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Conflict-Generating Factors of Corrupt Behavior

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The paper examines factors contributing to development and revealing of conflict, provoking people to aggravation of contradictions, resulting in corrupt behavior in the private sector. The main conflict-generating factor, according to the author, is presence of contradictions in the person, who has been delegated with power, between his personal interests and interests of the organization. In most cases, the person focuses on the immediate areas, both territorial and temporal (the sphere of immediate interest), this leads to the fact that what falls within this sphere has more value than what lies beyond. This circumstance also reinforces the priority of group and individual interests, which are usually located in the sphere of a person's immediate interest, above all others, including the persons who direct the work of the organizations in the private sector or work in any capacity in such organizations. Thus, the propensity for corruption is not an exception, but rather is part of human nature. But with management mechanism becoming more complicated, certain powers being delegated to a certain person who directs the work of an organization in the private sector or work in such an organization, the circle of common interests becomes much broader than those that fall within the immediate interests of this person. Group and individual interests begin to prevail over common ones, which can lead to corruption.

Keywords: corruption, conflict-generating factors, the private sector.

For real prevention of corruption in the private sector it is not enough to define the essence of this phenomenon, types and forms of its manifestation in society. It is necessary to focus on the determinants, producing it, which in their turn include conflict-generating factors.

A laconic definition of causes of corruption has been developed by a number of foreign economists in the analysis of corruption as an economic model of relations of "principal-agent". R. Klitgaard proposed to express it in the following formula: corruption = monopoly

+ discretion – accountability. Corruption occurs only when the person authorized to make a decision, has a monopoly of power¹ or a very wide scope of discretionary powers². In other words, the cause of corruption (conflict-generating factor of corrupt behavior) is that a single individual has opportunity to make decisions aimed at others and desire to abuse this opportunity. In modern criminological literature in Russia there have been developed sufficient number of various classifications of reasons (determinants) for crime and corrupt behavior³. However, the

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authors do not make specific conclusions whether determinants can include conflict-generating factors. We believe that it does not contradict the fundamentals of criminology, and for the purposes of this article we use these words as synonyms

Most often determinants of corruption are divided into economic, political, legal and psychological⁴, sometimes social, spiritual, moral, psychological and organizational and management determinants are added⁵.

The system of social factors determining crimes of corruption is very diverse. These include:

- absence of the state ideology, directing to legitimate solution of problems connected with corruption;
- legal nihilism;
- legal passivity and ignorance of a significant part of the adult population, which make them too heavily dependent on law enforcer⁶;
- underdevelopment of civil society⁷;
- changes in social values and morality, the general decline in the cultural level of the masses⁸.

Among social factors there may also be anomaly, i.e. a state of society in which its members have lost the importance of social norms and regulations. According to R.K. Merton, committing crime may be not only an abnormal reaction of an abnormal individual to normal social conditions, but also a normal reaction of a normal individual to abnormal conditions⁹.

According to V.A. Nomokonov, “a common objective source of antisocial and criminal behavior is deformation of social relations. Causes of crime are a product of not only the so-called social subsystems, but also a systemic effect, resulting from global or partial defectiveness of society as a whole. This defectiveness is not only and is not so much in economic problems.

“Defectiveness” is an integrative indicator of the state of, first of all, imbalance, acute conflicts of interests of citizens, social groups, society and the state”¹⁰.

Specificity of manifestations of the nature of corrupt behavior in the private sector is the fact that the social environment may push to, as well as warn against, committing crimes related to official position of the offender.

In relation to the analyzed social phenomenon the position of Henry Mendras is of interest, who drew attention to another important social factor of corruption: when directors move from one place of work to another, they usually take with them their loyal colleagues – their “clients” who are faithful to them, because they “make a career”. Directors have power through such “clients” – the power of the first and the career of the second go hand in hand. The “team” concept of staff appointments has social preconditions¹¹.

