

INNOVATION, WORK, SOCIETY

FACTORS OF CORRUPTION AND CORRUPT PRACTICES
WITHIN THE CONDITION OF THE TRANSITIONAL UKRAINIAN SOCIETY:
SOCIOLOGICAL ANALYSIS**Denys Chumachenko**

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Summary

The article describes the formation and realization of corrupt practices in the modern Ukrainian society (on the example of Zaporizhzhia Region). The validity of corruption in the transitional society is in legitimization and institutionalization of informal regulatory system, which generates corruption relations at macrolevel (State, social subsystems), mesolevel (organizations, institutions, enterprises) and at microlevel (corruption interaction of individual actors – petty corruption). The emergence and institutionalization of corrupt practices is carried out under the influence of many factors, the weight of which may vary depending on the civilizational and societal development of the country, political systems, cultural and mental peculiarities. Transitional societies, where transformation of social, economic and political systems at all levels, are characterized by integrated and system influence of different groups of factors (political and legal, organizational and managerial, social and economic, sociocultural and social and psychological factors), which form informal standards, regulations and rules of public, social relations and the appropriated social structure that supports their legitimization.

The main group of factors of corrupt practices have been defined based on legitimization and institutionalization of informal regulations and rules of social interaction in the transitive Ukrainian society: political and legal factors; organizational and managerial factors; social and economic factors; sociocultural and social and psychological factors.

Keywords: corruption, corrupt practices, transitional society, institutionalization of corrupt practices, factors of corruption and corrupt practices.

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1. Introduction

Within the conditions of weak and poor democratic traditions, imperfection of national legislation, inefficient activity of governmental institutions and insufficient level of political and legal culture of the modern transitional society, one of the most dangerous phenomena is corruption. The most problematic characteristic of this phenomenon of corruption was that it began to be perceived on a daily basis as social norm, although at the level of verbal expressions

the majority of the population declaratively supports the idea on the danger of this phenomenon. Therefore, a comprehensive study of the essence of corruption, the reasons that cause its emergence and its sustainable reproduction or functioning, forms of corruption and corrupt practices in the modern Ukrainian society is an important problem for social and humanitarian knowledge and implementation of State (governmental) policy to fight corruption in the Ukrainian society at all levels.

2. Analysis of recent research and publications

The complexity, significance and relevance of the study of corruption as a social phenomenon explains the increased interest from scholars and researchers to this problem. A number of social and humanitarian sciences study this problem: economics, sociology, politology, history, and legal science (law) and others. During the recent years there's a growing interest to comprehensive scientific understanding of corruption; a number of scientific publications has increased. The following scientists devoted their deep research to the study of this phenomenon: L.Arkusha, L.Bahrii-Shakhmatov, V.Borysov, Yu.Baulin, V.Baiduk, P.Heh, O.Hid, M.Honcharenko, O.Dul'skyi, A.Zakaliuk, V.Zelenetskyi, O.Kalman, V.Klymenko, M.Korniienko, M.Melnyk, N.Matiukhina, M.Mykhalchenko, Ye.Nevmerzhytskyi, S.Omelchenko, A.Redko, A.Safonenko, O.Svietlov, V.Sirenko, V.Tatsii, O.Tereshchuk, M.Khavroniuk, F.Shulzhenko, V.Chekhovych.

Foreign scholars paid considerable attention to comprehension of the content and essence of corruption, its sources and determinants – K.Abdiiev, H.Avrek, I.Averkiiev, S.Barsukova, M.Bartoshyn, A.Bystrova, A.Burov, B.Volzhenkin, D.Halytskyi, L.Habriel, L.Hevelynh, S.Huriiiev, R.Hrynberh, P.Dzhereli, O.Dudorov, P.Kabanov, H.Kaluhin, A.Kyrpychnikov, I.Kliamkin, V.Komisarova, V.Komrovskyi, S.Kordonskyi, N.Kuznietsova, S.Lipset, V.Lukomskyi, S.Mak-symov, O.Nikelin, M.Niukhina, O.Pachenkov, S.Perehudov, S.Pundel, L.Petter, S.Rym'skyi, S.Rouz-Akkerman, O.Popov, H.Satarov, Dzh.Skott, I.Semenenko, A.Soloviov, L.Tymofieiev, A.Chuklinov, F.Shulzhenko. However, despite a large number of publications on corruption problems, it is necessary to emphasize insufficiency of a comprehensive analysis on the factors of corruption actions and corrupt practices in the context of the modern transitive Ukrainian society.

