

UDC 343.9.022

DOI 10.31733/2786-491X-2021-104-116



Yurii KRAMARENKO[©]

Ph.D (Law),

Associate Professor of

(Dnipropetrovsk State University of Internal Affairs)

ORGANIZED CRIME AS A SOCIAL SYSTEM: CHARACTERISTICS AND TRENDS

Abstract. In this article organized crime and organized criminal groups are considered as purposeful social systems with certain parameters. The article's objective is to give a general description and determine the most typical trends in their activities.

The actors of organized crime (criminal groups) in this paper are understood as stable hierarchical associations of several persons created in order to obtain personal and general profit illegally, while for managers of different levels this type of activity is the main form of employment. Organized crime is understood as the totality of criminal groups interacting among themselves, having a similar worldview, goals, tool, and ways to achieve them.

Being part of the social system and self-compensating at the expense of members of society, organized crime is in a certain environment. The «environment» means a society as a whole, a set of individuals, social groups and actors of influence who have the ability to come into contact with each other directly or indirectly, exercising mutual influence. The actors of influence include: the state (government), interstate and international organizations, the church, corporations, the media, non-government public organizations.

The features of organized crime are: 1) conspiracy, strict rules, hierarchical structure, which limits the behavior of individuals who form this system; 2) the lack of the concept of «ideal» in the category of results, whereupon strategic planning is not typical for it; 3) the worldview is focused on the seizure and forced exploitation of resources, technologies and non-entities and systems, violence, separation and opposition are supported; 4) the interaction of individuals within the system has the character of opposition and rivalry, a high probability of the emergence of an internal underground; 5) interaction with other main actors of influence is in the nature of opposition and rivalry; 6) the desire to discredit the government and create conflicts between governments and organizations or within them.

Keywords: *organized crime, purposeful system, interaction, worldview, actors of influence*

Introduction. Organized crime is the subject of study in various branches of legal science. Criminology, legal psychology, forensic science, operative investigation activity investigate different aspects of the behavior of organized criminal groups, methods for their identification and neutralization. Organized crime as a social phenomenon has existed for a very long time, but they began to perceive it as a threat to the state system and world stability relatively recently. In legal science, it has been repeatedly pointed out a long, unjustified denial of the existence of organized crime and the need to recognize this phenomenon: «Sooner or later, the moment would come when one would have to face the truth and admit the existence of not only professional, but also professional organized crime» (R. Belkin, (ed.) at al, 2006, p. 900). Similar conclusions were made by J. Dickie in the work «Cosa Nostra: a history of the Sicilian Mafia» regarding Sicilian organized crime, which had not been recognized for a long time, which, in his convictions, the mafia itself made efforts (2020).

© Kramarenko Yu., 2021

ORCID iD: <https://orcid.org/0000-0002-9023-6302>

ykramlawyer@gmail.com

Modern legal science and law enforcement agencies recognize not only the existence of highly organized crime, but also the threats it poses to the world community, including in the form of mafia states (M. Naím, 2012, & V. Ovchinskiy, 2016), quasi-states (N. Chebykina, & V. Molodavkin, 2018) or «fragile» states (Website Fragile States Index. <https://fragilestatesindex.org>). This is confirmed by the United Nations Convention against Transnational Organized Crime (United Nations Convention against transnational organized crime and the protocols thereto. <https://www.unodc.org>), Europol reports (European Union serious and organized crime threat assessment 2017. <https://www.europol.europa.eu>), publications of the United Nations Office on Drugs and Crime (Transnational organized crime: the globalized illegal economy. <https://www.unodc.org>), scientific articles (V. Terziev, M. Petkov, & D. Krastev, 2018, J. Schneider, 2018) and mass-media publications (M. Naím, 2012, P. Andreas, & M. Naím, 2012, Mafia today: how the Italian clans work, Website BBC Russian. <https://www.bbc.com>).

Rob Wainwright, director of Europol, in foreword of report «European Union serious and organised crime threat assessment 2017» said: «In 2013, Europol reported the presence of at least 3,600 internationally operating Organised Crime Groups (OCGs) in the EU. In the SOCTA 2017, we identify approximately 5,000 international OCGs currently under investigation in the EU» (European Union serious and organized crime threat assessment 2017. <https://www.europol.europa.eu>).

