

POLITICAL CORRUPTION AS A FACTOR OF GOVERNMENT AND POLITICAL INSTITUTIONS DYSFUNCTIONALITY IN UKRAINE

ПОЛІТИЧНА КОРУПЦІЯ ЯК ФАКТОР ДИСФУНКЦІОНАЛЬНОСТІ УРЯДУ ТА ПОЛІТИЧНИХ ІНСТИТУЦІЙ В УКРАЇНІ

Popovych Ya.M.,

Candidate of Political Science,

*Associate Professor at the Department of General Law and Political Science
“Zaporizhzhia Polytechnic” National University*

In conditions of weak democratic traditions, imperfect national legislation, ineffective activity of government institutions and an insufficient level of political and legal culture of a modern transitional society, corruption is one of the most dangerous negative phenomena. The article proves that corruption affects all spheres of public life, contributes to the spread of organized crime, creates social tension, gives rise to uncertainty among the population in the ability of the authorities to take organizational and practical measures to overcome the systemic crisis in Ukraine.

The author analyzed the concept of corruption and highlighted that its essential feature is the abuse of state power, post and official position in order to obtain material remuneration, therefore, it has the character of a criminal discrediting of the public administration apparatus: trust in power decreases, people stop believing in the procedure for its formation; there is an alienation of power from society and public institutions; the value of right and law as instruments for regulating public life is devalued.

The article is aimed at studying the essence of political corruption, the reasons for its occurrence and sustainable reproduction, forms of manifestation of corrupt actions in modern Ukrainian society, as well as the substantiation on this basis of the system of mechanisms that contribute to its overcoming, is an important problem for socio-political knowledge.

Generally, organizational and managerial factors of corruption are the criminalization of power relations, low wages and social guarantees of civil servants, lack of public control over the activities of public authorities, imperfection of legislation regulating relations between power and capital; socio-economic factors – state policy is directly dictated by the private interests of persons in power, are a power, capable of influencing power; additional and shadow income is the basis and a necessary part of the income of officials; sociocultural and socio-psychological factors – the consequences of the Soviet type of social interaction in the system “power – citizens”; features of the traditional Ukrainian mentality. The methodological basis of the work is formed by general scientific methods of cognition of social phenomena and processes.

It is determined that political corruption in modern Ukrainian society acts, on the one hand, as a factor, and on the other – due to the dysfunction of government and political institutions in Ukraine.

Key words: corruption, power, political institutions, official, state.

За умов слабких демократичних традицій, недосконалого національного законодавства, неефективної діяльності державних установ і недостатнього рівня політико-правової культури сучасного перехідного суспільства корупція є одним із найнебезпечніших негативних явищ. У статті доводиться, що корупція зачіпає всі сфери суспільного життя, сприяє поширенню організованої злочинності, створює соціальну напругу, породжує невизначеність серед населення у спроможності влади вживати організаційних і практичних заходів для подолання системної кризи в Україні.

Автором проаналізовано поняття корупції та підкреслено, що її суттєвою рисою є зловживання державною владою, посадою та службовим становищем із метою отримання матеріальної винагороди, отже, вона має характер кримінальної дискредитації апарату державного управління: довіра до влади зменшується, люди перестають вірити у процедуру її формування; відбувається відчуження влади від суспільства та державних установ; значення права і права як інструментів регулювання суспільного життя знецінюються.

Дослідження спрямоване на вивчення сутності політичної корупції, причин її виникнення та стійкого відтворення, форм прояву корупційних дій у сучасному українському суспільстві, а також обґрунтування на цій основі системи механізмів, що сприяють її подоланню, є важливою проблемою для соціально-політичних знань.

Зазвичай організаційними й управлінськими факторами корупції є криміналізація владних відносин, низька заробітна плата та соціальні гарантії державних службовців, відсутність громадського контролю за діяльністю органів державної влади, недосконалість законодавства, що регулює відносини між владою та капіталом; соціально-економічні фактори – державна політика безпосередньо диктується приватними інтересами осіб, що перебувають при владі, є владою, здатною впливати на владу; додатковий і тінювий дохід є основою і необхідною частиною доходу чиновників; соціокультурні та соціально-психологічні фактори – наслідки радянського типу соціальної взаємодії в системі «влада – громадяни»; особливості традиційного українського менталітету. Методологічну основу роботи складають загальнонаукові методи пізнання соціальних явищ і процесів.

Визначено, що політична корупція у сучасному українському суспільстві виступає, з одного боку, як фактор, а з іншого – як наслідок дисфункціональності влади та політичних інститутів в Україні.