We should not forget about such socio-psychological phenomenon as stigmatization. The influence of stigmatizing effect is studied by K. Sedlenieks. It is because “everybody knows” that in certain countries (e.g. countries with “transition economy”) there is more corruption by definition, we are inclined to use the term “corruption” to describe many of the socio – economic relations, which, being found in the countries of “the first” world, do not classify as corruption¹². As a result, in foreign countries there is the impression of a very high level of corruption in certain countries and impossibility to achieve certain goals without using corruption schemes. Thus, a foreign entrepreneur, who has knowledge from various sources about the high level of corruption in Russia, when deciding on doing business in Russia or with Russian companies can immediately take a decision about the use of corruption mechanisms.

In this work we would like to pay a particular attention to socio- psychological and

psychological of causes of corruption crime in the private sector, as they are, in our opinion, crucial in the implementation of special preventive measures.

Most often, among the psychological causes of corrupt behavior are the following:

- low level of solidarity of the population with the norms of responsibility for corruption;
- some exaggeration in the public consciousness of the level of corruption in the administrative apparatus, including organizations;
- psychological readiness of a considerable part of the population to bribery for realization of both legal and illegal rights;
- extremely low subjectively perceived risk of being prosecuted for corruption offenses ;
- the phenomenon of mutual guilt of the briber and the bribe-receiver¹³.

Factors affecting corrupt behavior are most evident in the psychology of large social groups. For the individual who directs the work of an organization in the private sector, or works there in any capacity, a job in such an organization is not a service to the society or the organization, but rather getting privileges and satisfaction of personal interests at the expense of the society or organization. Inclining in favour of corrupt behavior, the individual who directs the work of an organization in the private sector or works in any capacity in such an organization is influenced by cognitive dissonance ¹⁴. The essence of this theory, proposed by L. Festinger¹⁵, is that a person's attitudes change because he/she has to maintain consistency between his/her knowledge. The person feels stress ("dissonance") when two thoughts or two beliefs ("cognitions") are psychologically incompatible. This occurs when the person decides to do or say something that he/

she has mixed feelings about. To reduce tension the person often adjusts his/her attitude¹⁶. In the mind of a person who directs the work of an organization in the private sector or works in any capacity in such an organization, there appears a contradiction between understanding of importance of the work that he/she does, and its low social guarantees. To resolve this contradiction a person often inclines toward corrupt behavior, thereby satisfying his/her expectations for social guarantees of his/her work.

In some cases, criminal behavior of a person who directs the work of an organization in the private sector or works in any capacity in such an organization is affected by the mutual exchange rule, which states that a person must try to repay in this way for something that another person provided him with¹⁷.

Another factor affecting criminal corruption behavior is conformism that changes beliefs or behavior in response to real or imagined group pressure in those cases when there is no explicit requirement to agree with the group, nor any reason that could justify this change of behavior¹⁸. Among the people who direct the work of organizations in the private sector or work in any capacity in such organizations, as in any other professional groups specific tradition are formed, which are unspokenly followed by all members of this profession. Following this tradition, they create the most comfortable conditions for their existence. It is transformed into a formula for success and career growth: "do like everyone else, and you will achieve positive results". Young specialists coming to work in a company, adopt the negative experience from older colleagues. Thus, the organization becomes a "school" of traditions of corrupt behavior¹⁹.

Entrepreneurs, inclining to criminal corrupt behavior, are greatly influenced by conformism. Since the vast majority of representatives of this sphere give commercial bribes (illegal payments)

and this phenomenon is not condemned by the professional community, there is a supposition that this behavior is normal and necessary for business²⁰. Moreover, rejection of such behavior may lead to unnecessary increase of business risks (because it is impossible to talk about fair competition between those who give commercial bribes (illegal payments) and those – who do not). Giving a commercial bribe (illegal payment) does not guarantee future success of business, but rejecting corrupt behavior is very often related to being ousted from the market.

Corrupt behavior of entrepreneurs is also affected by the rule of mutual exchange. In some cases, the entrepreneur gives a commercial bribe (illegal payment) as gratitude for actions performed in his favor by a person who directs the work of an organization in the private sector or works in any capacity in such an organization. The second variant of behavior is when the entrepreneur purposefully provides services to a person, who directs the work of an organization in the private sector or works in any capacity in such an organization, putting the latter in a dependent position.

The third group, which enters into corrupt relations in the private sector, is private individuals (citizens).

