

# Phenomenology of countering corruption risks in cyberspace: International legal and socio-political aspects

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## Abstract

The paper aims to clarify the essence and propose a phenomenological model for countering corruption risks in cyberspace, which allows corruption manifestations to be viewed as a dysfunction of public administration, a sign and result of the bureaucratic degeneration of state and municipal authorities. The article highlights the threats of bureaucratic and corrupt deformation of democratic governance and the related challenges to the sovereign development of the Ukrainian state. Max Weber's theory of rational organization of management is considered the theoretical and methodological basis for the phenomenological support of countering corruption following the standards of good governance. It is proven that good governance contributes to the creation of the necessary conditions for ensuring the unity of political will and practical action of law enforcement agencies, the formation of partnerships between the authorities and society, public and virtual control over the activities of the administrative apparatus, the establishment of transparency, trust and respect as starting points for overcoming the bureaucratic component of corruption offenses. A phenomenological model of countering corruption has been substantiated as an international legal and socio-political basis for developing innovative virtual strategies for responding to the challenges and threats of corruption in public authorities. The essence of the phenomenological model lies in the fact that, firstly, countering corruption is embedded in the process of management activities by the criteria of good governance, integrity of the management apparatus, and the substantive content of anti-corruption legal norms; secondly, the potential for combating corruption makes it possible to ensure the implementation of legal norms in the activities of any state and municipal authority in a mode of accessibility and openness online.

## Keywords

corruption risks, socio-political aspects, cyberspace, public authorities

## 1. Introduction

Clarifying the nature of corruption, its perpetrators and sources, and the international legal and socio-political mechanisms for countering the challenges and dangers it poses is conditioned by several circumstances, in particular: a) the tasks of Ukraine's sovereign development following the chosen course of European integration; b) decentralization of power; c) the establishment of a municipal management system as a form of modern governance; d) level of public trust in the authorities [1].

The incompleteness of the process of modernization changes in Ukrainian society and the uncertainty of the national development strategy harm the functioning of state authorities and local self-government, the management activities of officials, and the essence and nature of the laws and decisions adopted, which leads, in particular, to the fusion of power and capital and increased bureaucratic and corruption threats. The judicial system does not comply with the moral and ethical principles and established traditions of Ukrainian society. It seems appropriate to take into account the fact that the problem of

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*CH&CMiGIN'25: Fourth International Conference on Cyber Hygiene & Conflict Management in Global Information Networks, June 20–22, 2025, Kyiv, Ukraine*

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corruption has taken on a global dimension, negatively affecting the sovereignty and national security, as well as the social development, of many countries around the world.

Defining the essence of corruption and developing socio-political and political-legal means of identifying, preventing, and counteracting it as a social phenomenon that threatens Ukrainian statehood, significantly affects standards of living and quality of life, and European integration aspirations is of particular importance in the context of Ukraine's sovereign development. Based on the corruption challenges and threats generated by the daily activities of state and local government bodies and their officials, it seems appropriate to substantiate a phenomenological model for countering corruption risks. Given the theoretical and methodological analysis of the above-mentioned problem, this is of great importance for some social and humanitarian sciences, such as Sociology, Political Science, Jurisprudence, Social Philosophy, Public and Municipal Administration, etc. The above-mentioned issues may also be of interest to representatives of civil society, law enforcement agencies, and specialists in technological support for the effective functioning of virtual space by the requirements of good governance.

## 2. Related paper analysis

Scientific literature rightly emphasizes the importance of finding satisfactory answers to the challenges and threats of modernization changes in Ukrainian society, which are linked, in particular, to the development of social, moral, ethical, and legal mechanisms to combat corruption, ensuring solidarity among relevant actors, which are embodied in political will, legislative regulation, and adequate support for the initiatives of civil society institutions and individual citizens of the country [2].

Russia's unprovoked and treacherous military aggression against Ukraine harms the mechanisms for combating corruption. The scale and rapidity of the spread of corruption in Ukraine can be explained by the dynamics of modernization changes, the emergence of new sources of power and wealth, the formation of new social groups, and the weakness of the political and legal system. The conflict between modern and traditional norms and values, according to S. Huntington, allows both to be disregarded in favour of the 'triumph' of personal/corporate interests in the daily activities of public authorities [3].