Ключові слова: корупція, влада, політичні інститути, посадова особа, держава.

Formulation of the problem. In modern Ukraine, corruption affects all spheres of public life, contributes to the spread of organized crime, creates social tension, gives rise to uncertainty among the population in the ability of the authorities to implement organizational and practical measures to overcome the systemic crisis in Ukraine. To determine the theoretical model of overcoming corruption and the system of anti-corruption mechanisms, it is necessary to comprehensively study the factors of the emergence and reproduction of corruption actions and practices in modern Ukrainian society, among which the leading role is played by socio-economic, socio-legal and socio-cultural factors.

Analysis of recent publications on the subject. The complexity and relevance of the study of corruption as a social phenomenon determines the increased interest of researchers to this problem. A number of social and humanitarian sciences are engaged in its study: economics, sociology, political science, history, legal sciences and others. In recent years, interest in the scientific complex understanding of corruption began to grow gradually, the number of scientific publications has increased dramatically. The works of L. Arkusha, L. Bagriy-Shakhmatov, Yu. Baulin, V. Baiduk, P. Gega, O. Gida, M. Goncharenko, O. Dulskyy, A. Zakalyuk, V. Zelezensky are devoted to an in-depth study of this phenomenon. O. Kalman, V. Klimenko, Kornienko, N. Melnik, N. Matyukhinoi, N. Mikhalchenko, E. Nevmerzhitsky, S. Omelchenko, A. Redka, A. Safonenko, O. Svetlova, V. Sirenko, V. Tatsiya, N. Khavronyuk, F. Shulzhenko, V. Chekhovich.

The purpose of the article is to highlight the socio-cultural and socio-legal factors of the emergence and reproduction of corrupt actions and practices in the political sphere. To achieve the goal, the following tasks were set:

- to analyze scientific approaches to the study of corruption in the context of interdisciplinary research;
- to highlight the factors of political corruption in the social transformations context.

Presentation of the main material of the study. The current state of corruption in Ukraine is largely due to trends that have long been outlined, and a transitional stage from a totalitarian form of government to a democratic one. The current state of this antisocial phenomenon in the state is such that the sphere of corruption and organized crime becomes a competitor of the state in managing society, and modern organizational norms and the social effect of corruption pose a threat to the national security of the country.

Corruption is a multifaceted concept that includes many aspects of economic, legal, political nature, and therefore it should be considered in an interdisciplinary context. Therefore, it is important

to note that there is a variety of approaches to the definition of corruption. Many researchers call this phenomenon criminological, although there is also such a point of view that “corruption is not so much a legal concept as a social and moral concept” [1, p. 91]. From the point of view of etymology, the term “corruption” was formed from a combination of the Latin words “*correi*” – the participants of the parties on a single subject and “*rumpere*” – to break, damage, violate, cancel. As a result, there is an independent term – “*corrumpere*”, which implies the participation in the activities of several people, whose purpose is to “damage”, “loss” the normal course of the trial or the management of the affairs of society [2, p. 13].

Therefore, we note that there are many definitions of corruption. Perhaps the most concise and accurate of them: “abuse of public power for the sake of private (personal) gain” [3, p. 21]. Similar definitions are found in UN documents. The more complete of them is contained in the documents of the 34th session of the UN General Assembly (1979): “The performance by an official of any action or inaction in the sphere of his official powers for remuneration in any form in the interests of a person gives remuneration, as in violation of job descriptions, and without violating them” [3, p. 24]. The Council of Europe’s Interdisciplinary Panel on Corruption provides a somewhat broader definition: “Corruption is bribery and any other remuneration to a person entrusted with the performance of certain duties in the public or private sector, leads to violations of the obligations imposed on him by the status of a public official, a private employee, an independent agent or any other kind of relationship with the aim of obtaining any illegal benefits for yourself and others”. The same idea is laid in the regulation prepared by the UN Secretariat based on the experience of different countries [4, p. 37].

An analysis of modern scientific literature shows a significant number of definitions of corruption, summarizing which, it can be stated that the understanding of corruption depends on the angle of view from which specialists in various branches of science are trying to study it. The definitions proposed by the authors are inherent in precisely those sciences of which they are representatives, in particular, economic science, management theory, sociology, and legal sciences.

