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# CORRUPTION IN THE CIVIL SERVICE AS A THREAT TO NATIONAL SECURITY

## A CORRUPÇÃO NA FUNÇÃO PÚBLICA COMO UMA AMEAÇA À SEGURANÇA NACIONAL

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cidadãos no governo, a violação da lei e da ordem, a promoção do crime e de atividades ilegais, a perda de confiança por parte da comunidade internacional, entre outras. O artigo apresenta também recomendações sobre a prevenção e o combate à corrupção na função pública, a fim de reforçar a segurança nacional do Estado.

**Palavras-chave:** Corrupção. Função pública. Funcionário público. Causas da corrupção. Recomendações. Apoio jurídico. Ilegalidade. Experiência estrangeira. Regulamentação jurídica.

**Abstract:** This article deals with the topical issue of corruption in the civil service and its impact on national security. The analysis of the main causes and mechanisms of corruption existing in the sphere of public administration reveals the consequences of corruption on a national scale. The article provides examples of corruption in public service, such as extortion of bribes, abuse of official position, failure to declare assets, and others. The importance of fighting corruption to ensure national security is also highlighted. The author indicated that corruption in the civil service can create serious threats to the country, such as undermining citizens' trust in the government, violation of law and order, promotion of crime and illegal activities, loss of trust on the part of the international community, and others. The article also provides recommendations on preventing and fighting corruption in the public service in order to strengthen the national security of the state.

**Keywords:** Corruption. Civil service. Civil servant. Causes of corruption. Recommendations. Legal support. Illegality. Foreign experience. Legal regulation.

**Resumo:** Este artigo aborda a questão atual da corrupção na função pública e o seu impacto na segurança nacional. A análise das principais causas e mecanismos de corrupção existentes na esfera da administração pública revela as consequências da corrupção à escala nacional. O artigo apresenta exemplos de corrupção na função pública, como a extorsão de subornos, o abuso de posição oficial, a não declaração de património, entre outros. A importância da luta contra a corrupção para garantir a segurança nacional também é destacada. O autor indicou que a corrupção na função pública pode criar sérias ameaças ao país, tais como o enfraquecimento da confiança dos

## 1. Introduction

Corruption as a social phenomenon can be considered at two levels: economic and political. Due to the fact that it causes significant damage to the state system, the functioning of the state apparatus, undermines the authority of our state at the international level, violates human rights, democracy and leads to a number of other problems that need to be corrected, it is necessary to consider this problem taking into account the current national anti-corruption legislation and the experience of foreign countries (Mankovskiy, 2015). Overcoming corruption in the civil service is important for national security, the efficiency of public administration, and public trust in public authorities.

At the present stage anti-corruption policy of the state is characterized by certain isolation from other spheres of executive and administrative activity. That is, the authorities act only in certain areas, which are mainly related to the elimination of the effects of corruption, while most foreign countries focus attention on prevention – the impact on the factors leading to the emergence of corruption. In this sense, domestic anti-corruption policy needs a substantial rethinking (Teremetskiy, Demianchuk, 2018). As noted by Borovyk A., Vartyletska I., Vasylenko Y., Patyk A., Pochanska O. (2021, p. 725), in some cases Ukraine implement the foreign practice inadequately, ambiguously and almost mechanically (verbatim) borrows conventional provisions. In our opinion, doctrinal definitions of corruption criminal offenses can only be of secondary importance, as the current law of Ukraine on criminal liability directly determines the format of such offenses. Unfortunately, those few works of domestic forensic scientists dedicated to this issue contain just several provisions on criminal offenses related to corruption. None of them contain at least a general concept of this type of offence or define their characteristics and types.

Unfortunately, Ukraine belongs to a group of countries where political, grand, and petty corruption deeply rooted in various spheres of life and became an organic element of social relations. Corruption leads to losses of state and population as a result of ineffective use of budget funds, low quality of public services, and also increases the uncertainty of the environment in which economic agents and households operate (Fedotov, Voloshyna, 2019). The problem of corruption under martial law becomes strategically important, transforms, and moves into fundamentally new spheres of society's life, including those that, under martial law, are closely related to ensuring national security. The problem of corruption and

corruption-related crimes has been repeatedly studied by many scholars, however, under the conditions of the martial law regime, this problem has significantly transformed, acquired new features that require deep scientific understanding.

