonia, Bulgaria, the European part of Turkey (Eastern Thrace), Greece, and Albania, as well as the corridor between the Lower Danube and the Black Sea. *Sundhaussen* 2014, 8.

⁸ See European Commission (2018), 3; *Pejić* 2019; *Perry & Keil* 2018; 2018 special issue 42/1 of Southeastern Europe; etiologically very insightful *Richter & Wunsch* 2020.

⁹ Public in relation to research funding indicates that the funding source is the state budget.

¹⁰ The term (criminal) tycoonisation denotes the process of (criminally or mysteriously) acquiring exceptional wealth, power and influence by individuals or interest groups. In the Balkans it is used with a negative connotation due to the criminal privatisation process and war profiteering which have led to an unexplainable accumulation of wealth and influence by entrepreneurs. First findings on criminal tycoonisation of public research funds were presented in February 2020 at the conference “Tackling serious and organised crime in the Western Balkans”, organised by the Government of the United Kingdom and supported by the United Nations Office on Drugs and Crime.

¹¹ For example, see *Graeber* 2015.

- At what point, how and why does ordinary public project administration turn into faceless bureaucracy?
- What happens when such faceless bureaucracy starts (cyber) bullying its clients, the project managers, instead of assisting them in efficiently managing public research funds?
- Would such (cyber) bullying by faceless bureaucracy constitute a unique type of (cyber) bullying, and should it therefore be studied as a manifestation of (cyber) harassment?
- If yes, should such manifestation of (cyber) harassment be scientifically investigated within the framework of criminological violence research?

After having addressed these questions on a conceptual level (Sect. 2), the paper presents a criminological case study on (cyber) bullying by faceless bureaucracy from the Balkans¹² (Sect. 3). The case study itself follows two lines of research. First, it deals with the issue of capturing and measuring cyber bullying by faceless bureaucracy in the sector public research funding, termed as “bureaucratic cybullying” (Sect. 3.1), while presenting findings from an exploratory victimisation survey conducted among project managers whose research is (co)founded by CSF (Sect. 3.2). Second, the case study provides a first analytical overview of the survey’s implications and the impact these have so far had on the Croatian and European research community (Sect. 3.3). In addition to that, I will argue that Croatia’s failure to adopt appropriate legislative, administrative and other measures towards the full realisation of academic freedom in the domain of public research funding constitutes a breach of its obligation to ensure academic freedom by actively creating, establishing and maintain the conditions for its optimal realisation (Sect. 3.4).¹³ This will not only be based on an overall analysis of the relevant normative, judicial and administrative vacuums in Croatia, but also be discussed within the framework of the actual case study.

2. Conceptualising Cyber Harassment in the Context of Criminological Violence Research

The necessity of literally spelling out this section title as it is, arises out of the fact that in Croatia there seems to be some kind of doubt about the nonsynonymous mean-

¹² The term ‘Balkans’ is used broadly in light of the Croatian case study, since Croatia is in fact located in Southeast Europe. However, due to the embeddedness of the research question in the broader subject of Balkan-specific crime phenomena, an exception in this regard is justified.

¹³ *Vrielink, Lemmens & Parmentier* 2011, 138. Croatia’s obligation to respect and protect academic freedom also arises from article 69 of the Croatian constitution.

ing of the words ‘topic’ and ‘title’ of a paper.¹⁴ Be that as it may, this section aims to provide conceptual clarification so as to why cyber *harassment* should not be mistaken for cyber *violence* with the consequence of studying it within violence research. Conceptually and terminologically the section also deals with (cyber) bullying by faceless bureaucracy as a type of (cyber) harassment.

2.1 Unravelling the Conceptual Chaos of Cyber Violence

Back in early 2017, within a project application for a research grant of the CSF, I argued that one of the greatest challenges in current violence research is the lack of a commonly accepted definition of the core subject itself: violence (*Heitmeyer & Hagan* 2002; *Imbusch* 2002). The perception of what violence actually is has changed over time (*Aebi & Linde* 2016), although the undisputed core of violence still is the intentional infliction of physical harm upon another person (*Popitz* 1992; *Nadelmann* 1997). New dimensions such as psychological, verbal, economic, etc. have vastly broadened the subject scope of violence research. There is a clear trend towards indefinitely stretching the term violence, up to the point where almost everything is labelled as violence with the consequence that eventually almost nothing presents itself as violence any more (*Meyer* 2002). This still reflects my scientific position on the matter of a consensually acceptable core subject and scope of violence research – anything beyond, though fully legit, cannot build upon the idea of a broad scientific consensus.

However, being aware of all the divergent positions on the topic and wanting to assemble a truly transdisciplinarity project team, flexibility was needed and compromises had to be made. Therefore, I half-heartedly, yet obviously very convincingly argued that there seems to be only one justifiable exception regarding broadening violence research’s core subject: cyber violence, or to be terminologically more precise, cyber harassment, if we acknowledge the fact that violence is to be understood strictly in relation to physical harm. The virtual environment of cyber space has undoubtedly created new forms of threats, danger and human suffering that are by far more harmful than the mere use of a computer as *modus operandi* or the internet as *locus operandi*. Cyber harassment is in its quality a much more severe form of harassment than the conventional one. Its ease of infliction, anonymity, accessibility and opportunity, apparent virtual distance and simultaneous intimacy with the victim, and the potential spread of its hurtful consequences, together with cyber space’s stampeding invasion of our everyday reality, justify the study of cyber harassment in the context of delinquent violence (UN Broadband Commission 2015; *Greenfield* 2010; *To-*

¹⁴ Unfortunately our CSF co-funded project workplan foresees as one of its results “D.2.1.5. 1 journal article submitted for publishing (topic: conceptualising cyber harassment in context of delinquent violence)”. Now, obviously this paper’s topic is cyber harassment, as its subject is cyber bullying, whereas it is clearly embedded in the broader discussion of (delinquent) violence. Yet, based on last year’s annual project evaluation, we know that CSF’s anonymous domestic evaluators are of the opinion that the word topic is a synonym for title.

kunaga 2010; *Corcoran et al.* 2015; *Vejmelka et al.* 2017). I was awarded the project grant and a year later we started working on our first task – the operationalisation of our project’s research subject and scope. Little did I know back then that even minor adjustments or updates to the initial project workplan, esp. if scientifically justified, would completely run against CSF’s bureaucracy.

The subject and scope of our violence research project was operationalised based on a consensual working definition that understands violence as “any intentional physical harming or killing of another person”. Clearly, by finetuning the subject and scope of our study, on a conceptual level, we discovered that cyber harassment does no longer correspond to our project’s overall purpose, nor to our understanding of violence. So, we tried to replace the add-on cyber-component with a new component on (physical) violence in the preschool context, which would be in line with the project’s purpose and overall conceptualisation of violence (and cyber harassment). After a whole year of back and forth with CSF’s faceless bureaucracy on the matter of (unsuccessfully) excluding the project’s cyber-component, at the end of last year I basically caved in light of the approaching annual evaluation and we quickly started working on a cyber harassment survey for Croatia (Sect. 3.2).

In brief, on a conceptual level, the phenomenon of cyber harassment, understood as any “harassment by means of email, text (or online) messages or the internet”¹⁵ is unreconcilable with a study of violence, that is based on the understanding of violence as any intentional physical harming or killing of another person. However, this by no means implies that cyber harassment is not harmful or painful for its victims, or that it might not escalate towards (physical) violence. It simply acknowledges that apples are not oranges.

If one conceptually and terminologically constructs violence as a generic term which as two subtypes covers physical and cyber violence, then the question arises what the overarching understanding of *violence* should be? Most of the relevant literature on cyber violence skips to address, let alone solve, this generic problem. Instead of further trying to unravel the conceptual and terminological chaos created by the idea of cyber violence, an example shall demonstrate the diffusion.

If cyber violence is to be considered violence, and cybercrime a type of cyber violence, then data interference or computer-related forgery, logically, are a form of violence (see *Graphic 1*). Basically, such conceptualisation and terminology completely disregard the nonsynonymous meaning of the words *crime* and *violence*, just as CSF disregards the nonsynonymous meaning of the words *topic* and *title*. How such conceptual and terminological incoherence might advance our understanding of (cyber) violence remains unclear. There are no correct or wrong concepts and definitions – their quality arises out of their ability to capture a phenomenon either well, or poorly. In that sense the above example might be considered a rather poor

¹⁵ Cit. European Institute for Gender Equality, cyber harassment definition; <https://eige.europa.eu/thesaurus/terms/1486> [01. 12. 2019].