Scientists, examining the essence of corruption as a social phenomenon, define several conceptual approaches to the definition of corruption [5]. The first one interprets this social phenomenon in a broad sense as the direct use by an office-holder of his official position for personal enrichment. The second approach describes corruption as a certain type of socio-economic relations. Here, bribery acts either as a specific market for goods and services, where transactions between actors are periodically

carried out and the laws of supply and demand operate, or corruption relations are initially built into the system of social structure. From the point of view of the third approach, corruption is considered within the framework of two strategies of social groups behavior. The first implies the seizure of the state by business, that is, the adoption by commercial structures of actions to exercise shadow control over civil servants. The second involves the seizure of business entities by state structures, when officials are trying to organize control over commercial companies for the purpose of personal enrichment. The fourth approach is based on the definition of corruption as a systemic phenomenon. From these positions, bribery is viewed as a defect of the entire system of social relations as a whole (and public administration and economy, and social morality).

It should be noted that in the mid-90s of the twentieth century, the German political scientist J. Wever, as part of the preparation of an article on political corruption in the encyclopedic political science dictionary, proposed to combine the approaches to the study of corruption known in the scientific literature into four directions: the so-called “conventional”, “revisionist”, “market-centrist” and “orthodox Marxist”. Over time, Russian researchers A. Bistrova and M. Silvestros will also become supporters of this classification [6, p. 88–90].

According to the results of this classification, it is proposed to include concepts (and, above all, the well-known German-American political scientist K. Friedrich) in the “conventional” direction of corruption research, which interpret it as behavior that deviates from behavior acceptable in the political sphere, and target obtaining personal benefits. At the same time, it is argued that personal benefits can be not only financial in nature, but can provide certain moments of vertical political mobility of the corrupt official or his support group.

Among the causes of corruption in Ukraine, the “Soviet legacy” is often cited. To a certain extent, this statement does not contradict reality. The growth of a huge apparatus of control over production and distribution, the spread of the shadow economy, which began during the period of prosperity of the planned system, Ukraine’s refusal to carry out lustration—that is, the prohibition of former Communist Party leaders to hold positions of responsibility in the government structures of the new state, created favorable conditions for the redistribution of property and transformation power on almost the only source of enrichment. The nomenclature of the new Ukrainian state retained the right to control the distribution—now not of products and preferential vouchers, but access to participation in privatization, lucrative government orders and loans [7]. According to M. Kamlik and E. Nevmerzhiyskiy, corruption is stimulated to a large extent by the presence of significant remnants of the old command-administrative

system as an excessively large administrative apparatus with unreasonably wide powers, in particular, administrative and entertainment content, and the prevalence in it, primarily due to management positions serving the old generation with conservative psychology, who do not perceive the needs of democratic reforms [8, p. 62]. However, the past can hardly be blamed for everything. Recently, much has been said in Ukraine about the need for transparency and responsibility of the authorities, and that it is precisely the lack of responsibility of politicians and civil servants that has become the main factor of public distrust of the authorities. However, to ensure the transparency of the government, both political will from above and the demand of the public from below are needed. If the former is at least declared at the highest level (although it is lost at any other level), then the latter is still at the very initial stage of creation and is “fueled” mainly by programs financed by foreign donors [7]. There are several reasons for the flourishing of corruption in Ukraine - and they are generally known. According to S. Konenko, this is a reassessment of values in society and insufficiently effective activities of management, can become a negative example for subordinates, financial problems, insufficient departmental control, an insufficient degree of perception of actions that can provoke corrupt behavior, frivolity, naivety, lability (instability) [9]. According to N. Melnik, the factors of corruption should be recognized as phenomena, processes, other factors that carry out any determinative influence on corruption, causing corruption as a phenomenon and giving rise to its specific manifestations [10, p. 16].

Let’s single out the leading groups of corruption factors in the Ukrainian transitional society. Modern researchers identify various factors of the emergence of corruption in modern Ukrainian society. Thus, S. Seregina names the following as the main reasons for the spread of corruption in Ukraine [11 p. 136–137]: stratification, uneven development of the market economy; polarization of society; the contradiction between the fast-changing conditions of the market economy and the fixing legislation; the contradiction between the legislative and moral and ethical norms of entrepreneurship; contradictions in the political system, which are represented by the authorities and business; the need for the survival of the population in the difficult conditions of the market relations formation; creating an artificial shortage of resources; delay in making decisions. On this basis, the author proposed a set of reasons and factors for the spread of corruption in Ukraine during the period of social transformations, which contains: 1) political factors (closed political system, non-transparency of managerial decision-making, too slow development of the political structure and consciousness of society, especially its public