The purpose of the article is to examine the main reasons for the emergence and functioning of corruption in the civil service, to analyze its impact on the national security of the state, and to provide specific proposals and recommendations for overcoming corruption in the civil service and preventing its occurrence. The achievement of the above goal is facilitated by the following tasks: identifying the harmful consequences of corruption in the civil service for the state system itself and society as a whole, outlining the most acute problems in this area and shortcomings in the state's anti-corruption policy, and providing the author's own proposals for overcoming and preventing corruption in the civil service of Ukraine

## **2. Results and discussion**

With the beginning of the first states existence, the initial forms of corruption abuse by officials, priests and other persons endowed with power also appeared. The first attempts to combat corruption date back to the times of Babylon and Ancient Egypt. However, corruption is a very specific phenomenon that skillfully adapts to any life circumstances, changes in political regimes, forms of government, etc. (Bondarenko, 2022; Makarenko, 2020). Corruption is a negative dynamic objectively existing social phenomenon, which necessitates its constant research in order to create new, change existing mechanisms for its detection, prevention and counteraction (Kalienichenko, Slynko, 2022).

Ukraine has signed and ratified the Agreement establishing the Group of States against Corruption (GRECO) of May 5, 1998, which brought together countries to jointly address this issue, develop programs and adopt guidelines to be used for the development of national legislation and practice and establish without delay an appropriate and effective mechanism to monitor compliance with the guidelines and the implementation of other international instruments that will be adopted for the implementation of the Anti-Corruption Action Plan. Ukraine started this rather complex procedure about 20 years ago. Investigating the essence of corruption manifestations in the civil service, as well as analyzing their features and the nature of their occurrence, we believe that corruption, in any case, is a negative factor for the long-term well-being of citizens, security and stability of the state.

As V. Sokurenko (2016, p. 103) rightly points out, manifestations of corruption can be a direct threat to the national security of the state for several reasons. After all, first of all, corruption in almost all its numerous manifestations and actions is such that it directly violates the laws and regulations of the state where these corruption manifestations take place. We also agree with O. Kuchak (2021, p. 47), who claims that in Ukraine, as well as in every country in Europe, North America and many other countries of the world, national and international legislation imposes a direct prohibition on the commission of corrupt acts in society as a whole, and especially on civil service. We are also convinced that corruption can affect the economic stability of the country. It can undermine the confidence of investors and entrepreneurs in the country's economy, reduce the level of investment and make the country less competitive in the international arena.

Corruption is also a threat to a country's national interests. For example, corruption in the army can lead to the fact that equipment is not properly maintained, which will affect the country's security and defense.

According to T.M. Brus and A.V. Arshynnikova (2018, p. 36), corruption is a serious problem for many countries and can negatively affect the effectiveness of government agencies. We agree with this statement and consider it appropriate to note that corruption is an extremely harmful phenomenon for the country's state power mechanisms and for the civil service in general. Corrupt practices can undermine public trust in government agencies. This will impede the development and implementation of important projects and initiatives, as well as reduce the effectiveness of government agencies.

V. M. Trepak (2020, p. 175) makes a correct and quite appropriate statement, in our opinion, that corruption can significantly weaken or even destroy competition in the state (in particular, between law-abiding private commercial institutions) and cause injustice in the decision-making process. And this, in turn, can lead to the illegal acquisition of public contracts, a decrease in the quality of work and services, as well as a decrease in the level of innovation and development. We would also like to note that corruption can lead to a violation of the level of competition in the market, which reduces the investment climate and generates increased risks for business. This will potentially have a negative impact on the country's economy and threaten its stability.

S. Cherniavskiy (2017, p. 28) rightly emphasizes that corruption schemes stimulate the emergence of the shadow economy and underground business, which can lead to an increase in criminal activity and crime.

Corruption has the risk of illicit enrichment of individual civil servants, which will distract them from performing their duties and lead to a decrease in the efficiency of government agencies. Corrupt practices can also lead to the loss of a large amount of financial resources intended for the development of the state.