Based on the ambiguity of the definition of the concept of 'corruption' (from Latin *corruptio*—seduction, bribery, debauchery, spoilage), the identification of the substantive components of this term with criminal acts, unlawful activities, abuse of power, etc. [2, 4], there are grounds to assert that the nature, character and peculiarities of the genesis of this socially and politically threatening phenomenon, its carriers and manifestations, and mechanisms of functioning are still insufficiently understood. Accordingly, additional study is needed of the socio-legal, moral-ethical, personnel, organizational, and disciplinary means of countering corruption risks and responding to challenges and threats following the established requirements of good governance [5].

The social and political basis for understanding the essence of corruption and the means of limiting and counteracting it is several conceptual provisions substantiated in sociological theory and public administration science, in particular:

a) German sociologist Max Weber's thesis on bureaucracy as a rational form of management organization and its evolution, which, as is well known, unfolds according to the following pattern: bureaucracy – bureaucratism as a probable threat of degeneration and deformation of the administrative apparatus of public authorities. Weber's theory of rational management organization allows the activities of public authorities to be analyzed both 'vertically' and 'horizontally' by the conditions of their functioning, the state of society's life and the prospects for its modernization and development [6];

b) substantive and structural reform of state authorities and local self-government bodies should take place following indicators of modernization development and Ukraine's European integration prospects [7];

c) institutionalization of mechanisms to counter political corruption [8];

d) identification of sources of social tension [9], causes of conflicts [10], ensuring effective management of national security [11], based on an analysis of threats to human security, rights, and freedoms [12];

e) understanding political corruption as the main threat to Ukraine's sovereign development.

The conceptual potential of the theories of 'new public management' [13], 'good governance' [14], 'new public service' [15, 16], and 'network organization' of the social and political-legal space of the country [17], which, complementing and specifying Max Weber's classical model of rational management organization, offer several innovations that result in the institutionalization of state and municipal management, its formation as a coherent, orderly, structured system with appropriate functions and mechanisms of virtual and public support [18].

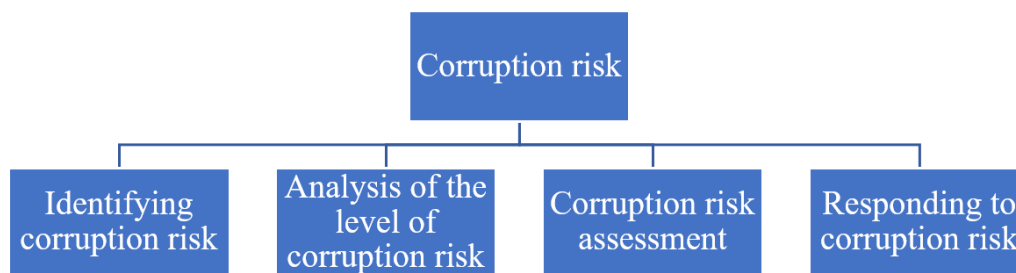
M. Weber's classical theory of rational management organization not only ensures the organic unity of analysis such as substantive, structural, and functional – of various public management entities but also allows for a purposeful consideration of management activities as a holistic process, starting with the production, discussion, selection and dissemination of ideas and their indoctrination (mass, corporate, and individual) to the effective implementation of adopted decisions and their practical realization [19]. This also contributes to the identification of actors – politicians and civil servants—in terms of determining the extent to which their professional activities are subordinate to social calling, national interests, and dedication to the cultivation of social good— national, individual, or corporate. According to this logic of scientific discourse, bureaucracy appears as a dysfunction of public authorities, a kind of disease of the administrative apparatus as a manifestation and result of the subordination of national interests to utilitarian, subjectively oriented aspirations, orientations, expectations, and actions [20]. At the same time, the main signs of bureaucracy are the alienation of officials from the object of management, such as people, caste isolation, and cold indifference to the interests of both fellow citizens and society as a whole [2].

This ambivalence of the administrative apparatus forms a rigid, cynical system of management with its inevitable deformation, the fusion of power and business, and the dominance of corrupt and bureaucratic practices that parasitise on democratic values, disregard civilizational standards of living and quality of life, legal and social norms, undermining the foundations of moral and political unity of society, demoralizing and decomposing it from within. Accordingly, bureaucracy as a dysfunction of state and local government bodies and their officials is characterized by the following features: the substitution of national interests with corporate or private/personal interests; the closed nature of the decision-making process and delays in their implementation; the formation of its subculture as self-sufficient and opposed to established social practices; and detachment from solving real problems and searching for satisfactory answers to the challenges of Ukraine's sovereign development. Bureaucracy and corruption are interdependent social phenomena in many respects: a) genesis; b) content and essence; c) nature of decisions made; d) negative consequences for the functioning of the state, the country, and its citizens; e) challenges and threats to national security [8].