ICT violations of privacy <ul style="list-style-type: none">- Computer intrusions- Taking, sharing, manipulation of data or images, incl. intimate data- Sextortion- Stalking- Doxing- Identity theft- Impersonation- etc.	ICT-related hate crime <p>Against groups based on</p> <ul style="list-style-type: none">- race- ethnicity- religion- sexual orientation- disability- etc.	ICT-related direct threats of physical violence <ul style="list-style-type: none">- Murder- Kidnapping- Sexual violence- Rape- Torture- Extortion- Blackmail- Swatting- Incitement to violence- Transmissions that themselves cause injuries- Attack on critical infrastructure, cars or medical devices- etc.
Online sexual exploitation and sexual abuse of children <ul style="list-style-type: none">- Sexual abuse- Child prostitution- Child pornography- Corruption of children- Solicitation of children for sexual purposes- Sexual abuse via livestreaming- etc.	Cyberharassment <ul style="list-style-type: none">- Defamation and other damage to reputation- Cyberbullying- Threats of violence, incl. sexual violence- Coercion- Insults or threats- Incitement to violence- Revenge porn- Incitement to suicide or self-harm- etc.	Cybercrime <ul style="list-style-type: none">- Illegal access- Illegal interception- Data interference- System interference- Computer-related forgery- Computer-related fraud- Child pornography

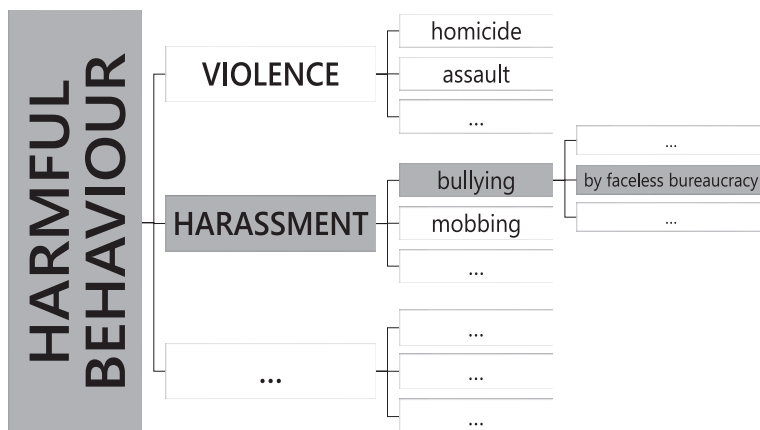
Graphic 1: Types of Cyberviolence as Used by the Council of Europe’s Cybercrime Convention Committee (2018), p. 6.

attempt to capture the phenomena of cyber violence and cyber harassment in relation to their overarching embeddedness in a coherent concept or terminology of violence or crime. To violence research, just as to our project, cyber harassment has become an add-on topic, although it would deserve to be studied in its own realm, together with closely related phenomena and within a sensible framework. Looking at both phenomena, there are significant differences in perpetrator and victim profiles, criminogenic, victimogenic and contextual factors, their *modus operandi*, the legal framework that deals with them, or the criminal justice responses applied to them. This is an essential difference for which’s rebutting empirical evidence would be needed. Yet, as I will show throughout the next sections, practically, it is possible to fit the study of cyber harassment into (physical) violence research, to gain valuable insights on its unique nature, and do all this inspite the above detected lack of any logic.

2.2 “Bureaucratic Cybullying” as a Unique Type of Cyber Harassment

After having argued that cyber harassment does neither conceptually nor terminologically fit into (physical) violence research, the question remains where and how it should be allocated? I propose to position it within the realm of *harmful be-*

haviour (see *Graphic 2*), since it clearly is a type of behaviour that results in harm, and as such is the subject of criminology, as well as numerous other disciplines such as psychology, sociology, social work, psychiatry, law, communicology, and educational studies, to mention but a few.



Graphic 2: (Cyber) Harassment, (Cyber) Bullying and Bureaucratic (Cy) Bullying as a Type of Harmful Behaviour

The proposed concept allows for endless stretching of the generic term of harmful behaviour and its continuous adjustment to the changing (harmfulness of the) world around us. Harmful behaviour indeed must include not only physical harm, but also psychological, social, economic, ecologic etc. The notion of cyber within such conceptual approach indicates that it is being realised by means of email, text (or online) messages or the internet. Clearly, the cyber dimension significantly changes the nature and scope of any harmful behaviour, mainly due to ease of access and the disinhibition effect of cyberspace.¹⁶

Coming back to the paper's specific research question, it is necessary to provide an explanation for focusing on (cyber) bullying in the domain of public research funding, and thus to further define the basic terms. As noted earlier, the Violence Research Lab has been established within the framework of a CSF co-funded research project. Although our research agenda focuses on studying (physical) violence in Croatia via court and prosecution case file analysis, as an add-on component our Lab also covers

¹⁶ See, e.g. *Suler* 2004 or 2016. *Suler* explores the causes of the "online disinhibition effect" and analyses several factors that might help explain "why people say and do things in cyberspace that they wouldn't ordinarily say or do in the face-to-face world": dissociative anonymity; invisibility; asynchronicity; solipsistic introjection; dissociative imagination; minimizing authority; personality variables; personal and cultural values. Cit. *Suler* available online <http://truecenterpublishing.com/psyber/disinhibit.html> [01.12.2019].

the topic of cyber harassment in Croatia. Now, through managing the CSF co-funded project I detected what first appeared to me as some sort of excessive bureaucracy combined with systemic dysfunctionalities and lack of any insight into how research works on the side of CSF.¹⁷ As exposure to the noted challenges occurred repeatedly and went on over a long period of time, I started feeling agitated, helpless, frustrated and unnecessarily exposed to nonsense whenever corresponding with CSF. With no means of effective protection or defence, in a context of clear imbalance of power and complete anonymity on the side of CSF, these feelings turned chronic. Little did I know (until recently) how well this describes the phenomenon of (cyber) bullying and harassment.

Similar experiences and reactions were confirmed by fellow project team members and faculty colleagues who (had) managed their own CSF projects. The most common ‘complaints’ with regards to their project related CSF relationship may be summarised by the following six characteristics: (1) excessive bureaucracy, (2) cyber correspondence, (3) facelessness, (4) transparent arbitrariness, (5) absolute authority, and (6) nonsense. These characteristics essentially describe what I termed “bureaucratic cybullying” and what we consequently explored in the domain of Croatian public research funding.¹⁸

- *excessive bureaucracy*, characterised by being coerced into fulfilling trivial or unpleasant administrative tasks, being given tasks below one’s competence, persistent ungrounded criticism of work and effort, and attempts to find fault, which results in waste of time for research, feelings of being exposed to work-unrelated bureaucratic nonsense and a presumed culpability for an unspecified (potential) misconduct;
- *cyber correspondence*, meaning that the only way of ‘communication’ is in writing and via e-mail, characterised by what *Suler* highlights as “asynchronicity”¹⁹ and

¹⁷ In early 2019, I did some desk research on the matter and found a very insightful study on the question ‘where the Croatian scientific research system might be heading to’. It appeared to be off track and lost somewhere in between rational reform and entropy with systemic failure. The study, among other things, highlighted serious concerns about CSF’s work, including incompetence as well as corruption (p. 49). Based on the presumption that the quality of CSF’s work is inextricably connected to the quality of scientific research work, since the acting principles of CSF reflect on the functioning of the whole Croatian scientific community, the study surveyed researchers’ attitudes towards CSF’s work. The results were devastating, as CSF had failed to positively impact any of the aspects of upgrading Croatian scientific research activity (1. upgrading the quality of research projects; 2. upgrading of scientific excellence; 3. upgrading evaluation methods; 4. limiting the influence of interest groups on scientific activity – corruption). As much as 73% of surveyed researchers stated that CSF has not contributed to limit corruption in the scientific system (p. 50). See Institut društvenih znanosti Ivo Pilar 2018, 49–54.

¹⁸ For examples on all the characteristics, see the paper’s extended version as referenced in Fn. 1.

¹⁹ *Suler* nicely explains “In real life, it would be like saying something to someone, magically suspending time before that person can reply, and then returning to the conversation

“invisibility”²⁰. This results in feelings of being turned into the object or mere addressee of communication, rather than being an active part of it, as well as it amplifies misinterpretations due to lack of verbal expression (phone) and body language (face-to-face);

- *facelessness*,²¹ meaning that the e-mail correspondence is not attributable to any individual ‘real’ person, it is signed as “Croatian Science Foundation”, which is characterised by what *Suler* denotes “dissociative anonymity”²², and imposes the fiction of (corresponding with) an CSF that exists as such in the real world (like a person), while creating the perception, as well as self-presentation of CSF’s bureaucracy as faceless;
- *transparent arbitrariness*, which arises out of apparent transparency of procedures combined with unreasoned decision making on all levels, that is thus obvious/transparent in its arbitrariness and leads to feelings of demotivation, frustration, helplessness or revolt towards one’s own scientific work;
- *absolute authority* (germ. *Machtvollkommenheit*), which reflects an extreme or excessive imbalance in power, illegitimately or unnecessarily imposed hierarchy or coerced subordination,²³ resulting in feelings of helplessness, abandonment and ‘malignant vulnerability’²⁴;
- *nonsense* (germ. *Blödsinn*; cro. *budalaštine*), characterised by inquiries, responses, requests, instructions or decisions that lack any logic, meaningful purpose, are impossible to comply with, or do not correspond to the issue at stake, resulting in feelings of offendedness, helplessness, frustration, revolt and inexplicableness.

when you’re willing and able to hear the response.” Cit. *Suler* available online <http://truecenterpublishing.com/psyber/disinhibit.html> [01. 12. 2019].