Having studied and analyzed the issues of the emergence and spread of corruption in the civil service, as well as assessed the level of harmful impact of corruption on the state and society based on the positions of scholars, we have come to the conclusion that corruption leads to the degradation of the state system and the political system of the country. We agree with the point of view of O. Parkhomenko-Kutsevil (2019, p. 92), who believes that it would not be a mistake to note that corruption as a phenomenon is closely related to the authoritarian type of political system. It is noted that corruption can flourish in authoritarian countries for several reasons. One of the main reasons is the limitation of democratic processes that ensure transparency and accountability of the government to the people. In such countries, where power is concentrated in the hands of a few people or a party, the scholar argues, it is more difficult to control corruption and bring to justice those who abuse power. In addition, authoritarian countries may have low salaries for civil servants, which opens the door to bribery and other corrupt practices. In addition, such countries often lack effective mechanisms for controlling the use of public resources, which can lead to the use of public funds for the personal enrichment of individual public officials or their associates. In addition to this, it is argued that authoritarian countries lack developed democratic institutions that would actually ensure the protection of the rights and interests of citizens, in particular, the right to freedom of speech and access to information. This will impede the detection and disclosure of corrupt practices, as journalists, activists and other public figures may be persecuted or otherwise restricted in their activities. Thus, as I. Kushnarov (2018, p. 310) correctly points out, corruption can flourish in authoritarian countries due to the lack of democratic institutions and control mechanisms, low salaries of civil servants and the absence of effective tools to ensure transparency. A democratic regime and the rule of law are important components of an effective fight against corruption. Let's consider each of them in more detail. In a democratic system, as K. Barnych (2021, p. 64) notes, every citizen has the right to freedom of expression and free access to information. We agree with the lawyer, because we also believe that these values play an important role in the fight against corruption, since democracy creates mechanisms that allow citizens to address the

government and control its actions. In addition, democracy ensures the openness of the government and verification of its actions for corruption.

The rule of law is the principle according to which all citizens are equal before the law and must comply with its norms. Corruption can spread only in conditions where the government acts illegally, so the rule of law is a key element in the fight against corruption. Therefore, democracy and the rule of law contribute to the reduction of corruption through the openness and transparency of government actions, the ability to control the authorities and ensure compliance with the law by all citizens, including civil servants. A transparent state system and transparency of key decision-making are important components of an effective fight against corruption. Transparency is reflected in the availability and openness of information about the activities of state institutions and civil servants. This means that the decisions taken must be accessible to the general public, and the financial transactions of the state must be transparent and subject to audit. Transparency implies openness and accountability of the actions of state institutions and government officials, which reduces the possibility of corruption.

I. Basantsov (2020, p. 31) believes that transparency of decision-making is reflected in the availability of information about the process of decision-making by civil servants. This, according to the researcher, means that decisions should be made on the basis of public dialogue and consultations with the public, justified and based on specific evidence. We agree with this researcher and, for our part, believe that transparency of decision-making helps to avoid corruption by identifying and eliminating possible conflicts of interest of government officials and ensuring that decisions are made based on the common good rather than the interests of individuals.

Thus, a transparent government system and transparency in key decision-making help to reduce corruption by ensuring that public officials are open and accountable to the public. Corruption schemes often take place in the activities of public authorities, which significantly reduces public trust in them. This can lead to social tension and negative attitudes toward the government. Corruption undermines public trust in the state and its institutions, which has the risk of losing the legitimacy and authority of the state in the eyes of the population. This will lead to political instability, increase socio and economic contradictions and even threaten national security.

M. Buromenskyi (2020, p. 19) draws attention to the fact that corruption complicates the work of law enforcement agencies, since corruption crimes can be deliberately hidden,

and the effectiveness of their disclosure is reduced. Corruption can affect the economic development of a country by reducing investment and economic activity. This will lead to increased unemployment and lower incomes. As a result, social contradictions may emerge that threaten national security. Corruption facilitates the illegal movement of capital abroad, which can affect the state's ability to ensure its national security and economic sustainability. However, when examining all the negative consequences and problems that corruption brings, it should be noted that it is in the area of national security and defense that corruption is most dangerous. Yu. Stepanova (2021, p. 102) argues that corruption can lead to a violation of military regulations and negatively affect the country's defense capability.