The socio-historical preconditions for the emergence of corruption, the processes of its spread and establishment, as well as countering corruption risks, are analyzed, based primarily on the works of P. Bourdieu, P. Berger and T. Luckmann, M. Weber, R. Merton, and the requirements of the 'moral law' of I. Kant, the 'rational crime' of H.-S. Becker, and the structural functionalism of S. Huntington and T. Parsons.

The subject of corruption in scientific literature is considered to be the deformed administrative apparatus of state and municipal authorities and their officials. At the same time, the term 'corruption' refers to the behaviour of government officials that deviates from established norms, both moral and ethical, as well as legal, to achieve private goals, implemented through certain political actions in exchange for economic benefits, thereby converting public goals into private, personal ones [3].

This paper aims to substantiate the essence of corruption as a social phenomenon, based, according to M. Weber, on the main source of its emergence and spread – the administrative apparatus of public authorities. Given the risks posed by the above-mentioned social phenomenon and recognizing the importance of finding satisfactory answers to the challenges of Ukraine's sovereign development, a phenomenological model for countering corruption risks is proposed, the essence of which lies in the exercise of political power as a process of managing the affairs of the nation [21]. The phenomenological model of countering corruption risks involves the informatization of management activities as a means of governance following the requirements of good governance, thus emerging as a triune essence: a) the process of ensuring counteraction to corruption risks; b) control over ensuring counteraction to



**Figure 1:** Corruption risk scheme.

corruption risks; c) management of the process of ensuring counteraction to corruption risks.

At the same time, the criteria for determining the degree of success of the virtual flow of each of the above-mentioned three components of the phenomenological model are the identification, prediction, and counteraction of challenges and threats of corrupt activity.

It is worth noting that corruption risk is considered as the probability of occurrence and the consequences of a corrupt act. Cyberspace, as a virtual environment in which data processing and exchange take place, creates new opportunities for corrupt practices.

### 3. Results

The essence of corruption is linked to the professional activities of a suitably trained apparatus of specialists, such as the bureaucracy, as a kind of managerial class. The source of political corruption is the internal contradiction of the administrative apparatus as a unity of two opposing sides, such as professionalism, organizational and structural perfection, legitimacy of activities, etc., on the one hand, and formalism, protectionism, and pedantry with their inevitable challenges and threats to the sovereign development of Ukraine, on the other.

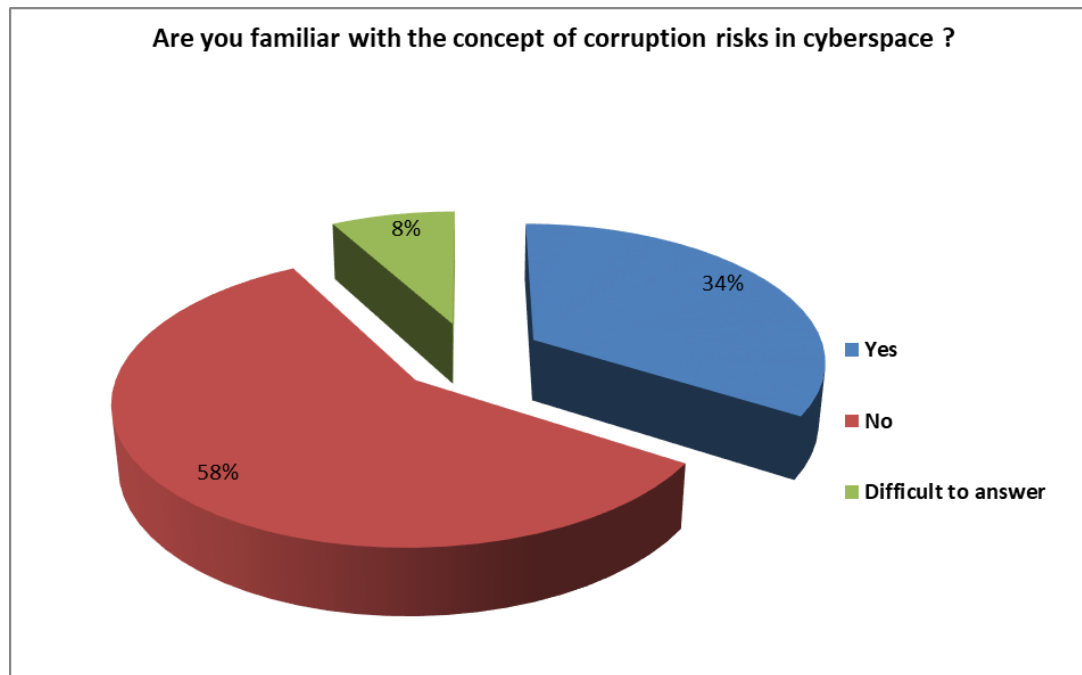
Based on the understanding of the essence of the concept of ‘corruption’ as the illegitimate use by senior officials of state authorities and local self-government bodies of their powers, funds and resources, opportunities for influence, and illegal means of obtaining personal or corporate benefits (position, benefits, property), as well as the illegal enrichment of officials, it is possible to outline the main socially and legally binding means of identifying, preventing, and combating corruption in state authorities and local self-government bodies. The latter include moral, ethical, disciplinary, organizational, and legal means of ensuring systematic counteraction to corruption, following the potential of law and morality and international standards of public governance.