²⁰ Invisibility partly overlaps with anonymity, but “even with everyone’s identity visible, the opportunity to be physically invisible amplifies the disinhibition effect”. Cit. *Suler* available online <http://truecenterpublishing.com/psyber/disinhibit.html> [01. 12. 2019].

²¹ The term ‘faceless’ in relation to bureaucracy, harassment and bullying has been adopted from the European Agency for Safety and Health at Work (2010, 22): “Usually, harassment is considered to take place between people, but a situation created by ‘faceless bureaucracy’, referring to a situation in which an individual feels defenceless against actions of a bureaucratic organisation, has also been called bullying”.

²² *Suler* explains that due to their anonymity people “don’t have to own their behavior by acknowledging it within the full context of who they “really” are”, whereas such “anonymity works wonders for the disinhibition effect”. Cit. *Suler* available online <http://truecenterpublishing.com/psyber/disinhibit.html> [01. 12. 2019]. In the context of ‘faceless bureaucracy’ this becomes even more troublesome, since own behaviour is presented as CSF’s behaviour, just as personal responsibility is replaced with institutional responsibility.

²³ The phenomenon of bureaucratic cyberbullying already encompasses a certain level of imbalance of power between the bullying faceless bureaucratic body and the victim of such type of cyber harassment. In that sense absolute authority is not merely an ordinary or natural imbalance of power, but rather an excessiveness or absoluteness for which there are no reasonable grounds.

²⁴ On academic vulnerability, see *Jackson* 2018 and the following paragraphs.

Clearly, there are varying severity degrees of the just presented bureaucratic cy-bullying characteristics, just as there are different combinations of various two up to all six characteristics. And just as with bullying in general, it is always a case-by-case assessment of whether a specific harmful behaviour is to be classified as bureaucratic cybullying or not. Two decisive criteria are the repeating or chronic nature of such incidents, as well as the absoluteness of authority on the side of faceless bureaucracy. The more extreme the absoluteness of authority, the lower the severity of single incidents must be in order to be considered bureaucratic cybullying, just like the rise in frequency and presence of all six characteristics with a high severity allows for lower levels of absolute authority. The exact base-line distinguishing such bullying from being exposed to (unwanted) unpleasant behaviour is generally unknown. Yet, in the context of work-related bullying the bar must be set much higher, as here there is basically little if any voluntariness on the side of exposing oneself to bullying in work-related and contractually binding relationships. This brings us to the issue of vulnerability and the question of whether CSF (co)funded project managers (in Croatia), or more broadly (Croatian) academics, might be considered a (particularly) vulnerable group of victims.

The issue of *academic vulnerability* is closely related to the different policy approaches in public funding of science, research and higher education. In that respect, the level of academic capitalism, as well as academia's particular vulnerability "to political and other pressures which undermine academic freedom"²⁵, are two decisive factors that need to be considered when assessing whether a certain academic community in a particular state or domain should be considered (particularly) vulnerable. The notion of 'particularly' indicates a higher level of vulnerability than should be expected considering the normative and actual conditions for realisation of fundamental human rights and academic freedom in a specific country and its regional context. Since all the Balkan states, as well as Croatia, are bound to the Charter of Fundamental Rights of the European Union, one could argue that there should be no (particular) academic vulnerability. Yet, looking at the national normative and administrative framework in Croatia, as well as findings from our bureaucratic cybullying victimisation survey and its impact analysis (Sect. 3), clearly in Croatia academia is not only vulnerable, but actually 'particularly' vulnerable. That makes it plausible to study bureaucratic cybullying among project managers of CSF (co)funded research projects within our project's focus on particularly vulnerable groups of victims.

Academic vulnerability in Croatia has emerged as a pressing concern, as CSF's research grants are the only source of domestic public research funding and since project managers of CSF (co)funded research projects are financially vulnerable

²⁵ Cit. *Vrielink, Lemmens & Parmentier* 2011, 121. The afore mentioned authors point out that "The UNESCO Recommendation specifically refers to "untoward political pressures, which could undermine academic freedom" due to the "vulnerability of the academic community" for such pressures (UNESCO Recommendation, preamble)". Cit., p. 137.

and fully personally accountable to outside (non-host institution) stakeholders.²⁶ *Jackson* explains that the problem is not vulnerability as such, but rather “how it is experienced differently across individuals – and differently across systems, universities and disciplines – as tensions between academic values and market values manifest in diverse ways across contexts”.²⁷ *Jackson’s* argument is that the common assumption that to be vulnerable is to be susceptible to risks and challenges, that as such vulnerability equals weakness, is a negative and deficient view of vulnerability that is found in literature on academics in higher education.²⁸ Referring to *Gilson* she points out that

“there is something positive about vulnerability from the view of individual and social learning: vulnerability enables learning. It entails an openness to being proven wrong or having one’s views challenged. If one’s beliefs or perspectives are ‘invulnerable’, he or she cannot learn or grow. This has important implications for education and for reforming systems and enhancing environments. Learners and stakeholders who seek positive change at individual or community levels should possess and even develop vulnerability, to be open to new and creative pathways for improvement.”²⁹

In this sense, academics are (or at least should be) vulnerable by default. Now, whereas this positive notion of academic vulnerability might “work in harmony with neoliberal orientations which cast vulnerability as a personal issue”, vulnerability “in terms of systemic (institutional) failures”, just as vulnerability to violence, harmful behaviour (such as bureaucratic cybullying) and forms of oppression, is to be considered negative and to be avoided, prevented and decreased.³⁰

To conclude with, “vulnerability is a normal part of being a person” and “there are cases where vulnerability can be seen not as a liability, but as something with potentially positive benefits despite its ‘troublesome’ dimensions”.³¹ In this sense beneficial vulnerability is at the very essence of academia’s true nature. So, when it comes to (beneficial, as well as harmful) academic vulnerability, the question is not if there is vulnerability, but rather how it is distributed among all relevant stakeholders in public research funding and whether an extremely unfair distribution makes a vulnerable academic community particularly vulnerable. Within this question also lies the answer on how to best avoid, prevent and decrease (malignant) academic (particular) vulnerability – by vulnerability’s fair distribution among all stakeholders. Eventually, such *fair redistribution of vulnerability* might simultaneously provide non-vulnerable stakeholders, such as CSF, access to (benignant) vulnerability.

²⁶ See in more detail on academic vulnerability, e.g. *Jackson* 2018. Such financial and personal vulnerability clearly arises out of the current contractual set-up of CSF (co)funded research projects and the normative, judicial and administrative vacuum surrounding CSF.

²⁷ Cit. *Jackson* 2018, 2.

²⁸ *Jackson* 2018, 2.

²⁹ Cit. *Jackson* 2018, 2 and 3.

³⁰ Cit. *Jackson* 2018, 3.

³¹ Cit. *Jackson* 2018, 7.

This, as we have seen, is a basic precondition for social learning and as such a valuable resource for any stakeholder engaged in public research or its funding.

3. (Cyber) Bullying by Faceless Bureaucracy – A Case Study

The following sections present main findings from a case study conducted end of 2019 and early 2020 in Croatia. The case study's first line of research investigates the question of whether and how public administration can turn into faceless bureaucracy, and if such faceless bureaucracy in the domain of public research funding does cyberbully its clients (Sect. 3.1). The second line of research analyses the implications (effects) of the conducted cyberbullying survey in public research funding and their impact. It demonstrates how bureaucratic cybullying may escalate into (real-life) bullying and eventually lead to an infringement of fundamental human rights (Sect. 3.2). The case study concludes with key findings from an analysis of the current normative, judicial, administrative, inspectional and control vacuum in the domain of Croatian public research funding, which allows for first ideas on the aetiology of bureaucratic (cy)bullying, and likewise provides an exploratory glimpse into (the potentials for) criminal tycoonisation of public research funds in Croatia.

3.1 Exploring Bureaucratic Cybullying in Croatian Public Research Funding

'Bureaucratic cybullying' is an abbreviated term for the phenomenon of cyber bullying by faceless bureaucracy as conceptually and phenomenologically defined earlier (Sect. 2.2) and within this section refers to the domain of public research funding in Croatia. The *goal of our study* has been to conduct an empirical survey into cyber harassment in Croatia.³² When deciding on the type of cyber harassment we would focus on, time, lack of any budget and little expertise on cyber harassment research were three decisive factors, which eventually determined our focus on cyber bullying and the domain of public research funding.