Focusing on corruption in the military and defense industry, we would like to take a deeper and more detailed look at this issue. After all, we are deeply convinced that corruption in the defense industry has serious consequences for the national security of the country. For example, corruption schemes in the procurement of military equipment can lead to the purchase of equipment and military hardware that do not meet national requirements and safety standards. Accordingly, insufficient quality and reliability of defense industry products can undermine the country's defense capabilities and threaten the safety of citizens. Corruption contributes to the reduction of investments in research and development of the defense industry, which can lead to the loss of scientific and technical potential and competitiveness of the country in the global arms market.

Corruption, according to A. P. Dikiy and K. M. Naumchuk (2020, p. 15), whose statement we agree with, can have an impact on the geopolitical interests of the country, especially when foreign companies are engaged in the supply of military equipment or provide technological assistance in the production of defense products. Corrupt agreements can lead to the country becoming dependent on other states in matters of defense and security. Thus, corruption in the defense industry is extremely dangerous for the country and its national security, and therefore requires a detailed scientific understanding. Accordingly, overcoming corruption in the army is a difficult task, but its solution, in our deep conviction, is possible through the implementation of certain strategies and measures.

While researching this issue and trying to provide specific proposals and recommendations for preventing and combating corruption in the defense industry and the Armed Forces of Ukraine in general, we came to the conclusion that such proposals and recommendations are generally applicable to the successful overcoming of corruption in the civil service. Such proposals include severe punishment for corrupt practices, the

establishment of independent anti-corruption bodies to investigate violations, and the improvement of financial reporting procedures (Vasylieva, Vasylieva, 2019, p. 63). It is also important to create transparent mechanisms that will ensure openness and public access to information on financial transactions, procurement and use of resources, and decent salaries for military personnel, including those serving on the home front. This may include the establishment of electronic control systems, publication of reports and open digital reporting. An important factor is to strengthen internal controls in the army, including regular financial reporting, auditing and monitoring. It is necessary to establish reporting and accountability mechanisms, as well as clear and coordinated tools for reporting corruption, which can be implemented in the digital space. We emphasize the significant role of the moral component, in particular the need to introduce and institutionalize education of military personnel in the field of preventing and combating corruption. This thesis can be manifested in the mandatory passing of monthly tests, polygraph examinations, development of a set of publications, memos, and guidelines to determine a clear algorithm of actions for military personnel in case of corruption.

We consider the development of control mechanisms for financial operations and resource allocation in the army to be a leading factor in preventing corruption. Implementation of the accounting and auditing system will ensure transparency and verification of public expenditures.

Public organizations can be a mechanism of control and supervision over the activities of the army. Public involvement in the procurement process can also provide greater transparency. The creation of independent organizations or councils that control the procurement process can help avoid corruption schemes (Rosenzweigova, Skoric, 2016, p. 22). The development and implementation of strict anti-corruption laws and regulations is an important step. This should include the further development of the system of anti-corruption control bodies and the determination of responsibility for corrupt actions (Kuvitanova, 2018, p. 182). Ensuring access to public information is an important aspect of the fight against corruption. Public information about budgets, procurement, financial transactions and declarations must be available to the public and independent control bodies. The creation and strengthening of the internal structure of specialized anti-corruption bodies, such as national anti-corruption bureaus or commissions, can contribute to the effective investigation of facts of corruption. We emphasize the fundamental importance of establishing clear ethical standards and norms of behavior in specifically defined situations



for civil servants. It is necessary to conduct systematic education and training on issues of ethics, conflict of interests and anti-corruption.

The introduction of strict control over budget expenditures, including procurement procedures and rules, can make corrupt practices more difficult. Important areas in this regard include competitive tendering systems, mandatory announcement of procedures and transparent criteria for selecting suppliers.