In Ukraine the quantitative indicators of identified criminal groups and organizations range from 136 in 2016 to 293 in 2019. In the period from 2015 to 2019, on average, slightly more than 10% from the recorded materials of criminal proceedings on the creation of a criminal organization were sent to the court with an indictment. In total, such criminal proceedings were registered in 2015 – 18, in 2016 – 33, in 2017 – 88, in 2018 – 84, in 2019 – 68 (Website Prosecutor General's office of Ukraine. <https://old.gp.gov.ua>).

The threats of organized crime lie not only in the scale, forms or areas of criminal groups' activities, but also in the fact that the younger generation is increasingly becoming involved in their activities, who are learning to «transform coordinates from Google maps into real coordinates of goals» (The Secret Life of Young Militants of ISIS / Website BBC Russian. <https://www.bbc.com>). Also can be noted that an organized crime have an influence on the political processes. For example, A. Alesina, S. Piccolo, P. Pinotti pay attention to the strategic use by criminal organizations of pre-election violence as a way to influence the election results and the behavior of politicians (2019). In addition, according to the World Health Organization, one in nine residents of areas where armed conflicts take place suffers from «moderate or severe mental disorders» (Mental health / Website World Health Organization. <https://www.who.int>). These facts and trends force us to reconsider approaches to understanding the manifestations of organized crime and its impact on social processes.

Analysis of recent research and publications. The research will use existing publicly available scientific and applied research on this issue in various fields of science, as well as sources of secondary information. Among the main authors who researched this topic can be cited A. Alesina, M. Balint, A. Gurov, J. Dickie, A. Dolzhenkov, V. Korzh, M. Korniyenko, V. Ovchinskiy, S. Piccolo, P. Pinotti.

The basis for understanding organized crime as a social system will be the results of studies of the behavior of social systems, as well as some issues of corporate governance. The conceptual apparatus for applying the systems approach will be taken from the work of R. Ackoff and F. Emery «On Purposeful Systems» (1974), as well as from some other books of R. Ackoff. This is due to the fact that in the specialized literature some similarities were indicated in terms of goals, the management regime and the organization of organized criminal groups with corporations. In this regard, the conclusions drawn from the study of governance in such social systems can also be used to understand organized crime.

The purpose of our article is to give a general description of organized crime as a purposeful social system, as well as to identify typical trends in its activities. The use of new approaches in the study of this issue will make conditions for a comprehensive understanding of this social phenomenon and ways to influence it. The results obtained in the course of the study will allow us to consider organized crime as an integral system, striving in certain ways to achieve goals in a certain environment.

The study of organized crime as a social phenomenon is fraught with some difficulties. They are manifested primarily in the absence of sufficient objective information, which is associated not only with the high latency of this phenomenon. On the one hand, this is due to limited access, since such information relates to national security issues. On the other hand, the existing open information is subject to distortions, both by the actors of this activity and public opinion, formed most often on the basis of artistic images.

Formulation of the main material. Organized crime is a complex phenomenon, the emergence and development of which is influenced by a large number of variables. The main concepts that we will operate in the article include: «organized crime», «actors of organized crime», «environment of the system», «actors of influence», «purposeful individuals and systems», «results», «ways for achieving results».

Most of the sciences consider organized crime from an extremely negative point of view, but, as it has been successfully noted, «logic is usually absent in the observer's reasoning, and not in the behavior of the observed» (R. Akoff, p. 38). Recognizing the negative consequences of this social phenomenon, it should also be recognized that the emergence of any social system is a response to expectations and a way to satisfy some of the needs of society itself or part of it. In fact, any human-made social system is a tool for achieving well-defined results.

Today, there are various classifications of organized criminal groups depending on the degree of organization, scope or scale of activity. In criminology, the common features of organized criminal groups include: selfish goals; participation in groups of a significant number of persons; stability, cohesion; internal discipline; scale of criminal activity; the presence of a functional hierarchical structure; creation of own protection system, corruption ties; investing part of the income in legal economic structures (money laundering); armament and technical equipment; the presence of interregional, interstate ties with similar criminal organizations; high criminal professionalism of participants, the predominance of criminal subculture in their behavior (V. Malkov, (ed.), 2006, 405-406).