Our *research objective* was to explore whether there might be bureaucratic cybullying in public research funding in Croatia and, in case there is, whether such cyber harassment might be related to any of the following factors: success and experience in prior project management, duration of ongoing project management, scientific field of inquiry, assessment of quality of cooperation with funding agency, sources of dissatisfaction, predominant feelings due to cooperation with funding agency, assessment of (im)balance of power, assessment of quality of funding agency decisions,

³² As noted earlier (Fn. 2), we asked CSF to replace the project's cyber harassment component and clearly did not want to engage in this research topic. It would therefore be a blunt lie to state that with the survey initially we had any other goal, then to fulfil our project contract.

type of communication, help and support networks, willingness to report potential illegal conduct of funding agency, choice of addressee of such illegal conduct, assessment of relevant authority in charge for control of funding agency's quality and legality of conduct, satisfaction with contractual arrangements and the way these were defined, assessment of need for involvement in funding agency's overall management, feeling of predominant (dis)satisfaction as project manager, assessment of necessity for funding agency's annual work evaluation by project managers, assessment of quality of funding agency's communication, and gender. In addition to these sets of variables, our objective was to collect qualitative data on the phenomenology of concrete cases of bureaucratic cybullying and for this purpose defined them as 'examples of feelings of helplessness'.

In terms of *methodology* we opted for an on-line victimisation survey via questionnaire as our *research instrument* and for collecting quantitative data, with the qualitative addition of the just noted 'examples of feeling helpless' and a general open-ended question on 'further things to point out'. This was a quick and inexpensive way to conduct our explorative survey. In order to make the survey least time consuming for potential participants, no scales were used, while particular attention was paid to user-friendliness. Such considerations emerged out of the fact that we were well aware of the chronic time deficits of project managers and the relatively frequent influx of on-line survey inquiries in academia.

The method of victimisation survey had previously been approved by the University of Zagreb Law Faculty's Ethical Committee and was explicitly agreed as a research method with the CSF. With regards to *sampling*, and since we had already decided to focus on the domain of public research funding, we opted for CSF (co)funded research projects, as CSF is the only national source of domestic public research funds in Croatia. For the on-line survey, we used a free Google-form and sent it via our official project e-mail account to the individual official institutional e-mail addresses of prospective survey participants. The mailing list was created using the CSF publicly available database on (co)funded projects. The survey was completely anonymous, whereas the survey participation was voluntary.

The survey topic, as well as its objectives were clearly identified, while the background of the research question was transparently explained to prospective participants, esp. by highlighting a relevant study on the Croatian scientific research system and its reform, as well as own victimisation experience.³³ The implementation of the survey was clearly attributed to our research project. We thus acknowledged CSF's co-funding of our project. Due to time constraints and the impossibility to establish feasible contact with CSF, as well as potential negative impacts on survey responses

³³ This included providing reference to two relevant prior studies and their findings (Institut društvenih znanosti Ivo Pilar 2018; European Agency for Safety and Health at Work 2010), as well as admitting own victimisation experience. Now, neither of the two should pose a question as to our study's objectivity. We consciously opted for transparency in choice of research question – something that frequently is missing in research and remains well-hidden from criticism.

and the openness of project managers to frankly report on their potential bureaucratic cyberbullying victimisation experience, we decided to implement the survey without CSF coordination. Considering CSF's reactions that paralleled and followed our survey implementation, this has proven to be a wise decision. In this sense it needs to be pointed out that prior CSF notification or approval was not a requirement for the survey's implementation.

The survey covered 96% of a full national sample, including former and current project managers who had been awarded CSF (co)funded project grants from 2013 onwards (provided the CSF database is correct and complete).³⁴ The survey was launched December 2nd 2019 at 15:24 under the title "Survey on CSF bureaucracy within the framework of cyber harassment (Violence Research Lab)" and asked its addressees to (anonymously and voluntarily) participate in a survey on bullying by faceless bureaucracy, defined as "*a situation in which an individual feels helpless towards the actions of a bureaucratic organisation*". It was transparently explained that we were interested in investigating the feeling of helplessness and general (dis)satisfaction amongst managers of CSF (co)funded research projects. We asked potential respondents to take 10–15 minutes of their time, and by sharing their own experience in working with CSF, enable detection of possible bullying in the domain of public research funding in Croatia.

The survey's *response rate*, although extremely high within the first day of its implementation, eventually turned out to be 12% (89 out of 734 contacted individuals). One can only speculate about the sudden decrease in responses, but based on expert opinion,³⁵ as well as the content of approx. 50 e-mails received from CSF (co)funded project managers related to the survey, the main reason for non-participation in the survey was fear from negative CSF reactions. Public reactions to preliminary survey findings from the Croatian research community stressed that due to the relatively low response rate one should not doubt the survey's findings, and pointed out that such

³⁴ Out of a total of 765 individual project managers identified in the CSF database (808, but some of them were listed twice), for a total of 734 project managers we were able to detect e-mails.

³⁵ Former minister of science and education Prof. Dr. *Gvozden Flego* expressed his expert opinion on CSF's reaction to the launch of our survey: "The letter sent to project managers [by CSF] can be perceived as a warning not to participate in the survey of colleague *Getoš Kalac*". He assessed the first reaction of CSF's Managing Director towards our project's survey as a dangerous precedent which might result in far-reaching consequences. In his view the CSF position that the research topic does not depend on how the project manager and project team understand it, but rather how CSF administration understands it, appears particularly dangerous and completely unauthentic, esp. since the CSF administration may revoke funds to projects which content the administration holds inappropriate. Those people in an institution aimed at caring for science, who have not grasped the immanent logic of doing science, that most is learned from critique, are not up to their task – if they want to stop the harassment of their 'clients', then the leadership of CSF, as well as anyone involved in scientific work, should thank colleague *Anna-Maria Getoš Kalac* and her associates, and encourage them to further analyse cyber and bureaucratic harassment of project managers by CSF administrators, *Flego* explained. HINA 12.01.2020.

response-rate-based critique of the survey is a critique aimed at silencing critique, and not an actual concern about our survey's 'scientificity'.³⁶ Be it as it may, due to the survey's response rate of 12%, we could not test correlations, but were nevertheless able to reach the survey's objective – detection of possible exposure to bureaucratic cybullying among CSF (co)funded project managers.

The survey sample is *representative* in terms of acknowledged senior (75%) and perspective junior (25%) project managers, as well as regarding their distribution within different science fields (life sciences 17%, social sciences and humanities 30%, natural and technical sciences 51%). With this in mind and taking into account the numerous 'examples of helplessness' almost half of all respondents provided in detail in the survey, as well as the approx. 50 e-mails received by (non)participants of the survey with further 'examples of helplessness', it is safe to assume that the survey's findings are valid.

Almost two thirds of all 89 respondents assess their overall cooperation with CSF as satisfactory (70%), whereas approx. one third assess it as dissatisfactory (30%). This makes sense in light of CSF official data about results of annual project evaluations, which are almost evenly graded as either A or B (excellent or good progress), and only exceptionally as C (questionable progress). Out of 57 respondents, 90% allocated responsibility for causes of their dissatisfaction on the side of CSF, only 10% on the side of project managers. Respondents reported rather high dissatisfaction due to managing/administrative obligations which can be attributed to the bureaucratic cybullying characteristic of excessive bureaucracy. Respondents thus reported on predominant feelings of frustration, exposure to nonsense and helplessness, as well as revolt towards their scientific research in their role as project managers and in relation to their CSF cooperation (see *Table 1*).

Table 1
**Responses on Feelings of CSF (Co)funded Project Managers
in Their Project-Related Cooperation with CSF**

Regarding my cooperation with CSF as project manager I feel ...	
... dissatisfied due to managing/administrative obligations on my project (N=89)	65%
... predominantly frustrated (N=88)	55%
... predominantly exposed to nonsense (N=89)	49%
... predominantly helpless (N=88)	40%
... predominantly revolted in terms of my scientific research (N=88)	25%

It is important to note that such feelings were expressed in terms of their predominance, and not merely incident based, which is particularly relevant when it comes to bureaucratic cybullying and the decisiveness of determining a repeating or chronic nature of single bullying incidents through a longer period.

Another decisive characteristic of bureaucratic cybullying is the imbalance of power and the absoluteness of authority. Both aspects have been addressed by the survey. The

³⁶ HINA 12.01.2020.

first one by explicitly asking respondents about their feeling as an equal contractual party (Table 2), the second one by asking the respondents about their assessment of oversight and control of CSF's quality and legality of work, as well as respondents' readiness to report on potential illegal conduct by CSF (Graphic 3).