The main features of corruption: 1) committed by a special subject of law; 2) is performed within the scope of official authority or related opportunities; 4) is committed for the purpose of obtaining illegal benefit for oneself or other persons; 5) is committed in a certain form (the legislator establishes two forms of corruption: a) acceptance of illegal benefit or acceptance of a promise / proposal of illegal benefit; b) a promise / proposal or provision of illegal benefit to a person; 6) the result is improper performance of duties. The main criteria for the division of corruption into types are the territorial feature, form of commission, duration, sphere of life, type of legal responsibility to which a person is brought for committing corruption. On a territorial basis, a distinction should be made between domestic (national) and transnational corruption, depending on the form of corruption - bribery, fraud, extortion, embezzlement (misappropriation) of public funds, clientelism, lobbying, favoritism, nepotism, state capture. In addition to these types of corruption, based on the definition of this legal phenomenon, depending on the form of corruption, the following types should be distinguished: acceptance of illegal gain; acceptance of a promise / proposal of illegal benefit. According to the time of action, a distinction should be made between one-time (one-time action) and prolonged corruption; depending on the sphere of life there is political, economic, managerial, social, legal corruption; depending on the type of legal liability there is corruption, for which the legislator provides for criminal, administrative, civil, disciplinary liability (Kalienichenko, Slynko, 2022). In this regard, the activities of the National Police of Ukraine on preventing and counteracting to corruption are the only, integral area of the implementation of its powers. The National Police of Ukraine, acting as a subject of prevention and counteraction to corruption, realize their powers both in internal relations and externally (Pchelin, 2019).

### **3. Conclusions**

Thus, we found that corruption in any case is a negative factor for the long-term well-being of citizens, security and stability of the state. In addition, we have determined that corruption has harmful consequences for the state's economy, destroying the competitiveness of private business and facilitating the illegal distribution of public financial resources. In this context, we argue that a state dominated by corrupt practices is extremely vulnerable to hostile external influence. At the same time, it was noted that corrupt practices can undermine public trust in government agencies, which at the same time leads to a decrease in public confidence. This can hinder the development and implementation of important projects and initiatives.

In order to address all the above threats posed by corruption to society and national security, we have proposed to take concrete steps to prevent and combat corruption in the civil service, including the introduction of high moral and ethical standards among civil servants, increasing transparency of the state system, strengthening domestic anti-corruption bodies, control over public funds, etc. We emphasize the need for further scientific reflection on this issue, including interdisciplinary research, namely in the fields of law and sociology, for a thorough study of corruption in public relations, in particular in the field of national security of Ukraine.

## References

- Barnych, K. I. (2021). Realization of the constitutional right to freedom of thought and speech, to free expression of one's views and beliefs: monograph. Uzhhorod: LLC "RIK-U". (220 p.).
- Basantsov, I. V. (2020). Corruption in Ukraine: modern realities and effective countermeasures: monograph. Sumy: Sumy State University. (113 p.).
- Bondarenko, O. S. (2022). Corruption abuse of humanitarian and free aid in the context of armed conflicts: a comparative legal study. *Law and Safety*, 87(4), 125-134. <https://doi.org/10.32631/pb.2022.4.10>
- Brus, T. M., & Arshynnikova, A. V. (2018). Corruption in the public authorities: causes of the arrangement and experience of fighting. *State and regions.*, 4(64), 36-41.
- Buromenskyi, M. V. (2018). Corruption in Ukraine: understanding, perception, prevalence: a report based on the results of a survey of entrepreneurs, experts and the general population. Kyiv: Vaite. (42 p.).
- Cherniavskiy, S.S., Nekrasov, V.A., & Tytko, A.V. (2017). Shadow economy in Ukraine: state, trends, ways of overcoming: analytical review. Kyiv: National Academy of Internal Affairs. (152 p.).
- Dikiy, A. P., & Naumchuk, K. M. (2020). The place of the European integration process in the detection of corruption phenomena in Ukraine. *Scientific notes of V.I. Vernadsky Taurida National University*, 5(31), 12-16.
- Kalienichenko, L. I., & Slynko, D. V. (2022). Concept, features and types of corruption. *Law and Safety*, 84(1), 39-46. <https://doi.org/10.32631/pb.2022.1.04>
- Kuchak, O. (2021). The concept of corruption, its essence and characteristics of corruption crime. *Actual problems of preventing and combating corruption: abstracts of the I All-Ukrainian Scientific and Practical Conference (Khmelnyskyi, October 28, 2021) / Khmelnytskyi: NASBGSU Publishing House.*
- Kushnarov, I. V. (2018). Political corruption: comparative political conceptualization: monograph. Kyiv: V. M. Koretsky Institute of State and Law of National Academy of Sciences of Ukraine; Publishing House "Yuridychna Dumka". (408 p.).
- Kuvitanova, Yu. I. (2018). Normative and legal acts of the Cabinet of Ministers of Ukraine: general theoretical characteristics. Lviv: Ivan Franko National University of Lviv. (285 p.).