In forensics these signs include: stability of personnel; norms of behavior and value orientation; the presence of a leader and, sometimes, an oppositionist; role differentiation; strict discipline; conspiracy; coordination; orientation to committing crimes; «criminal experience and experience of communication with law enforcement agencies»; development and assimilation of ways to conceal crimes; creation of protection and cover units; corrupt ties (R. Belkin, (ed.) at al, 2006, p. 900-902).

In the operative investigation activity, the levels of activity of criminal groups – individual, group, corporate (K. Goryainov, (ed.) et al, 2007, 723) are also distinguished.

Today there is no single definition for the concept of «organized crime». On the UN website in the series of university modules «Organized crime», it is understood as «a continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats or force to protect its operations» (Website of the United Nations Office on Drugs and Crime. <https://www.unodc.org>).

The United Nations Convention against Transnational Organized Crime uses the concept of «organized crime group», which means «a structured group of three

or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit» (United Nations Convention against transnational organized crime and the protocols thereto. <https://www.unodc.org>).

In this article the actors of organized crime (criminal groups) will be understood as stable hierarchical associations of several persons created with the aim of obtaining personal and general profit illegally, while for supervisors of different levels this type of activity is the main form of employment. Under organized crime, we understand the totality of criminal groups interacting among themselves, having a similar worldview, goals, tools, and ways to achieve them.

This definition corresponds to the definition of the system, which had been proposed by R. Ackoff and F. Emery. They understand the system as «a set of interconnected elements, each of which is connected directly or indirectly with each other element, and any two subsets of this set cannot be independent» (R. Akoff, & F. Emeri, 1974, p. 27). Since each isolated criminal community forms its own social system, so the totality of related communities can be called a criminal system, the purpose of which is to enrich through the unlawful exploitation of resources, technologies and other entities.

Today, the culture of criminal groups is often called «subculture», but this concept does not reflect the real situation. Crime has its own symbolic recognition system (language, gestures, tattoos), rituals and rules («codes of honor», «concepts»), most often a clearly defined territory or area of activity, a social trajectory (social elevator) within the system, authorities and images for personal orientations, identification of one's belonging to a group, well-established patterns of behavior to resolve current situations and problems. This makes it possible to talk about the formation of a criminal worldview, which could potentially spread to the whole society. At the center of this worldview is the opposition to legitimate power and personal enrichment at the expense of others. The basis for such a worldview can be any ideology or religion that is interpreted and adapted to the criminal group's goals.

According to studies by J. Dickie, criminologists and specialists in the field of operational-search activity, the reasons for the occurrence of organized crime can be attributed to following ones:

1. Shadow economy, errors in the economic relations regulation.
2. The property stratification of society, low employment, unemployment, loss of job security by citizens.
3. Low intellectual and moral level of society, social instability and lack of social control.
4. The weakening government's role.
5. Low quality of criminal and criminal-procedural legislation.
6. The loyal society's attitude towards unlawful behavior.
7. A significant share in the society of persons who have committed crimes and offenses.

Such causes are characteristic of organized crime on all continents (R. Akoff, & F. Emeri, 1974).

Experts in operational-search activity indicate that «the criminal environment is organized for the sole purpose of quickly accumulating large criminal incomes and legalizing them for circulation. A emphasis on business, even if criminal, puts organized criminal groups in the position of economic organizations» (K. Goryainov, (ed.) et al, 2007, 491).

In their work R. Ackoff & F. Emery (1974) examine behavior in organizations such as a prison, where «a strict daily routine and numerous orders lead to the behavior of prisoners and staff becoming unidirectional». Regarding features of such systems, they come to the conclusion: «The most obvious of them is that prisoners are trying to create an informal underground system. A less obvious

consequence is the tendency of staff to make isolation around the main person in charge. He/she is kept in the dark about the true state of things, telling him/her all sorts of nonsense. If the stability of the system is dearer to him/her than other goals, he/she is reconciled with this» (p. 218).

Analyzing the work and publications on the existence of organized crime, we can indicate that it plays the role of a «union» for those whose employment is exclusively related to the commitment of crimes. It can be a form of reaction or protest against excessive and unjust pressure, for example, the current government. It can also be concluded that organized crime seeks to gain administration and control over those areas that are not covered or are poorly covered by the government, but are in demand by the society or its part.