Table 2
**Respondents' Perceived (Im)Balance of Power Due to Financial Negotiations
and Contracting with CSF**

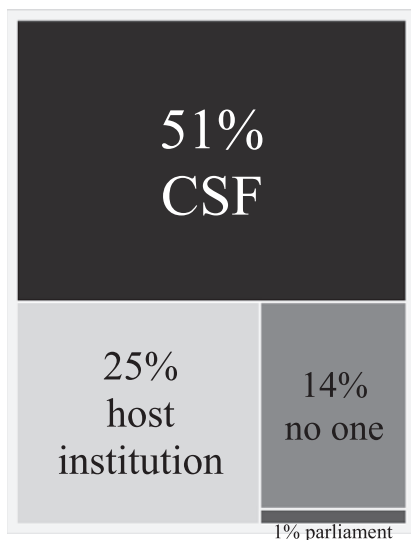
	Perceived Balance of Power		Perceived Imbalance of Power
1	56%		44%
2	42%	58%	
3	38%	62%	
4	29%	71%	

Legend: 1) "I am satisfied with the contractual obligations and rights" (yes/no); 2) "During contracting my CSF project I had the possibility to actually negotiate (in terms of content and/or funding)" (yes/no); 3) "The CSF project I am managing was contracted following the principle of 'take it, or leave it'" (no/yes); 4) "I feel that I am, as a project manager, an equal contractual party, with same obligations and rights as CSF" (yes/no). Note: all 89 respondents replied to 4 questions.

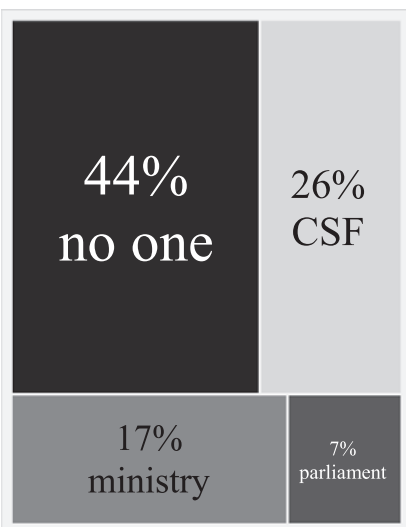
Only one third of 89 respondents feel as an equal contract party, whereas even 70% feel unequal. Moreover, asked about their assessment of own position in relation to their CSF cooperation, 65% of 89 respondents assessed their position as subordinated, whereas only 33% as equal, and 2% as superior. This clearly confirms an imbalance of power between CSF and project managers, which is particularly worrisome since (at least contractually) their cooperation is conceptually set-up as one between equal partners, and thus includes their host institutions, basically (contractually) shifting the balance positively towards the side of the project managers. However, in terms of CSF project (co)funding contracts, the distribution of rights and obligations clearly constitutes an imbalance of power, foresees far-reaching obligations for project managers, but little if any responsibilities on the side of CSF. This imbalance of power is well reflected in respondents' (dis)satisfaction with the contracting and so-called financial negotiations (see Table 2).

With regards to CSF's absolute authority, half of 84 respondents reported that they would in case of illegal conduct on the side of CSF and related to their project report such illegal conduct to CSF (51%), whereas only one fourth of them (25%) would report it to their host institutions, with 14% responding they would not report such illegal CSF conduct at all, and only 7% responding they would report CSF's illegal conduct to relevant state authorities (police, public prosecutor, ombudsperson). Interestingly, only one respondent would report CSF's illegal conduct to the Croatian Parliament, who is in fact CSF's founding body. When asked about their opinion on the responsible public authority in charge of overseeing CSF's work in terms of its quality and legality (responsibility for active and appellate oversight of CSF), the majority of 85 respondents replied that no one is in charge (44%) or that the CSF it-self is in charge of its own oversight (26%). 17% of respondents iden-

“As project manager, being faced with illegal CSF conduct regarding my project, I would turn to ...”



“Quality and legality of CSF’s work are in my opinion overseen and corrected (active and appellate oversight of CSF) by ...”



Graphic 3: Readiness and Addressee of Reporting Illegal CSF Conduct (Left, N=84) and Assessment of Authority Overseeing CSF (Right, N=85)

tified the Ministry of science and education as responsible for oversight, whereas in fact only 6 respondents (7%) identified the Croatian Parliament as responsible (see *Graphic 3*).

All 89 survey participants confirmed that they predominantly communicate with CSF in writing via e-mail, which fulfils the criteria of cyber correspondence, as well as facelessness of the CSF bureaucracy, due to individual CSF staffs’ anonymity and lack of personal or phone contacts. With almost half of responses (49,4%) confirming a predominant feeling of being exposed to nonsense, and compared to only 18% feeling exposed to justifiable professional challenges, the criteria of nonsense has also been confirmed. Now, the criteria of transparent arbitrariness proved difficult to explore by using the question “CSF decisions on my requests are best described by the following qualities ...” (*Table 3*). However, interpreting the findings in light of examples provided by survey respondents, as well as in context of survey feedback received by project managers allows for first thoughts. It appears as if the just presented findings might very well reflect the characteristic of transparent arbitrariness, but the results in this respect are not conclusive, neither was the question well posed. Basically, one would have needed to ask respondents more specifically about various types of CSF decisions regarding requested project adjustments, evaluations, financial decisions, micromanagement etc. In that sense the findings might best be considered as indicative and overall as rather critical towards CSF decisions.

Table 3
**Exploring Transparent Arbitrariness as a Characteristic
 of Bureaucratic Cybullying (N=88, Multiple Choice)**

CSF decisions on my requests are best described by the following qualities ...	
... inflexible	50%
... timely	43%
... arbitrary	38%
... according to rules	38%
... non-transparent	31%
... unreasoned	28%
... scientifically unjustified	28%
... reasoned	26%
... untimely	23%
... transparent	22%
... flexible	19%
... scientifically justified	10%

Finally, the vast majority of respondents (89% of 84 respondents) asserted that CSF should at least once a year have its work evaluated by project managers, whereas respondents (N=81, multiple choice) also asserted that project managers should be represented in CSF's Managing Board (83% acknowledged project managers; 56% perspective project managers), as should their host institutions (43%), mentors of CSF funded PhD researchers (37%) and CSF funded PhD researchers themselves (17%). This last survey finding on participation rights of project managers in CSF management is highly interesting, since one of the main reasons for setting up CSF as an independent funding agency outside the framework of the Ministry of Science and Education, was to implement the concept of researchers' self-governance of public research funds. This is thought to have been successfully achieved by simply appointing researchers to CSF's Managing Board by the Croatian Parliament (based on preselection by Croatian Government). Our survey's findings show that the majority of CSF (co)funded project managers does not feel represented by their fellow academic colleagues. Whether CSF can in that sense be realistically understood as a form of researchers' self-governance of public research funds is dubious (at best).

In sum, the findings of our explorative survey on bureaucratic cyberbullying in Croatian public research funding clearly show that 5 out of 6 bureaucratic cybullying characteristics have been detected, whereas for 1 the findings are not conclusive:

- surveyed project managers communicate with anonymous CSF staff predominantly in writing and by e-mail (cyber correspondence and facelessness);
- most surveyed project managers are dissatisfied due to administrative project obligations (65%) (excessive bureaucracy);
- a significant share of surveyed project managers feels predominantly frustrated (56%), predominantly exposed to nonsense (49%), and predominantly helpless (40%);

- approx. half of surveyed project managers provided detailed examples of feelings of helplessness, which characterise the phenomenon of cyberbullying by faceless bureaucracy;
- most of surveyed project managers would report illegal CSF conduct to CSF (51%) or not at all (14%), whereas the majority (44%) believes that no one is responsible for CSF oversight in terms of controlling legality and quality of its work, or that CSF itself is in charge of its own oversight (26%) (absolute authority);
- transparent arbitrariness seems to play a role in bureaucratic cyberbullying, but findings in this regard are not fully conclusive and need further exploration;
- the concept of researchers' self-governance of public research funds in Croatia is not perceived as representing the interests of project managers, whereas it is reasonable to expect that CSF's non-perception of interests of the research community would be even worse if not only project managers, but also project applicants were to be included in the survey.

Further research is needed to address potential causes of perceived bureaucratic cyberbullying, as well as various levels and factors of exposure to such harmful behaviour. It would also be necessary to investigate cyberbullying self-perception and justification on the side of CSF's management and staff, as well as CSF's foreign and domestic evaluators, or CSF's panel members. The phenomenon is extremely complex and it would be unreasonable to expect simplistic solutions for its prevention and reduction. It also appears very likely that bureaucratic cyberbullying might be detectable in other domains of public administration in Croatia, as well as throughout the Balkans, where service-oriented governance is still the exception, and not a rule.

3.2 From Bureaucratic Cyberbullying to Bullying and Infringement of Academic Freedom

This section provides for a brief overview of the main implications and the impact of the just presented survey on bureaucratic cyberbullying among CSF (co)funded project managers and in relation to their CSF cooperation. The case analysis in this respect demonstrates how easily bureaucratic cyberbullying may escalate into real-life bullying, and, when it comes to the survey's setting within the research domain, how this can result in the infringement of academic freedom.