The theory of cognitive dissonance also explains criminal corrupt behavior of citizens. The general attitude of private individuals is that the person who directs the work of an organization in the private sector or works in any capacity in such an organization is a “man of the organization”, qualified to help citizens overcome certain difficulties. When a citizen is faced in practice with a person, who directs the work of an organization in the private sector or works, in any capacity, in such an organization, its in-organizational procedures create the impression that the persons who direct the work

of an organization in the private sector or work in any capacity in such an organization, themselves hinder the realization of the rights of citizens. As a result, the only way to channel the activities of the person who directs the work of an organization in the private sector or works in any capacity in such an organization, in the direction of help expected from them by a citizen is to give a commercial bribe (illegal payment).

It is possible to consider psychological causes of crime at the individual level through their place in the mechanism of criminal behavior and its formation.

We can assume that corrupt behavior of citizens and the person who directs the work of an organization in the private sector or works in any capacity in such an organization under the conditions of anomy is caused by various reasons. The theory of conflict explains deviant behavior by the presence of social conflicts, both class and group ones. Part of possible group conflicts has already been considered in the analysis of motivation of social groups. Clash of cultures can lead to contradiction in interpretations of social relations. Internalization of conflict creates a situation of internal conflict of values and interests that are also able to trigger social deviance. Besides, such type of corruption as nepotism as (favoritism in relation to relatives or friends regardless of their professional qualities) can be generated by a conflict of loyalty²¹.

It should be emphasized that the mechanism of corruption in principle may provide two versions of corrupt behavior : in one case there is interaction between two main actors, each of which seeks to satisfy their own interests with the help of corruption, and in another case corruption activity is reduced to the actions of only one person (corruptionist), who satisfies his personal interest or interests of other persons on his own (without interaction with other subjects), using the power granted to him²².

It is obvious that the mechanism of formation of criminal behavior in bilateral corruption has its own characteristics. For sellers of corruption services attractiveness of corrupt behavior is important, which, according to S.A. Golovko, consists of a number of factors²³: the number and availability of a variety of benefits ; the degree of corruption behavior permitted by society and the state ; probability of punishment; the number and quality of work or services required from the corruptionist for receiving remuneration; possibility of performing work or services required from the seller of corruption services.

But corrupt behavior of the seller of corruption services depends on many other factors, in particular, the level of legal income of potential sellers of corruption services²⁴.

The model of behavior of a corrupt buyer differs from the behavior of a corrupt seller, primarily in target function. The corruptionist-buyer always wants to get corrupt services as any normal buyer, with minimal costs. Demand for corrupt services depends on a number of variables, most significant among which are prices for corruption services. Supply of corruption services is affected by the demand and sphere of production of corruption services (prohibitions and restrictions in the legislation). In addition, there are a number of variables that affect both demand and supply:

- level of income of individuals interested in obtaining corrupt services;
- level of income of persons providing corrupt services;
- number and severity of bans on receiving corrupt services ;
- probability of disclosure and severity of punishment ;
- imposition of corrupt services by the seller ;
- imposition of demand for corrupt services by the buyer.

Based on different combinations of these variables, several classic models of corrupt behavior in bilateral corruption in the private sector can be identified.

The first model assumes interest of persons providing and receiving corrupt services in each other. In the case of realizing the first model the level of latency should be the highest²⁵. “Corruption is not only secretive, but also consentient. It usually does not give rise to complaints, as the guilty parties are benefiting from the illegal transaction”²⁶. Given the monopolistic nature of supply of corruption services, this model holds price discrimination.

The second model assumes that the subjects of corruption are not interested in each other. In the absence of demand and supply of corrupt services, corruption will equal to zero.

The third model considers the situation of imbalance when the person providing corruption services is interested in realizing these services, but the potential recipient is not interested. In this model, there is extortion of corruption services. Since the other side of corruption relations is not interested in them, it increases the risk for the corruptionist, and attempts to get extra payment for the risk increases it even more.

The fourth model is a mirror reversal of the third model. In this case, the person who can provide corruption services, is not interested in providing them, but the recipient is interested. In this case, the latter has higher uncompensated risks and other additional expenses. To achieve results, the recipient must either increase the size of remuneration offered to the potential corruptionist, or offer him an alternative “income”, for example, life and health of his family, etc.