Being part of the social system and self-compensating at the expense of society's members, organized crime is in a specific environment. R. Ackoff & F. Emery (1974) understood the environment as «a lot of elements and their essential properties that are not parts of the system, but a change in any of them can cause or produce a change in the state of the system» (p. 27). In this article we will understand «environment» as society as a whole, as a set of individuals, social groups and actors of influence who have the ability to come into contact with each other directly or indirectly, exercising mutual influence. Today, due to the development of information and communication technologies, direct contact between participants in a relationship is not necessary for influence.

Taking organized crime as a social system, it should also keep in mind that it is part of a broader level – the global social system. In this regard, it will be admissible to recognize the presence of entities that are part of the global social system. In addition to organized crime, these include well-established stable social groups (systems, independent actors of legal relations) that have significant resources to influence social processes, both at the state level and internationally. This is the state (government), interstate and international organizations, the church, corporations (including transnational ones), the media, non-government public organizations (NGOs). In fact, these same entities, with the exception of the church, international organizations, and organized crime, are studied to determine trust ratings (2019 Edelman trust barometer. Global Report. <https://www.edelman.com>). All these entities, except for isolation and structure, have a request from society, the goals of their establishing and existence, as well as tools and means of influencing social processes. Today we can talk about the emergence of terrorist organizations as a special type of social systems that use criminal tool. As indicated in some works by the example of the Islamic state, such formations combine «elements of a network terrorist organization, a large illegal armed group, an organized criminal group, a mafia network, a radical revolutionary movement, and, of course, a totalitarian network» (R. Muhametov, 2014). In this article we will refer them to organized crime.

These actors, due to the limited environment and modern information technologies, are in an interaction that can be described by several concepts: opposition, cooperation, rivalry and independence.

Opposition (confrontation, conflict) is a state of interaction in which the achievement of the result by one excludes the effectiveness of the other or the others («zero-sum game»). Winning provides for the forced exploitation of the loser or its destruction.

Cooperation is an interaction in which joint coordinated activity significantly increases the value of the result for all participants in the interaction. Such interaction allows unequal mutual exploitation, which for the participants is obvious, voluntary and variable.

Rivalry (competition) – an interaction in which the achievement of a result by one reduces the value of the result to another or others, but does not exclude it. Perhaps ranking the value of the result and the hierarchy of winners. Operation is predominantly veiled.

Independence is the absence of a mutual influence on the effectiveness (value of results) of the activities of other participants in the relationship.

Each of the forms of interaction can go into any other. A distinctive feature of cooperation is the coordination and unequivocal acceptance by the parties of risks and consequences, as well as the desired results and ways to achieve them. In other forms of interaction there is no consistency, actions are carried out by default or by mutual interpretation.

Exploitation is an increase in the value of the result for one subject of interaction through the use of efforts or resources of another or others.

To characterize the results depending on the time of their achievement, R. Ackoff and F. Emery (1974) used the terms «total», «task», «goal» and «ideal». The result is the closest result in time to which the individual aspires in a certain environment and at a certain moment, and the ideal is an unattainable result that can only be infinitely close (pp. 65-66).

Ways to achieve results are patterns of behavior (actions or inaction) performed by an individual or a system to achieve a desired future.

Considering social systems in terms of the relationship of the system and its elements, R. Ackoff and F. Emery (1974) point out the following: «Since individual elements serve as tools for the entire system, this system will reduce diversity; the range of purposeful behavior will be limited, and more and more behavior will come down to low levels: multidirectional and unidirectional. Insofar as the system serves as a tool for its constituent elements, it will tend to increase diversity: the range of purposeful behavior will expand, and the level of behavior will gradually rise to the pursuit of the ideal» (p. 205).

They also note: «A social group will increase diversity only when its organization allows its members to behave as systems striving for the ideal. In special cases, when social systems degrade to the level of unidirectional behavior, an increase in diversity will occur if the system is not able to interfere with the purposeful behavior of its elements. A decrease in diversity will occur in those cases when the organization will be able to prevent the its participants' purposeful behavior» (R. Ackoff & F. Emery, 1974, p. 206-207).

In his work «Creating the Corporate Future» R. Ackoff points out that in social systems relationships can be built differently between those who administer and those who are administered. Depending on the freedom of choice of goals and means of achieving them, they can be formed according to the type of «autocracy of goals, autocracy of means», i.e. and goals and means are chosen by one who has power. In his opinion, this happens when «society is ruled by an absolute monarch or dictator,» while absolute power «is concentrated more in the hands of a small group than one person, such as the junta.» He refers to such organizations prisons, military organizations, churches and some societies and corporations (1977, p. 76).