Immediately after the launch of the explorative victimisation survey among CSF (co)funded project managers, CSF posted an anonymous warning on its webpage,³⁷ and anonymously via e-mail informed all CSF (co)funded project managers, as well as mentors of CSF funded PhD researchers, that our on-line survey was not part of any CSF funded project and that CSF had neither provided contact details nor its permission for conducting the survey. I received a similar anonymous warning and was

³⁷ See www.hrzz.hr/default.aspx?id=2636 [26.02.2020].

requested to immediately inform survey participants about CSF's position. In line with the request, the on-line survey form was annotated and a relevant statement published on our project's website.³⁸ CSF's position was made clear, as well as our understanding that the study of cyber harassment (and as such the explorative survey on bureaucratic cyberbullying in public research funding) had been contractually agreed with CSF, and is as such foreseen in seven components of our project's workplan. We thus raised concerns that CSF's anonymous 'warning' and the CSF position itself are an attempt of bureaucratic censorship. As a project team we were not informed about the anonymous reasoning of CSF's position, nor its scientific justification, even after having repeatedly requested such information.

Now, one might assume that that was it in terms of divergent opinions and publicly raised concerns on the matter, but CSF went one step further and (again) did what CSF commonly does not (and should not) do – it commented on specific CSF (co)funded projects. CSF's Managing Director published a lengthy public statement on CSF's website, basically implying that our victimisation survey was not part of our CSF co-funded project.³⁹ The main line of argument was that the survey on bureaucratic cyberbullying was not explicitly named in the project application's summary and therefore does not constitute a part of our project. In this sense CSF publicly proclaimed that the study of cyber harassment is not part of our project, which was simply outrageous, esp. after we had been coerced by CSF into conducting the cyber harassment study at hands.⁴⁰ Reacting to such blunt repeated public defamation, which as such is a well-recognised type of bullying behaviour, we published a public statement on "CSF's bureaucratic cyber nonsense",⁴¹ and a few days later the whole topic was picked up by the media and widely reported on under the title "Scandal in the scientific community: project managers complain about cyber harassment, they say they are humiliated by tonnes of nonsense".⁴² Further media coverage followed and Croatia's state news agency HINA published several texts on our survey, as well as CSF's reactions and the lack of any relevant authority's dealing with the matter.

Mid-January 2020, less than one and a half months after having conducted the survey, the dean of our project's host institution and myself received a letter from CSF's Managing Director informing us that CSF's Managing Board had decided to conduct an "additional evaluation" of our project through means of organising an "official visit" – in short, an extraordinary control measure, commonly imposed on project managements that show difficulties or shortcomings in project implementation. CSF's Managing Board decision was based on the decision of CSF's Ethical Committee, which had found me guilty of having breached several general ethical

³⁸ See www.violence-lab.eu/news/anketa-o-faceless-bureaucracy-u-kontekstu-cyber-harassment [26. 02.2020].

³⁹ See www.hrzz.hr/default.aspx?id=2641 [26. 02. 2020].

⁴⁰ For more details, see Fn. 2.

⁴¹ See www.violence-lab.eu/news/kiberneticke-budalastine-zaklade [26. 02. 2020].

⁴² HINA 15. 12. 2019.

principles of CSF's Ethical Codex, as well as one ethical rule on "inappropriate communication with CSF employees and evaluators". The letter we received cited a section from CSF Ethical Committee's decision, but we were not even provided with the decision itself, nor with the actual decision of CSF's Managing Board. Since such procedure of CSF and its Ethical Committee was clearly in breach of several procedural provisions of CSF's own Ethical Codex, as well as the European Code of Conduct for Research Integrity, the Faculty dismissed CSF's Managing Board decision on conducting the extraordinary control measure as void, and thus reported CSF's misconduct to the Ministry of Science and Education, Zagreb University's Rector and the relevant Parliamentary Committee, while also informing the Rectors' Council and the National Science Council about CSF's misconduct. He thus called for ensuring the lawfulness of CSF's procedures and decisions. None of the addressed institutions officially replied, nor did the CSF (for the time being) conduct the extraordinary control measure, which might result in termination of the project, loss of project funds, as well as 3 PhD researcher positions. CSF upon written request eventually provided for a copy of its Ethical Committee's decision – needless to point out that neither myself as the accused/convicted/sentenced, nor my dean, had any clue there had been an ethical investigation initiated back in late December 2019, or a ruling and sentencing delivered. Basically, we were simply informed on the CSF Managing Board's decision implementing CSF Ethical Committee's sentence.

Interestingly, CSF's Ethical Committee delivered its decision in line with an unspecified and non-available phantom-request of CSF's Managing Board. CSF's Ethical Committee literally states that

"during the discussion the Committee did not go into the specifics of the project in question, but discussed elements from the provided documentation and publicly available information, for which there is a basis for determining inconsistency with principles of scientific conduct and rules of CSF's Ethical Codex. [...] Based on the available documentation the Committee had a discussion and has determined that assoc. prof. dr. *Getoš Kalac* breached the principles of the Ethical Codex, specifically articles 5, 6 and 14 (basic ethical principles, professional conduct and responsible scientific conduct)."

Then the decision continues by partially citing e-mail correspondence with CSF's faceless bureaucracy and interpreting that appeals against unreasoned CSF decisions constitute "disrespect of CSF decisions", that requests for information constitute "disrespect of hierarchy", that argumentation provided within project adjustment requests constitutes "disrespect of CSF procedures", all of which "*may be* classified as inappropriate conduct in communication with CSF employees and evaluators". Now, besides the obvious lack of basic legal knowledge and the inherent nonsense of such deliberations, clearly the just stated (even if true) in CSF Ethical Committee's own words also *may not be* classified as such conduct. Whereas the first part of the decision is completely unspecified in terms of exact conduct that might be considered unethical (although it is obviously somehow related to the survey we conducted), the decision's second part lacks any reasoning on why the e-mail correspondence *must be* considered an ethical misconduct. As such, the CSF Ethical Committee's

decision and sentencing, imposing all possible proscribed penal measures (for an alleged “minor ethical misconduct”), is nonsense at best, but much more likely CSF’s real-life bullying and an attempt at disciplining a critically thinking (and acting) project manager.

Clearly, the conducted explorative victimisation survey on bureaucratic cybullying among CSF (co)funded project managers was not to the liking of CSF’s Managing Director, nor the members of its Managing Board, or members of its Ethical Committee. Such ‘disliking’ of a research topic, let alone a legit research survey, is not unusual within any research community and is frequently the subject of opposing positions in academic papers. What is however highly unusual, and simultaneously extremely dangerous, is the abuse of position by ‘fellow’ academics through managing bodies of public research funding agencies, aimed at disciplining, punishing and silencing critical scientific opinion and making an example for the whole research community. Not only does such bullying have severe implications on the individual victim, as well as the whole project team and the relevant host institution, but it also threatens the overall scientific community by imposing self-censorship and coercing project managers, as well as future project applicants into presumably CSF-endorsed research topics.

Such CSF-conduct self-evidently infringes the individual as well as institutional and collective fundamental right of academic freedom. Even in case there would have been any legitimate grounds for CSF’s divergent opinion on what does and does not constitute a part of our joint research project, the mere lack in contractual specification of the project’s cyber harassment component does not provide CSF’s faceless bureaucracy with the discretionary right to unilaterally, anonymously and without any reasoning specify the meaning or the content of our project’s research subject.⁴³ It remains to be seen what legal and ethical implications will arise for CSF, the members of its managing and ethical bodies, but it is clear that the relevant international academic community has already decided on the matter and ascertained its firm position that academic freedom is not up for discussion, nor may it be revoked simply on the grounds of a funding agency’s disliking of particular research subject or method, let alone its discontent with specific findings of a scientific survey.⁴⁴

⁴³ “If and when specific requirements about the subject or topic of research, the method and the mode of analysis are in place, they should be clearly established and mutually agreed upon beforehand. In case of external funding, the respective rights of sponsors and researchers over the output should be made clear as well.” Cit. *Vrielink, Lemmens & Parmentier* 2011, 125. Out of this arises an obligation of funding agencies to mutually agree with project partners on potentially needed specification of research subject or topic, method and mode of analysis.

⁴⁴ The European Society of Criminology is “concerned about a case which has come to its attention relating to academic freedom” and in this regard has underlined “its commitment to the principle of academic freedom. This is a foundational component of any democratic society and a driving ethos of University research. Academic freedom requires: fair and transparent processes for the funding and review of research; the capacity for critical thinking and capacity for the academy to speak truth to power, and always and everywhere challenging censorship and rights violations.” See www.esc-eurocrim.org/index.php/activities/news [26.02.