institutions, inconsistency in the implementation of anti-corruption policy); 2) economic factors (non-transparency of economic processes); 3) legal factors (insufficient legal basis for effective combating corruption, the absence at the regulatory level of an integral system of preventive influence means on the causes and conditions conducive to corruption and acts of corruption) 4) organizational and managerial factors; 5) socio-psychological factors (lack of formation of anti-corruption consciousness) [11, p. 137]. V. Malinin notes the traditional approach to understanding the causes of corrupt behavior, which helps to identify, describe and explain the main factors of corruption that affect its existence, reproduction, dissemination and transformation (modification). V. Malinin identifies the main factors that determine corruption, according to the content or spheres of social life, and subdivides them into: 1) legal; 2) organizational and managerial; 3) educational; 4) ideological; 5) socio-economic; 6) socio-psychological; 7) socio-political and some other reasons and conditions or processes and phenomena that cause (determine) crime in these areas of society [12, p. 154–177].

L. Bilinska identifies the following groups of factors and conditions for the development of corruption: 1) economic (unfavorable mode of activity of enterprises, lack of transparency in many economic processes); 2) legal (lack of an integral system of anti-corruption funds, uncertainty of responsibility for corruption acts, the formal nature of the current income declaration system, etc.); 3) organizational and managerial (lack of clear regulation of the activities of officials, the expansion of personnel policy in cases of filling positions through acquaintance (favoritism, kronism, nepotism), etc.); 4) socio-psychological (underdevelopment of civic consciousness, selfish orientation of civil servants, professional and moral deformation of officials, etc.) [13, p. 140].

Corruption as a social phenomenon in modern sociological science is associated primarily with the dysfunctionality of social processes in transitional or transitive societies, which can cover all spheres of social space, is expressed in a social phenomenon, “all-encompassing corruption”. It is in transitive societies (to which the Ukrainian society belongs) that corruption reaches a high level of prevalence. Let us consider the features of the institutionalization of corruption practices in the context of transitive (transitional) societies from the point of view of various theoretical approaches.

Describing the current state of society, they often speak of it as a transitional society, modernizing, transforming or transitively. It can be noted that a transitional society is a society that carries out its evolutionary transformation from one qualitative state to another. Such a society arises when relations of a qualitatively new type arise in it, which are

established not suddenly, but gradually, acquiring new institutional and systemic qualities. The term transitional and, in fact, transitive (from the English. Transitional) is more used by scientists. When the concept of “transitional” or “transitive” society is considered, it means not only transformational changes in post-communist societies, that is, the transition from totalitarianism to democracy, but also the transition from traditional to modern society as a process of modernization.

The words “transit”, “transitivity”, which define this concept, are ambiguous. The English-Russian “Muller’s Dictionary” gives the following meanings: change; transition (to another state), short-term [14]. Analyzing the above definitions, it is easy to see that all the meanings of the words “transit” and “transitivity” are united – the idea of transition. But there are many concepts that characterize the process of transition, a state of instability in a number of relatively stable stages of society development: society, transforming, transitional, such that it is being modernized, and the like.

V. Agranovich, summarizing a number of studies, highlighted the attributive features of a transitive society “instability, unevenness of the social processes taking place in it, as a rule, irreversible in nature <...> the temporary nature of a transitive society <...> in a transitive society, processes generate a state of social instability; lack of integrity, completeness of properties and characteristics of social forms of relations <...> the historical “individuality” of each transitive society, associated with the specifics of the historical time in which transitional processes occur and with which differences in the initial and final states of the transitive society are associated” [15, p. 54]. So, in this definition, the transitivity of society is associated with social instability and changes in the social structure in general.

The term “transition period” is widespread in use today. This is the approach that the modern researcher N. Mikhilchenko adheres to. “Transition period”, in his opinion, means a transition from uncoordinated, often contradictory, chaotic power influences on various spheres of public life to pursuing a well-defined responsible political course [16, p. 22]. The author defines the features of a transitional society: weak and unconsolidated political power; – weak, ineffective judicial system; stagnation of the process of civil society new structure’s formation; the growth of lumpenized and marginalized social groups; abrupt changes in orientations towards systems of values and ideals [16, p. 23]. So, the author associates the development of society in the transition period with the political system instability, with the destruction of the traditional way of life, established social practices, moral norms and values.

According to O. Astafyeva, the transition period is a qualitative transformation of society, leading to

a change in its essence. They all have similar reasons, and they are associated with a systemic crisis: a crisis of old management systems, old economic structures, old social relations, ideological crisis, etc. She refers to the signs of a transition period: an increase in the social activity of the population; the growth of unrest, dissent, protests; crisis in domestic and foreign policy; a drop in the level of production, the standard of living of people; fragmentation of all newly emerging classes and social groups; social frustration is caused by a sharp differentiation of property [17, p. 145–156].