An important role in the mechanism of formation of corrupt behavior is played by a motif. Among the most common motives for corrupt behavior we can name compensation for losses connected with working in a particular job

as perceived by the person who directs the work of an organization in the private sector or works in any capacity in such an organization. In this case, the following factors push to loss of moral immunity:

- feeling of uncertainty ;
- low wages, not appropriate to qualifications and responsibilities of the work performed ;
- unfairness in promotions ;
- rudeness or incompetence of the boss²⁷.

We agree with the opinion of V.I. Popov, who believes that the causes of corruption are predominantly ideological factors, rather than economic issues²⁸. Therefore, they are psychological aspects that become crucial in determining the causes of corruption in general and in the private sector in particular.

When considering the causes of corruption in the private sector it is necessary to remember that corruption is impossible without power, it appears only in the depths of the mechanism of realization of “power relations”, changing its functional purpose, in connection with which, the work of this mechanism is carried out only in the interests of participants in corrupt relations. In corruption “power relations” cease to fully or partially fulfill a socially useful role in management of society, and are used by corruptionists solely as a means to achieve their own goals²⁹. Corruption exists because the person who directs the work of a company in the private sector or works, in any capacity, in such an organization can administer resources that do not belong to him by making or not making certain decisions³⁰. In other words, corruption always involves improper use of public power for private benefit³¹. Therefore, we can

conclude that causes of corruption are directly related to implementation of power.

But the main reason of corruption and, consequently, a conflict-generating factor of corrupt behavior, as part of this reason is, in our opinion, a contradicting conflict in the person who is delegated with powers between his private interests and public ones. In the course of evolution a person is programmed for “selfish socialization”, which means that people can only exist and develop within society, but always strive to realize their own individual interests. Therefore, there is a tendency in every person: to benefit at the expense of others, especially if the probability of being caught is or seems insignificant. In most cases, the person focuses on the immediate areas, both territorial and temporal (the sphere of immediate interest), this leads to the fact that what falls within this sphere has more value than what lies beyond. This circumstance also reinforces the priority of group and individual interests, which are usually located in the sphere of a person’s immediate interest, above all others, including the persons who direct the work of the organizations of the private sector or work in such organizations. Thus, the propensity for corruption is not an exception, but rather is part of human nature³². But with management mechanism becoming more complicated, certain powers being delegated to a certain person who directs the work of an organization in the private sector or work in such an organization, the circle of common interests becomes much broader than those that fall within the immediate interests of this person. Group and individual interests begin to prevail over common ones, which can lead to corruption.

¹ Here and below, power is the ability and the opportunity to exercise one’s will, to exert a decisive influence on activity and behavior of people, even in spite of their resistance. See Ivanec, G.I., Kalinskyi, I.V., Chervonyuk, V.I. Russian Constitutional law, available at: <http://slovari.yandex.ru/~books/Constitutional%20law%20PФ/Power/>

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В статье рассмотрены факторы, способствующие развитию и вскрытию конфликта, провоцирующие людей на обострение противоречий, итогом которых становится совершение коррупционных деяний в частном секторе. Основной конфликтогенный фактор коррупции кроется, по мнению автора, в наличии противоречия у лица, которому делегировали властные полномочия, между его личными интересами и интересами организации. В большинстве случаев человек сфокусирован на ближайших сферах – как территориальных, так и временных (сфера ближайшего интереса). Это приводит к тому, что для него большее значение имеет то, что попадает в указанную сферу, чем то, что за нее выходит. Это обстоятельство также усиливает приоритет групповых и индивидуальных интересов, которые, как правило, находятся в сфере его ближайшего интереса, над всеми другими, в том числе и у лиц, которые руководят работой организации частного сектора или работают в такой организации. Таким образом, склонность к коррумпированности не является исключением, а скорее составляет часть человеческой природы. Но при усложнении механизма управления, при делегировании отдельных полномочий определенному лицу, которое руководит работой организации частного сектора или работает в такой организации, круг общих интересов становится значительно шире, чем те, которые входят в сферу ближайших интересов указанного лица. Групповые и индивидуальные интересы начинают превалировать над общими, что может привести к совершению коррупционных правонарушений.

Ключевые слова: коррупция, конфликт, факторы, частный сектор.