3.3 Potentials for (Criminal) Tycoonisation of Public Research Funds

This part of the case study on bureaucratic (cy)bullying in public research funding in Croatia will highlight main findings from a thorough normative analysis. The findings are thus confirmed by the just described real-life bullying case study and in a nutshell present a total normative, judicial, inspectional and administrative vacuum when it comes to CSF quality control and oversight of legality of conduct and decisions. To start off with the most easily detectable normative vacuum – the one on quality control. In essence the only quality control of CSF's work is being performed by the Croatian Parliament. However, even this control mechanism is a fictional, rather than an actual control mechanism, since the Parliament's only competence is to accept or not accept CSF's own annual report. Even in the highly unlikely event that the Parliament were not to accept CSF's report, no consequence is foreseen.

Next in line is the question of overall administrative and/or inspectional oversight of CSF as a legal person with public authority. In short – neither the Ministry of Science and Education, nor any other government body, have competence on administrative or inspectional control of legality of CSF's work. Only with regards to control over CSF's disposal of public funds the Ministry has together with the Ministry of Finance oversight and control competences. Not even the relevant City Office in charge of regularly inspecting the work and conduct of foundations has any competence over CSF, since such inspection competences would have to be explicitly foreseen in the Act on CSF (obviously they are not).

Now, as a measure of last resort one might think about the courts. There should be some sort of legal procedure in court that might provide for legal oversight of legality and correctness of individual CSF decisions, one might think, and one would be mistaken. The High Administrative Court of Croatia has already decided that individual CSF decisions do not constitute such type of decisions that would fall within the competence of administrative jurisdiction. Currently it is under investigation whether not at least the Croatian Constitutional Court might prove to be a judicial oversight and correction mechanism. Nevertheless, the normative vacuum is complete and leaves CSF overall, as well as any of its individual decisions, as untouchable and incontestable, outside of the framework of any normative, administrative, inspectional or quality control mechanism.

In context of such a control vacuum it needs to be pointed out that CSF's Managing Board has been acting despite the expiry of its own mandate approx. 3 years ago, and solemnly based on CSF's own statute (enacted by the current CSF Managing Board in 2013). CSF's Statute foresees that the Managing Board can keep acting indefinitely after the expiry of its mandate, basically until its current members are re-

2020]. The German KrimG has informed CSF about similar concerns, whereas the Société internationale de défense sociale pour une politique criminelle humaniste has issued a "Statement related to the infringement of academic freedoms and bullying criminologists by the Croatian Science Foundation". See www.violence-lab.eu/news/issd [26.02.2020].

voked, or new members nominated by Parliament. The respective public call for nominating new CSF Managing Board members closed back in February 2018 – no one knows why no new CSF Managing Board has been nominated during the past two years. It is highly unlikely that the statutory legal grounds for the continuous acting of CSF's current Managing Board (despite expiry of its members' mandate) are in consistency with the relevant legal provisions on duration of Board Members' mandate provided in the Act on CSF. Regarding CSF's Managing Board another problem needs to be addressed and this relates to potential conflict of interest and a lack of publicly declared personal and professional networks that might interfere with CSF Managing Board members' impartiality when deciding on specific project applications or annual project reviews, as well as selecting international and domestic evaluators.

As a last oversight vacuum I need to highlight the complete lack of any publicly available information on either the criteria or the procedure for selecting foreign and domestic anonymous CSF evaluators in charge of reviewing project applications, as well as annual project reports. Not even the members of CSF's Panels on different scientific fields have any idea about who decides, and how, on such evaluators, nor is there any transparency in terms of who decides about which of the evaluators get assigned to any given project application or evaluation, nor how many such reviews are inquired and how many or which of these reviews are then used by CSF Panels or the CSF Managing Board to base their decision upon. It is only known that CSF Panels as well as project managers should receive a minimum of two separate reviews. Regarding annual project evaluations, it is not even known whether the anonymous domestic evaluators are selected from the relevant discipline in which the project has been approved, nor whether the evaluators themselves have experience in (CSF) project management or for that matter any competence on the actual project subject. Finally, foreign as well as domestic evaluators are expected to self-report on potential conflict of interest, but without any oversight on CSF's work this remains a huge unknown, just as any potential conflict of interest on the side of vastly anonymous CSF administrative staff. This is particularly worrisome in a country like Croatia with a small and highly intertwined academic community.

To conclude with, any of the just described oversight and control vacuums on their own would probably raise little if any concern on potentials for (criminal) tycoonisation of public research funds in Croatia. Yet, all of them taken together and put in the broader context of pandemic corruption, as well as criminal state capture in the Balkans (and Croatia), raise serious concerns about (at least very evident potentials for) criminal 'tycoonisation' of public research funds. Even though this is a completely different criminological phenomenon as such, at the same time it is also a plausible first assumption on probable aetiological roots for the detected phenomenon of bureaucratic cyberbullying in the domain of public research funding, as well as its real-life escalation into bullying and infringement of academic rights. Here further criminological research is urgently needed, whereby particular attention should be paid to statistical anomalies in awarded CSF project grants to host institutions of

members of CSF's Managing Board and/or their close relatives and members of their professional networks.

4. Conclusions with Food for Thought on Science Activism

The paper aimed to provide numerous empirical findings and broadly discusses its specific research question on bureaucratic cyberbullying in public research funding within the wider context of its overall research subject. First, cyber harassment, as a criminological phenomenon and concept, is not reconcilable with a consensually acceptable concept of violence, that understands violence in line with its undisputable core – the intentional physical harming or killing of another person. As such, cyber harassment needs to be studied within the realm of conceptually and phenomenologically similar types of harmful behaviour. Squeezing everything under the generic term of cyber violence creates more problems than it might ever be able to solve, whereas conceptually and terminologically the idea of cyber violence is unjustified and misleading. A more meaningful conceptualisation might build upon the idea of harmful behaviour, which includes both violence, as well as harassment. By introducing the generic term of harmful behaviour, conceptual clarity as well as terminological consistency is guaranteed, whereas the cyber dimension in relation to harassment does not undermine a clear understanding of violence as physical. Within such a set-up, bureaucratic cyberbullying is a type of bullying, which is a form of harassment and as such harmful behaviour.

Second, the term bureaucratic cyberbullying denotes the phenomenon of cyberbullying by faceless bureaucracy, which is characterised by excessive bureaucracy, cyber correspondence, facelessness, transparent arbitrariness, absolute authority and nonsense, whereas the repeating or chronic nature of single incidents through a longer period is decisive for determining its existence as such. There is no exact base-line distinguishing such bullying from being exposed to (unwanted) unpleasant behaviour, but in the context of work-related bullying the bar must be set much higher, as there is little if any voluntariness on the side of exposing oneself to bullying in work-related or contractually binding relationships. In the context of public research funding and particularly vulnerable victims, bureaucratic cyberbullying becomes even more harmful. Vulnerability should be at the very core of any true academic's nature, and while such benignant academic vulnerability is a valuable resource, unfair distribution of malignant academic vulnerability might be one of the main causes of bureaucratic cyberbullying in public research funding. In Croatia, academics are not simply vulnerable, but in fact "particularly" vulnerable considering the state's obvious failure to provide for a normative, judicial, administrative or practical framework that guarantees effective realisation of academic freedom as a fundamental human right. First practical measures to provide instant relief to Croatia's academic community would be a fair redistribution of academic vulnerability among all stakeholders engaged in public research and its funding (esp. CSF), as well as immediate normative

action on the side of the legislator, accompanied by administrative effective control mechanisms of the relevant ministries (both science and finance).

Third, our explorative bureaucratic cyberbullying victimisation survey among CSF (co)funded project managers detected the existence of five out of six characteristics within Croatia's public research funding, as well as it provided clear evidence for chronic exposure to this type of harmful behaviour. The findings on transparent arbitrariness are not fully conclusive and need to be further explored with respect to specific types of decisions on different types of subjects. Survey results clearly indicate that CSF can not be understood as having (thus far) successfully implemented the concept of researchers' self-governance of public research funds. As the case study demonstrates, CSF, as Croatia's only source of public research funding, has deviated considerably from its original founding mission and presents itself as a faceless bureaucracy that rather (cyber) bullies its clients, than contributes to society's overall advancement through enabling and promoting excellence in research. In allocating responsibility for CSF's stumbling away from its legitimate path, one must first and foremost call upon the Croatian academic community and every single one of its members, including myself. Neither the detected oversight vacuum preventing any kind of normative, administrative, inspectional, or quality control of CSF's performance and individual decisions, nor the high potential for (criminal) tycoonisation of Croatian public research funds will come as a complete surprise to most of us. In that sense it is questionable whether the Croatian academic community is able or even willing to self-govern public research funds, solemnly based on principles of scientific excellence, transparency and objectivity. There currently appears to be a serious lack of a critical academic mass subscribing to these principles, which raises the question of possible solutions and actions?