- Makarenko, V. S. (2020). General Principles of Anti-Corruption in V4 Visegrad Countries: Experience of Hungary. *Law and Safety*, 77(2), 126-132. <https://doi.org/10.32631/pb.2020.2.17>
- Mankovskiy, L. K. (2015). Is corruption a social phenomenon or a virus of today? [Electronic resource]. Access mode: [https://www.apost-rn.dp.gov.ua/OBLADM/apost\\_rda.nsf/docs/E1888BD35F5EF165C2257E6D0030D132?OpenDocument&PrintForm](https://www.apost-rn.dp.gov.ua/OBLADM/apost_rda.nsf/docs/E1888BD35F5EF165C2257E6D0030D132?OpenDocument&PrintForm)
- Parkhomenko-Kutsevil, O. I. (2019). Formation and development of modern anti-corruption bodies of state power as a basis for preventing and overcoming corruption: theoretical and methodological analysis: monograph. Kyiv: Publishing House "Personnel". (308 p.).
- Pchelin, V. B. (2019). The Agencies of the National Police of Ukraine as a Subject of Prevention and Counteraction to Corruption in Ukraine. *Law and Safety*, 72(1), 72-77. <https://doi.org/10.32631/pb.2019.1.09>
- Rosenzweigova, I., & Skoric, V. (2016). Public participation in decision-making processes. Review of standards and practices in the member states of the Council of Europe. Strasbourg. [https://www.kmu.gov.ua/storage/app/sites/1/17-civik-2018/rubrik\\_rekomehdation/civik\\_Europe\\_2016.pdf](https://www.kmu.gov.ua/storage/app/sites/1/17-civik-2018/rubrik_rekomehdation/civik_Europe_2016.pdf)
- Sokurenko, V. V. (2016). Corruption as an external threat to the national security of Ukraine. *Implementation of the state anti-corruption policy in the international dimension: materials of the International Scientific and Practical Conference (Kyiv, December 9, 2016) / Ministry of Internal Affairs of Ukraine, National Academy of Internal Affairs; National Academy of Legal Sciences of Ukraine, Civil Union "Center for Prevention and Counteraction of Corruption"*. Kyiv: National Academy of Internal Affairs. (Pp. 103–105).
- Stepanova, Yu. (2021). Implementation of the state anti-corruption policy in the international dimension: materials of the VI International Scientific and Practical Conference (Kyiv, December 9–10, 2021). Kyiv: National Academy of Internal Affairs.
- Teremetskiy, V. I., & Demianchuk V. A. (2018). International experience of the implementation of anti-corruption policy. *Law and Safety*, 67(4), 67-72. Retrieved from <http://pb.univd.edu.ua/index.php/PB/article/view/12>
- Trepak, V. M. (2020). Combating and Preventing Corruption in Ukraine: theoretical and applied problems [Dissertation for obtaining the degree of Doctor of Law]. Kyiv.

Fedotov, A., & Voloshyna, M. (2019). Reformation of the institutional anti-corruption system in the context of European integration transformation. *Baltic Journal of Economic Studies*, 5(1), 224-232. <https://doi.org/10.30525/2256-0742/2019-5-1-224-232>

Borovyk, A., Vartyletska, I., Vasylenko, Y., Patyk, A., & Pochanska, O. (2021). Rules of criminal liability for corruption offences and their prevention. *Cuestiones políticas*, 39 (68), 723-734. DOI: <https://doi.org/10.46398/cuestpol.3968.46>

Vasylieva, O., & Vasylieva, N. (2019). External experience of anticorruption activities in public authorities. *Investytsiyi: praktyka ta dosvid*, 13, 62–65. DOI: [10.32702/2306-6814.2019.13.62](https://doi.org/10.32702/2306-6814.2019.13.62)