3. Formulation of the article objective

The purpose of the study is to determine factors of formation and realization of corrupt practices in the modern Ukrainian society (on the example of Zaporizhzhia Region).

4. The statement of basic material

Corruption as a social phenomenon in modern sociological science is associated mainly with disfunction of social processes in transitional or transitive societies, which can cover all areas of social space, resulting in a social phenomenon, according to O.Stehni (Stehnil, 2012: 9), «prevalent corruption». It is transitive societies (which includes Ukrainian society) where the dissemination of corruption reaches its highest level.

Corruption – is a multidimensional and multifaceted concept which includes many aspects of economic, legal, political nature, and that is why it should be considered in interdisciplinary context. Therefore it is necessary to mention that there are a large variety of approaches to corruption definition. Many researchers define this phenomenon as criminogenic, although there's the following point of view, that «corruption – is not that much of a legal concept, but social and moral» (Bolshoi tolkovyi: 91).

Scholars, studying the essence of corruption as a social phenomenon, determine several conceptual approaches to corruption definition (Kupriyanov: 2011). The first approach interpretes this social phenomenon in a broad sense as a direct use by an official his official position for personal enrichment. The second approach describes corruption as a certain type of social and economic relations. In this approach corrupt practices (bribery) is either a specific market of goods and services, where transactions between the actors are done from time to time and the laws of supply and demand are applied, or where corrupt relations are first built into the system of social order. According to the third approach corruption is considered within the framework of two strategies of behavior of social groups. The first strategy means the despoliation of the State by business, that is taking over actions by commercial structures to implement shadow control over civil servants. The second strategy involves the despoliation of the business entities by government entities (or government institutions), when civil servants or officials organize control over commercial companies for personal enrichment. The fourth approach is based on the definition of corruption as a system-related phenomenon. And for that matter, corrupt practice (ie bribery) is viewed as a defect of the entire system of social relations in general (public administration, economy, and social morality).

Professor N.Kuznetsova proposes to view corruption not only as a legal, but as a social, economic and moral phenomenon, which affects and harms normal functioning of moral and legal relations in the society and the State (*Kuznetsova, 1993: 32*). This approach is regarded to be the most successful and advantageous as corruption cannot be considered only in the legal aspect. Thus, ignoring other sides of corruption which characterize it as a social, political and economic phenomenon, it is impossible to define the nature of the origin of the term «corruption».

M.Melnyk gives similar definition: «Corruption – is a multifacet social and economic, political, legal and moral phenomenon, which consists of a set of illegal and unethical actions. Corruption – is not so much a legal problem as social and economic one. As a legal category, corruption – is a collective legal concept, which covers a set of interrelated delicts or offences against the law» (*Melnyk, 2004: 34*).

Sociological approach to the theoretical analysis of corruption involves the analysis of diversity of regulatory systems and social factors, which cause corruption behavior and this approach enables showing the differentiation of the assessment of this phenomenon by different subjects. In sociological interpretation corruption is acknowledged as a form of social relations, involves its analysis as a form of interaction between entities, which possess different amount of resources within various institutions as regulatory systems.

In our opinion, the essence of corruption in the transitional society is legitimization and institutionalization of informal regulatory system, which generates corruption relations at macrolevel (State, social subsystems), mesolevel (organizations, institutions, enterprises) and at microlevel (corruption interaction of individual actors – petty corruption). The emergence and institutionalization of corrupt practices is influenced by many factors, the impact of which can vary depending on civilizational and societal development of the country, political system, culture and mental peculiarities. In our opinion, transitional societies, where transformation of social, economic and political systems takes place at all levels, are characterized by the complex and system influence of various groups of factors, which form informal regulations and rules of social relations and appropriate social structure, which supports their legitimization.