Forth, and as a response to the aforementioned question on what to do, we plead for science activism. We plead for it when *objectively* choosing our research topics and research questions, when opting for *trendy* or *fund worthy* instead of *socially responsible* or *impactful*, when publishing full-fledged findings in journals with high impact factors rather than presenting first findings to the public and the media. All of these (and many more) are objectives that can be well-balanced and co-exist in harmony. And all of them build upon the firm belief that academic freedom is a fundamental right, but that it comes with responsibilities and obligations towards the academic community and the society it is embedded in. Detecting and analysing any given problem, as well as providing for solutions is good. However, making sure the problem gets solved is even better. That is how I understand science activism and here I believe to have discovered for myself and practically tested the huge hidden potential of science activism and academic freedom. Admittedly, I have so far only managed to scientifically detect and roughly analyse the problem. I am far from having provided full-fledged answers for its actual solution. However, I am already on the (right) way of making sure it gets solved.

This criminological investigation and the here presented first findings on the phenomenology and aetiology of (cyber) bullying by faceless bureaucracy in the domain of public research funding, will hopefully be one of the finer examples of the great scientific and personal influence my *patron* has had on my academic development. It would be inappropriate to designate him simply as my mentor, since his role, in its very essence, is undoubtably more that of a benevolent patron, than that of an incidental mentor. Whoever had the privilege of working with or for him knows that *Hans-Jörg Albrecht* is not the lovely kind of mothering accomplished colleague, who would take you by the hand and lead you through the great plains of criminology-land or, for that matter, do any kind of planning or thinking for you, let alone instead of you. By supporting and protecting me whenever needed, while simultaneously allowing me to academically grow up freely and autonomously, he has in fact raised me to become the academic I am today. He equipped me with the tools for detecting seemingly hidden deviances and thus empowered me to ask provocative research questions, even when others won't. Finally, his patronage has allowed me to relatively fearlessly stand my scientific and academic grounds, regardless of pragmatic conveniences or potentially harmful consequences. I only wish more fellow academics in this part of Europe and from CSF could have enjoyed such patronage and the privilege of being raised by truly living academic freedom – the topic of this paper surely would have been another one.

References

- Aebi, M.F. & Linde, A. (2016): Long-Term Trends in Crime: Continuity and Change, in: P. Knepper & A. Johansen (eds.), *The Oxford Handbook of the History of Crime and Criminal Justice*. New York, 57–87.
- Corcoran, L., Mc Guckin, C. & Prentice, G. (2015): Cyberbullying or Cyber Aggression? A Review of Existing Definitions of Cyber-Based Peer-to-Peer Aggression. *Societies* 5/2, 245–255.
- Cybercrime Convention Committee (2018): Mapping study on cyberviolence. Strasbourg; <https://rm.coe.int/t-cy-2017-10-cbg-study-provisional/16808c4914> [17. 01.2020].
- European Agency for Safety and Health at Work (2010): *Workplace Violence and Harassment: a European Picture*. Luxembourg.
- European Commission (2018): A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, COM (2018) 65 final, 06.02.2018. Strasbourg.
- Glaser, E. (2015): Bureaucracy: why won't scholars break their paper chains? *Times Higher Education*; <https://www.timeshighereducation.com/features/bureaucracy-why-wont-scholars-break-their-paper-chains/2020256.article> [05. 01. 2020].
- Graeber, D. (2015): *The Utopia of Rules: On Technology, Stupidity and the Secret Joys of Bureaucracy*. New York; https://libcom.org/files/David_Graeber-The_Utopia_of_Rules_On_Technology_St.pdf [05. 01. 2020].

- Greenfield, P. & Yan, Z.* (2006): Children, adolescents, and the Internet: A new field of inquiry in developmental psychology. *Developmental Psychology* 42/3, 391–394.
- Heitmeyer, W. & Hagan, J.* (2002): Gewalt. Zu den Schwierigkeiten einer systematischen internationalen Bestandsaufnahme, in: W. Heitmeyer & J. Hagan (Hrsg.), *Internationales Handbuch der Gewaltforschung*. Wiesbaden, 15–25.
- HINA (15. 12. 2019): Skandal u znanstvenoj zajednici: Voditelji projekata žale se na kibernetičko zlostavljanje, kažu da su 'poniženi hrpom budalaština' by Ivo Lučić; www.tportal.hr/vijesti/clanak/skandal-u-znanstvenoj-zajednici-voditelji-projekata-zale-se-na-kiberneticko-zlostavljanje-kazu-da-su-ponizeni-hrpom-budalastina-20191215 [19. 02. 2020].
- HINA (12. 01. 2020): Nova epizoda skandala s kibernetičkim zlostavljanjem: Burne reakcije uglednih znanstvenika, javila se i ministrica Divjak by Ivo Lučić; www.tportal.hr/vijesti/clanak/nova-epizoda-skandala-s-kibernetickim-zlostavljanjem-burne-reakcije-uglednih-znanstvenika-javila-se-i-ministrica-divjak-foto-20200112 [19. 02. 2020].
- Imbusch, P.* (2002): Der Gewaltbegriff, in: W. Heitmeyer & J. Hagan (Hrsg.), *Internationales Handbuch der Gewaltforschung*. Wiesbaden, 26–57.
- Institut društvenih znanosti Ivo Pilar (2018): Kamo ide hrvatski znanstvenoistraživački sustav: prema racionalnoj reformi ili prema entropiji i urušavanju? Zagreb; www.pilar.hr/wp-content/uploads/2018/03/Izvjesce.pdf [27. 11. 2019].
- Jackson, L.* (2018): Reconsidering vulnerability in higher education. *Tertiary Education and Management* 24, 232–241; DOI: 10.1080/13583883.2018.1439999.
- Martin, B.R.* (2016): What's happening to our universities? *Prometheus* 34/1, 7–24.
- Meyer, T.* (2002): Politische Kultur und Gewalt, in: W. Heitmeyer & J. Hagan (Hrsg.), *Internationales Handbuch der Gewaltforschung*. Wiesbaden, 1195–1214.
- Münch, R.* (2016): Academic Capitalism. *Oxford Research Encyclopedia of Politics*; <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-15> [03. 01. 2020].
- Nadelmann, B.* (1997): Gewaltsoziologie am Scheideweg. Die Auseinandersetzungen in der gegenwärtigen und Wege der künftigen Gewaltforschung, in: T. v. Trotha (Hrsg.), *Soziologie der Gewalt*. *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 37, 59–85.
- Nehring, D.* (2016): The Deskilled Academic: Bureaucracy Defeats Scholarship. *Social science space*; www.socialsciencespace.com/2016/02/the-deskilled-academic-bureaucracy-defeats-scholarship/ [03. 01. 2020].
- Pejić, J.* (2019): All Western Balkan countries need “Pribe Reports” to measure state capture. *European Western Balkans – Centre for Contemporary Politics*, 08.02.2019. Belgrade; <https://europeanwesternbalkans.com/2019/02/08/priebe-report-state-capture-western-balkans/> [22. 02. 2020].
- Perry, V. & Keil, S.* (2018): The Business of State Capture in the Western Balkans: An Introduction. *Southeastern Europe* 42/1, 1–14.
- Popitz, H.* (1992): *Phänomene der Macht*. Tübingen.
- Richter, S. & Wunsch, N.* (2020): Money, power, glory: the linkages between EU conditionality and state capture in the Western Balkans. *Journal of European Public Policy* 27/1, 41–62.

- Slaughter, S. & Rhoades, G.* (2004): *Academic Capitalism and the New Economy: Markets, State, and Higher Education*. Baltimore.
- Suler, J.R.* (2004): The Online Disinhibition Effect. *CyberPsychology & Behavior* 7/3, 321 – 326.
- Suler, J.R.* (2016): *Psychology of the digital age: Humans become electric*. Cambridge.
- Sundhaussen, H.* (2014): The Balkan Peninsula: A Historical Region Sui Generis, in: A.-M. Getoš Kalac, H.-J. Albrecht & M. Kilchling (eds.), *Mapping the Criminological Landscape of the Balkans: A Survey on Criminology and Crime with an Expedition into the Criminal Landscape of the Balkans*. Berlin, 3 – 22.
- Tokunaga, R.S.* (2010): Following you home from school: A critical review and synthesis of research on cyberbullying victimization. *Computers in Human Behavior* 26/3, 277 – 287.
- UN Broadband Commission (2015): *Cyber Violence against Women and Girls: A world-wide wake-up call*; https://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2015/cyber_violence_gender%20report.pdf?v=1&d=20150924T154259 [17.02.2010].
- Vejmelka, L., Strabić, N. & Jazvo, M.* (2017): Online aktivnosti i rizična ponašanja adolescenata u virtualnom okruženju. *Društvena istraživanja: journal for general social issues* 26/1, 59 – 78.
- Vrielink, J., Lemmens, P. & Parmentier, S.* (2011): Academic Freedom as a Fundamental Right. *Procedia Social and Behavioral Sciences* 13, 117 – 141.