The essence of the phenomenological model of countering corruption lies in the fact that the fight against corruption: a) is embedded in the process of administrative activity under the criteria of integrity of the administrative apparatus and the substantive content of legal norms; b) allows for the implementation of legal norms in the activities of each state authority and local self-government body under the requirements of public governance; c) is the fundamental basis for the development of innovative models of deterrent anti-corruption measures in the activities of public authorities as components of the national anti-corruption strategy.

Phenomenological support for combating corruption as a goal-oriented process of administrative activity is implemented following the latter’s essential and functional characteristics as qualification criteria [22], which in their essential understanding can be reflected by the concept of ‘identification’. Accordingly, the identification criterion of the phenomenological model of countering corruption is shown in Figure 1.

The empirical basis of the study is the results of the authors’ empirical research, obtained through interviews with 700 respondents (including 340 men and 360 women).

The sample was stratified by five characteristics: sex, age, ethnicity, region, and gender identity.



**Figure 2:** Awareness of corruption risks in cyberspace.

The geography of the project is Kyiv.

The design of the project is in one stage.

Research Methods include questionnaires.

The study aims to analyze corruption risks in cyberspace in Ukraine, as corruption risks in cyberspace pose a serious threat to the development of society and state institutions. This study, based on the responses of 700 respondents, analyzes the perception and experience of corruption in Ukraine, focusing on international legal aspects.

According to the data, only 34% of respondents are familiar with the concept of corruption risks in cyberspace, while 58% are unaware of it. This lack of awareness may make it difficult to combat corruption risks in the digital sphere.

When asked about their personal experience with bribery, 65.9% of respondents confirmed that they had encountered it in various areas, such as medicine (48.8%) and education (41.5%). This indicates the systemic nature of corruption.

The lack of answers regarding online platforms may indicate a lack of awareness of digital methods of corruption (Figure 2).

In the "Perception of corruption" block, 48.8% of respondents believe that citizens often encounter manifestations of corrupt practices. This confirms the high level of distrust in state institutions.

The majority of respondents (65.9%) consider bribery to be unacceptable. However, 34.1% admit that it is sometimes necessary, which indicates a certain tolerance for corruption.

The study demonstrates a high level of prevalence of corrupt practices, confirmed both by the personal experience of respondents and their perception of the situation. At the same time, a significant part of the respondents express a negative attitude towards corruption, which indicates the potential for change. It is necessary to develop international legal mechanisms to combat corruption risks in cyberspace, in particular through education and raising public awareness.

## 4. Discussion

The identification of actions that pose a threat of corruption as a component of the phenomenological model of combating corruption is seen in its dominant provision for the conscientious performance of



official duties by public officials, providing for disciplinary responsibility not only for specific illegal actions, but also for the improper exercise of powers, and in some cases, for negative results of official activities. In this sense, it can be argued that disciplinary responsibility not only complements other types of responsibility, primarily administrative and criminal, preceding the latter, but also forms the initial, basic level of countering political corruption, thereby motivating social actors to engage in lawful, ethically correct official conduct and virtuous actions.