Let's define the major groups of factors of corruption in the Ukrainian transitive society. Modern researchers and scholars define various factors of the emergence of corruption in the modern Ukrainian society. Thus, S.Serohin determines the following main reasons of dissemination of corruption in Ukraine (*Serohin, 2009: 136-137*): stratification, uneven development

of market economy; polarization of the society; contradiction between the rapidly changing conditions of market economy and the current legislation; contradiction between legislative and moral and ethical regulation of entrepreneurship; contradictions in political system, which are represented by government and business; the need for survival of the population in the difficult conditions of the market relations development; creating an artificial shortage of resources; procrastination in decision-making process. On this basis, the author proposed a system of reasons and factors of corruption dissemination in Ukraine during the period of social transformations, which includes: 1) political factors (closed political system, non-transparency of the managerial decision-making, extremely slow development of the political structure and and consciousness of society, first of all its public institutions, inconsistency in anticorruption policy); 2) economic factors (non-transparency of economic processes); 3) legal factors (insufficient legal base for effective fighting with corruption; lack on the regulatory level of integral system of measures of preventive influence on the causes and conditions, which contribute to corruption and corrupt practices); 4) organizational and management factors; 5) social and psychological factors (unformed anti-corruption consciousness) (Serohin, 2009: 137).

V. Malinin pays attention to traditional approach to understanding and comprehension of the reasons or motives of corrupt behavior, which helps to determine, describe and explain the main reasons that cause corruption that affect its existence, realization, dissemination and transformation (modification or alteration). V. Malinin underlines the main causes, that determine corruption due to its content or spheres of social life, and divides them into the following: 1) legal; 2) organizational and managerial; 3) educational; 4) ideological; 5) social and economic; 6) social and psychological; 7) social and political and some other reasons and conditions or processes and phenomena, which cause (or determine) maleficence or criminality in these spheres of life of the society (Chasnaya kriminologiya, 2007:154-177).

L. Bilinska emphasises the following groups of factors and conditions of corruption development: 1) economic (unfavorable environment for activity of enterprises; lack of transparency of many economic processes); 2) legal (absence of the integral system of anti-corruption measures, uncertainty in responsibility for corrupt actions, formal nature of the current system of income declaration etc.); 3) organizational and managerial (lack of clear regulation of officials, the prevalence in the personnel policy cases of the vacancy filling through connections (favoritism, cronyism, nepotism) etc.); 4) social and psychological (underdevelopment of civic consciousness, self-serving state officials, professional and moral deformation of public servants etc.) (Bilinska, 2013: 140).

Therefore, it's possible to determine several main groups of factors of corrupt practices based on the legitimization and institutionalization of informal regulations and rules of social interaction in the transitive society: 1) political and legal factors; 2) organizational and managerial factors; 3) social and economic factors; 4) sociolultural and social and psychological factors.

Political and legal factors of corrupt practices could be divided into several independent but interrelated and interdependent groups. Each of these groups of factors separately is not able to lead to corruption, only their certain combination or consequent interaction lead to individual and mass corrupt behavior. According to V. Malinina (Chasnaya kriminologiya, 2007) the first group of factors includes insufficient legal regulation of state and public activity which contributes to formation of informal regulatory system for regulation of legal relations in society: 1) improper legal regulation of official powers of officials of public authorities and local government; 2) lack of clear division of competences between them; 3) duplication or overlap and combination of official duties of different public authorities. The second group of factors of existence, realization and dissemination of corrupt behavior includes vivid and obvious

disadvantageous features in the current domestic legislation, which regulates different spheres of life-sustaining activity. This group of factors consists of the following: 1) insufficient effectiveness of current criminal legislation on responsibility for certain types of corrupt behavior; 2) improper legal regulation of financing of election campaign to governmental authorities, which leads to electoral corruption; 3) lack of adequate legal framework to fight corruption, although anti-corruption legislation and anti-corruption program independently do not guarantee corruption reduction; 4) certain categories of officials possess the exemption or privilege from criminal prosecution; 5) the state of corruption is influenced by the imperfection of electoral legislation, which does not ensure the real dependence of the elected officials on their electorate etc.