Conclusions and prospects for further research in this direction. So, conceptual scientific approaches to the study of corruption in the context of interdisciplinary research have been systematized, among which the following are identified: 1) depending on the disciplinary direction – legal, economic and sociological approaches; 2) as a systemic social phenomenon – political and legal, socio-economic, sociological and managerial approaches. Based on this, corruption is a social systemic phenomenon that can be viewed in the political and legal aspect as a destructive phenomenon in social, political and public administration, in the socio-economic aspect as a deformation of the market and economic

relations “state – market – society”, in social aspect as institutionalization and legitimization of informal social relations, manifested in the deformation of the value-normative system of society. It was determined that corruption: firstly, as the behavior of elected persons, called upon to perform the functions of the state, which depart from the formal components - duties and powers, rights and obligations – the state role (position) in order to obtain personal benefit; secondly, as deviant political behavior, which is expressed in the illegitimate use of state resources by the dominant political elite in order to strengthen its power and enrichment; thirdly, the interpretation of the concept of corruption in the political aspect assumes that its essential feature is the abuse of state power, post and official position in order to obtain material remuneration, therefore, it has the character of a criminal discrediting of the public administration apparatus; fourthly, political corruption includes actions related to the political sphere: the electoral process, lawmaking, privatization, budget.

Thus, political corruption in modern Ukrainian society acts, on the one hand, as a factor, and on the other, as a result of the dysfunctionality of power and political institutions in Ukraine.

REFERENCES:

1. Большой толковый социологический словарь (Collins). Т. 1 / пер. с англ. Москва : Вече, АСТ, 1999. 544 с.
2. Верстюк С. Корупція: визначення, причини появи, вплив на економіку. *Економіка України*. 2001. № 3. С. 66–74.
3. Гилинский Я. Коррупция, теория, российская реальность, социальный контроль. URL: <http://narcom.ru/ideas/socio/84.html>.
4. Корупція: теоретико-методологічні засади дослідження / керівник авт. кол. І.О. Ревак. Львів : ЛьвДУВС, 2011. 220 с.
5. Куприянов И.С. Бытовая коррупция в современной России: социальное содержание и основные тенденции (на материалах исследований в Ивановской области) : автореф. дис. ... канд. социол. наук : 22.00.04. Нижний Новгород, 2011. 26 с.
6. Быстрова А.С., Сильвестрос М.В. Феномен коррупции: некоторые исследовательские подходы. *Журнал социологии и социальной антропологии*. 2000. Т. 3 (№ 1). С. 83–101.
7. Вирішення проблеми корупції: від проголошення боротьби з корупцією до скорочення корупційних можливостей. URL: www.ua.org.ua/brochure/2000/002/009.htm.
8. Камлик М.І., Невмержицький Є.В. Корупція в Україні. Київ : Знання, 1998. 186 с.
9. Коненко С.Я. Профілактика та боротьба з корупцією в поліції Німеччини: Із досвіду роботи поліції землі Нижня Саксонія. Київ : Знання України, 2006. 16 с.
10. Мельник М.І. Кримінологічні та кримінально-правові проблеми протидії корупції : автореф. дис. ... докт. юрид. наук : 12.00.08. Київ : Національна академія внутрішніх справ України, 2002. 31 с.
11. Серьогін С. Механізми попередження та протидії корупції в органах публічної влади. *Університетські наукові записки*. 2009. № 4. С. 284–289.
12. Частная криминология / отв.ред. А.Д. Шестакова. Санкт-Петербург : Изд. Р. Асланова «Юридический центр Пресс», 2007. 771 с.
13. Білінська Л.В. Корупція як соціальне, психологічне і моральне явище. *Науковий вісник Міжнародного гуманітарного університету. Сер.: Юриспруденція*. 2013. № 6. Т. 1. С. 138–141.
14. Словарь Мюллера (англо-русский). URL: <http://www.diclib.com/>
15. Агранович В.Б. Инновации в транзитивном обществе: социально-философский анализ : дис. ... канд. филос. наук : 09.00.11. Томск, 2007. 356 с.
16. Михальченко М. Україна XXI століття: і знову пошук шляхів розвитку. *Віче*. 2001. № 1. С. 20–28.
17. Астафьева О.Н. «Переходность» как принцип социокультурного развития: движение общества к новому типу культуры. *Стратегии динамического развития России: единство самоорганизации и управления* : материалы Первой междунар. науч.-практ. конф. Т. III. Синергетика в решении проблем человечества XXI века – диалог школ. Москва, 2004. С. 145–156.