On the other hand, it seems appropriate to include the following criteria for preventing corruption in cyberspace, both domestically and internationally: a) eliminating, neutralising and weakening the factors that contribute to corruption; b) preventing the implementation of an official's unlawful intention to commit a corruption offense; c) termination of corrupt activities in order to prevent the occurrence of unlawful (criminal) results or the transformation of corrupt acts into a more socially dangerous phenomenon [23, 14, 3, 24]; d) de-oligarchization of the country through regulatory and legal support for the process of transforming oligarchs into ordinary large entrepreneurs; e) refusal of public administration bodies to perform socially ineffective functions; f) digital transformation of the powers of officials of state authorities and local self-government bodies; g) compliance with moral, ethical and legal requirements regarding the inadmissibility of conflicts of interest; h) creation of convenient alternatives for citizens to existing corrupt practices in terms of obtaining services in a legitimate manner; l) monitoring of the moral and psychological state of the administrative apparatus of state authorities and local self-government bodies; m) implementation of anti-corruption awareness and educational programs, etc.

In terms of preventing corruption, sociological methods of qualitative (studying public opinion, social media content, monitoring mass media and social media reports, conducting expert research, etc.) and quantitative analysis (use of statistical means to process the information obtained, individual facts and reports, etc.). These methods have proven their effectiveness as components of the implementation of state legal policy [25, 2, 8].

Corruption as a social phenomenon manifests itself at the macro and micro levels, in the activities of public administration bodies and their officials, and appears as: a) the result of a mismatch between socially defined goals and the means of achieving them; b) institutional weakness of public administration bodies in implementing national interests in a constitutionally defined manner. This also allows us to note the contradiction between the established moral, ethical, and legal principles of the functioning of public authorities and the actual behavioural practices of the administrative apparatus, which results in the deformation of individual consciousness, professional ethics, and administrative activity, leading to personnel corruption and the formation of stable corruption groups with their unique ability to reproduce themselves and create challenges and threats that can call into question the sovereignty of the path of development chosen by people. The significance of the sociological approach to the analysis of corruption is that it allows us to take corruption beyond the administrative apparatus and interpret it as the result of progressive social immorality arising from reckless social indulgence and passivity in the system. This is in line with the understanding of corruption as a phenomenon that is not limited to state power, but is a broader social evil that is growing into a social problem that is gradually becoming widespread. In this context, corruption is not only seen as the actions of individuals but as a symptom of deeper social and moral flaws in society that allow such phenomena to flourish.

In addition to this, there is the so-called 'ethical approach', which has been developed in several publications by Transparency International. Proponents of this approach believe that corruption is a consequence of serious deficiencies in ethical governance rules that create the preconditions for a systemic crisis. According to them, an effective tool to fight corruption is the reform of management practices aimed at establishing effective governance, which involves the integration of clear ethical norms and principles in business, government and other spheres of society. They argue that without this, corruption will only grow, as its roots are deeper in the absence of moral standards in everyday management practices.

Today, Ukraine lacks a comprehensive and effective anti-corruption policy. The measures that are being implemented are often unsystematic, which significantly reduces their effectiveness. Corruption has transformed into a structured criminal system that threatens national security, violates citizens'

rights, causes economic damage, and undermines the country's international reputation.

It should be paid attention to the phenomenon of "cyber corruption" refers to a spectrum of illicit actions that exploit vulnerabilities within digital infrastructures. As defined by the European Commission, it constitutes "any intentional act (or omission) against the security of computing systems committed by abusing legitimacy and authority for private gain" [24]. Manifestations of such activity are diverse and include, but are not limited to, the unauthorized intrusion into databases for data exfiltration or alteration, the systematic propagation of disinformation through online platforms, the use of technology for citizen harassment, and the suppression of information to safeguard particular interests.

It is worth mentioning that cryptocurrency, due to its decentralised nature and the anonymity of transactions, is becoming an important tool in the context of corrupt practices in cyberspace. It provides the ability to bypass traditional financial systems, which complicates the control of financial flows and increases the risk of money laundering. At the same time, the anonymity of cryptocurrencies can be used to finance illegal activities, complicating the fight against crime and corruption. Analysing the impact of cryptocurrencies on corruption schemes requires an interdisciplinary approach, taking into account both technological and socio-economic aspects.