Organizational and managerial factors play an important role in corruption development. These factors are tightly related to political and legal factors of corruption relations, such as – managerial which contribute to its existence, dissemination and transformation. Any managerial activity possesses disadvantageous features, but not all of them lead to corrupt behavior: 1) instability in State or Civil service; 2) lack of effective financial and other state, public or civil control over the officials activity; 3) inefficiency of State law enforcement agencies and watchdogs and courts; 4) weak and poor coordination of the activity of law enforcement agencies both within the State (at the national level), and between different Regions (at the interregional level); 5) lack of adequate forms of social control over the activities of public authorities by civil society institutions; 6) weakness of civil society institutions, including the underdevelopment of the party system, which reduces the level of real political competition and serves as an effective means of restriction of corruption. Besides, the mentioned factors spread political instability in society, which turns in increase of qualitative and quantitative indicators of corrupt behavior of society at a simple household level. In general, it is possible to determine the following reasons that cause corruption: criminalization of power relations (dependence of the government on private capital), low wages and social guarantees of civil servants, lack of public control over governmental authorities, imperfection of legislation, which regulates of power-capital relations. Combination of these and other causes lead to a significant dissemination of corruption.

Social and economic factors of corruption in the transitional society are associated with transition to market, competitive relations in the economic system. Poor social and economic conditions: low production level, low wages, low social benefits, unregulated entrepreneurial and business activity, imperfect taxation system, instability in banking and finance systems, lack of governmental economic policy, high unemployment rate, labour migration of the population etc are significant factors of corruption dissemination into all spheres of social life, creating informal corruption schemes in the economy of the country. But, as it was mentioned before, the leading factor of corruption in economic sphere, which leads to shadow economy, is merging business and authorities (governmental authorities) and lobbying at the state level for the corporate interests of large oligarchic financial and industrial groups. As S. Piasecka-Ustych mentions: «The shadow economy mainly depends on the general state of economy, living standards of the population and governmental restrictions. Negative consequences of the shadow economy are obvious. Going into «shadow» from the legal circulation of significant funds reduces efficiency of the credit and financial systems, freezes the situation with nonpayments or delay in payments, negatively affects and worsens investment climate, destroys social infrastructure of the society, creates and stimulates conditions for capital export abroad, promotes the organized crime. It contributes to economic, moral and political statutes of the society many things that can be considered as increasing threats to economic security of the country: high level of property differentiation of the population, deformation of the structure of the economy, increase in inequity of social and economic development, criminalization of the society

and all spheres of economic activity» (*Piasetska-Ustych, 2016: 35*). Therefore, the following peculiarities of relations of business and government are among the factors that form informal regulatory relations (corrupt practices) in Ukraine: 1) state policy is directly dictated by the private interests of those who are in power (or in the office) or of those who are close to those who are in power, able to influence the government; 2) additional and shadow income form the main and necessary part of income of governmental officials; 3) corrupt behavior became a standard in economic and political culture; 4) the executive power is actively using «shadow» forms of income mobilization and incentives.

Sociocultural and social and psychological factors of corrupt practices institutionalization in the transitional Ukrainian society. It is possible to define the following among these factors: 1) consequences of Soviet type of interaction in the system «power (nomenclature, government establishment, elite who controls politics, officials, leaders) – citizen»; 2) peculiarities of the traditional Ukrainian mentality, traditional system of values and standards; 3) crisis state of public consciousness – high level of anomy demoralization of the population (*Kuznetsova, 1993*); 4) emergence of new social groups – deformation of social structure of the society etc.

Thus, the influence of corruptogenic factors, or rather their interaction, in the conditions of transitive society, creates conditions for institutionalization of corruption at different levels of the society functioning and social interaction, which is reflected in emergence and domination of certain types and forms of corrupt practices and relations. Therefore, informal regulatory system in the form of corrupt transactions and exchange covers various spheres of public and social life.

To identify the reasons of corruption and corrupt practices in the modern Ukrainian society a sociological survey of the residents of Zaporizhzhia Region was carried out (n=500, November 2019). There were 500 respondents in the survey aged 18 and older – residents of Zaporizhzhia Region. The sample consisted of: 1) men –45%; women –55 %; 2) 18-40 years – 39%, 40-69 years – 48%, older than 70 – 13%. By education: 29% –higher education, 46% – secondary special, 25% – secondary education and lower.

The subjective perception of the frequency of respondents' encounters with corruption was measured with the help of the question «How often do you encounter any form of corruption?» (Fig. 1).

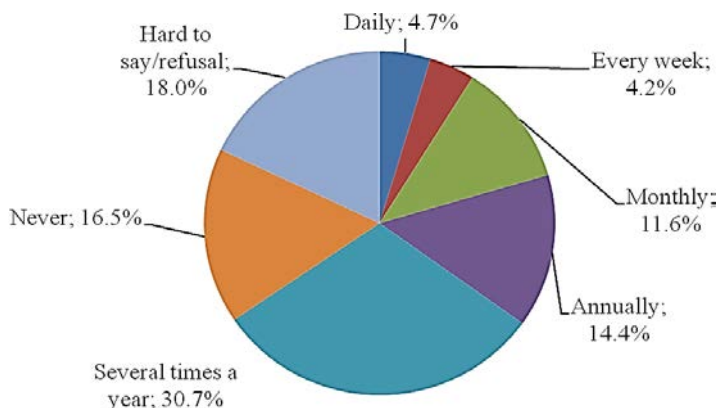


Fig. 1. The subjective perception of the frequency of encounters with corruption

It's possible to state that general corruption level of Ukraine remains very high. Almost 2/3 of the respondents (65.6%) answered that they encountered corruption during in the last 12 months, and a fifth part (20.5%) encounters corruption at least monthly. It's important to mention that among those who possess corruption experience 56.5% have experience of extortion bribes and 35.6% have experience of voluntary bribes.

Citizens' views on the reasons that cause corruption remain quite stable. It's hard to define one main factor which causes corruption in Ukraine, but it is rather the result of combined influence of a number of factors, the main ones are illustrated by Fig. 2.