Within the framework of criminal law, cryptocurrency is defined as priced electronic data, constituting the subject of the right to information. Its attractiveness to criminal elements stems from its foundational principles of decentralization and the blockchain system. This structure ensures that digital currencies are not tethered to or overseen by any national financial institution. Consequently, participants in the system benefit from anonymity and equal status. The primary advantage of cryptocurrency is this anonymity; the personal details of a digital wallet's owner are obscured, represented merely by an alphanumeric key that prevents personal identification. While the ledger of transactions is publicly accessible, the identities of the users remain private, and all transactions are final and cannot be reversed [24].

Scholarly analysis reveals a significant oversight in prominent anti-corruption frameworks. For instance, Transparency International's Handbook on Curbing Corruption in Public Procurement advocates for reforms centered on data transparency while inadequately addressing the critical dimension of data protection [18].

To rectify this imbalance, future anti-corruption programs must integrate human rights-based approaches to data governance as a foundational pillar, on par with the established principles of transparency, accountability, and ethics. The European Union's General Data Protection Regulation (GDPR) provides a robust model for such integration. Its implementation demonstrates how strong ex-ante frameworks—mandating explicit consent, purpose limitation, rights of access, and controls on international data sharing, all underpinned by accountability by design to establish fundamental safeguards. These mechanisms are not only crucial for protecting individual rights but also serve as a bulwark against the manipulation and corruption of the data itself. Overall, the study confirms that an effective fight against corruption requires a multi-level approach, which includes economic, social, legal, and political instruments, as well as interaction with international structures to develop anti-corruption standards and practices.

The sociological study reveals the complex and multifaceted nature of corruption in Ukraine. This phenomenon not only harms economic development, but also undermines the social structure, violates the principles of justice and equal opportunities. However, thanks to a new approach to the analysis of social and economic corruption, as well as the development of empirical tools for its study, it is possible to develop effective measures to reduce the level of corruption in Ukraine.

## 5. Conclusions

The essence of the phenomenological model lies in the fact that, firstly, the fight against corruption is embedded in the functioning of state and municipal authorities by the criteria of integrity, substantive, organisational and disciplinary content of legal norms; secondly, the potential of the phenomenological model of combating corruption allows for the implementation of legal norms in the activities of the

relevant public authority, where effective governance is a priority; Thirdly, the phenomenological model of combating political corruption is the fundamental basis for the development of new and improvement of existing virtual practices in accordance with the requirements of good governance.

Phenomenological support for combating corruption is implemented as a process of identifying, establishing, and regulating relations in the sphere of activity of public authorities following the norms of international law and current legislation, as well as the social and organisational-personnel support of their activities as subjects of activity aimed at realising national interests. Phenomenological support for combating corruption is provided institutionally and consists in its subordination to the tasks of systematic combating corruption, considering the latter as a dysfunction of public authorities. This determines: a) the substantive, structural and functional unity of the components of the mechanism for identifying, preventing and combating corruption; b) the consistency of actions to implement moral and legal norms by social practices; c) the inevitability of punishment in a manner that ensures the unity of political will and legal responsibility. It seems that without the aforementioned institutional capacity to implement the phenomenological model, any attempts to counteract corruption cannot acquire the systemic characteristics of a socially significant direction: they will only be partial, local, and temporary.

Systemic counteraction to corruption is ensured through the substantive implementation of requirements, first and foremost, one of the fundamental principles of European Union law – the principle of unity of morality, law, duties (powers) and responsibility (disciplinary, administrative and criminal), which allows for the identification, prevent and counteract offences at various stages of their commission, thereby contributing to the process of adapting and harmonising domestic legislation with the moral, ethical and legal standards of the European Union member states.

Thus, the phenomenological model of countering corruption is based on: a) the formation of a new type of managerial class as a modern bureaucracy and a way of governing such as professional, open, patriotic, strategically oriented; b) a purposeful type of interaction between the state and society as interdependent subjects of public action; c) the gradual establishment of partnerships as a way of overcoming the still dominant attitudes of affective and traditional rationality, pathological situationality and strategic uncertainty. This means that the activities of state authorities and local self-government bodies must be reoriented from the implementation of state interests to the legal protection of national interests as the embodiment of the full realisation of human and civil rights and freedoms in a safe social and cyberspace. The virtual organisation of social space should reflect the activities of the administrative apparatus of public authorities in its static and dynamic aspects, positive and negative results in the context of national interests.

## **Declaration on Generative AI**

The authors have not employed any Generative AI tools.

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