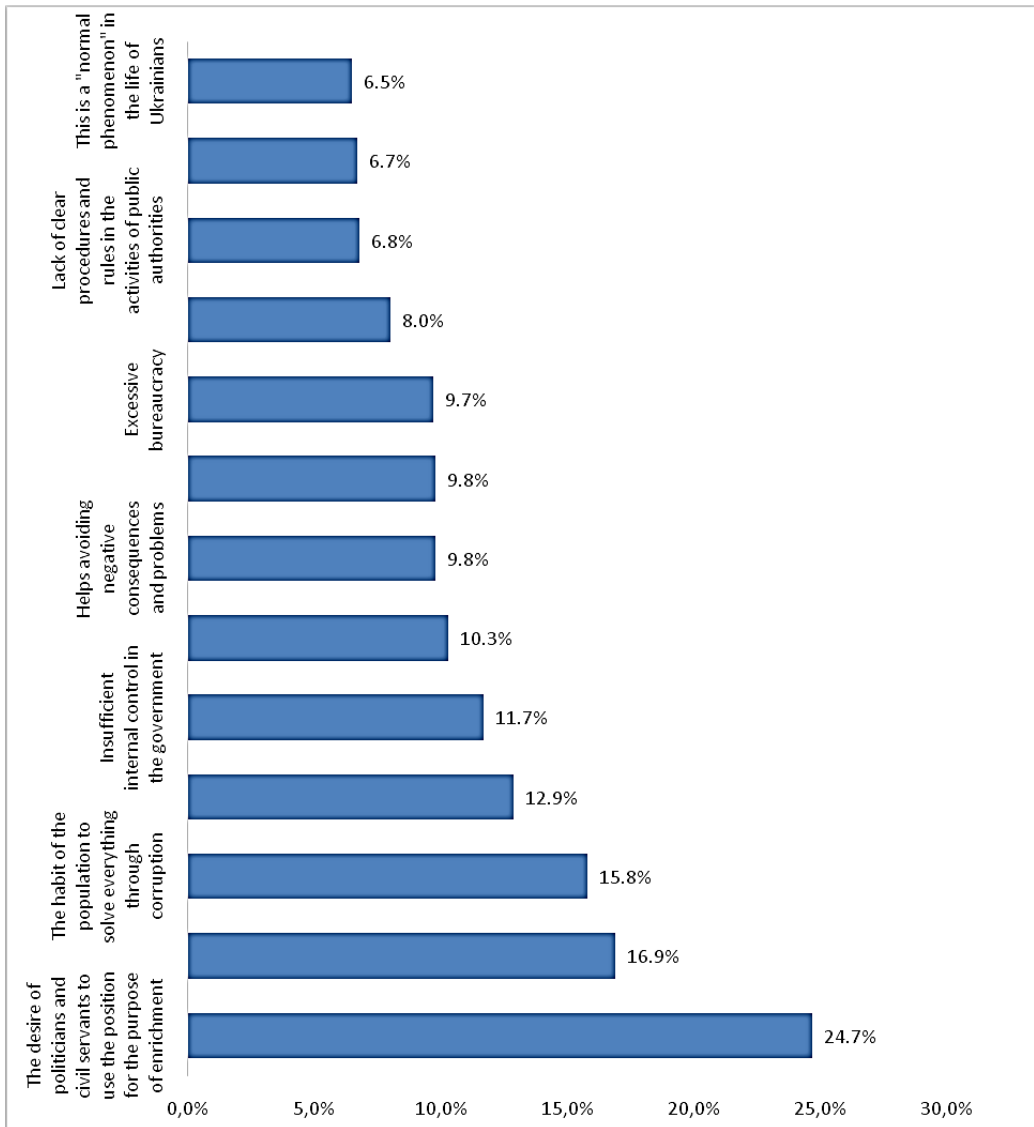


Fig. 2. The main reasons that cause corruption and corrupt practices (it was possible to choose several options)

Very often the main reason that causes corruption was the desire of the officials to use their official position for private benefits or personal enrichment (24.7%). The highest governmental authorities of the country help them in this activity due to their unwillingness to fight corruption (16.9%) and the population itself, which is accustomed to solving their own problems in this way (15.8%). 11.7% of the respondents mentioned the insufficient internal control in the governmental authorities, and about 10 % of the respondents are convinced that corruption is caused by rather complicated and imperfect legislation of Ukraine. It's worth mentioning, that «habit», «routine» of corrupt practices as a factor is almost 42% of the proposed statements, and the factors of external influence (mainly as inactivity and passive position of the State) – almost 80%.

5. Conclusions

The emergence and institutionalization of corrupt practices is carried out under the influence of many factors, the weight of which may vary depending on the civilizational and societal development of the country, political systems, cultural and mental peculiarities. Transitional societies, where transformation of social, economic and political systems at all levels, are characterized by integrated and system influence of different groups of factors (political and legal, organizational and managerial, social and economic, sociocultural and social and psychological factors), which form informal standards, regulations and rules of public, social relations and the appropriated social structure that supports their legitimization.

The results of sociological survey indicate that the following factors are the dominant factors of formation and realization of corrupt practices in the Ukrainian society: (1) external factors (external locus of control) as the State responsibility for corruption dissemination, and (2) internal factors (internal locus of control) as society's perception of corruption as «normal» practice of social interaction.

Identifying of sociocultural factors of corruption and corrupt practices in the Ukrainian society could be a challenging issue for further research.

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