Analyzing criminal groups in terms of results and ways to achieve them, several conclusions can be drawn. First, it is difficult for such communities to have such a concept as an «ideal» in the category of results. This is due to the fact that the activity, as a rule, is fleeting and is determined by the goal, which is the expansion and exploitation of resources to obtain own profit, as well as the retention of positions. In this sense, taking into account all the subjects of influence, the state has the most distinguishable concept of ideal, since its ultimate goal is the benefit of everyone. The main ways to achieve results for criminal groups are – extortion (threats and violence), networking (influence, support and mobilization groups), corruption (bribery to protect or access resources), misinformation (distraction), and provocation (identifying weaknesses or exhaustion of the enemy).

Secondly, the choice of goals and methods for achieving them is predetermined by the system, and will limit the freedom of action of its individuals both on a conceptual (intellectual) and physical level. We must keep in mind that each individual of the system is a constantly changing subject. He/she has his/her own idea of the

results of his/her activities and is inherent in the concept of ideal, regardless the social system in which he/she is. In this regard, the conclusion suggests itself that as the individual is in this system, he/she will feel discomfort and growing confrontation with the system itself. A way to eliminate this can only be an absolute identification of oneself with this system, especially with its leadership. Perhaps this explains the «family» or «fraternity» of criminal groups, which is described in the works by M. Balint (2016) & J. Dickie (2020) and in the law enforcement practice. The rituals that J. Dickie describes are necessary for recruits to also identify with the community. A ritual is a way to create the illusion of identity with the system, create a psychic connection and another barrier to the individual in order to prevent leaving its limits. Despite the fact that the family creates the illusion of identity and additionally obliges, this cannot stop the gradually increasing restriction in the freedom of choice of the community members' own behavior, especially as they satisfy their basic needs and achieve their own goals. In his work, R. Ackoff (1977) also points out that personality development «is not a condition or state determined by what a person possesses». He defines this concept as «a process in which the individual's capabilities and desire increase to satisfy his/her desires and desires of other people», «the growth of abilities and potential, rather than acquired», «the matter of motivation, knowledge, understanding and wisdom than wealth». He also substantiates the assumption that «that an increase of living standard is not necessarily accompanied by an increase in its quality» (p. 63).

In addition, even despite the high position in the hierarchy of the criminal world, its leaders are forced to live in conditions of conspiracy, secrecy, which sometimes forces them to live part of their lives in bunkers (Ndrangheta: life in the dungeons of the Calabrian mafia / Website BBC Russian. <https://www.bbc.com>). It can also provoke conflict and tension in relationships within such systems. It is almost impossible to remove such tension without changing the basic forming parameters of such a system, and this, in turn, will change the essence of the system itself. Thus, it is quite possible to conclude that organized communities will strive for a minimal variety of behavior, which is not consistent with the nature of man, as an aspiring and versatile individual. The latter is confirmed in the scholars' works of from other sciences, for example, K. Jung (2001), who drew attention to the presence of at least eight types of personality or G. Gardner (Website Howard Gardner. <https://howardgardner.com>), who justifies the multiplicity of intelligence. It is also possible to conclude that it is no reason for organized criminal groups to invest in complex and long-term projects. This is due to short-term goals and behavior striving to be simplified.

Having an idea of the desired results of the system and how to achieve them, it becomes possible to suggest the nature of the interaction between the main participants in social relations. Without going into particular, it should be noted that, based on the nature and goals of other actors of influence, the presence of organized crime is not advisable or beneficial for anyone, but rather the opposite. The only one whose relationship may be close to independence is the church, and even with certain reservations. Analyzing the possibilities of some actors to influence society, it should be noted that according to the studies of Daniel J. Edelman Holdings Inc., the global level of trust in non-government public organizations and in business is significantly higher than in the government and the media. The confidence level in the latter is less than 50% (2019 Edelman trust barometer. Global Report. <https://www.edelman.com>). From this it can be assumed that a low degree of public trust can be used by other actors of influence in their own interests. Today, technologies for influencing people's behavior are becoming widely available and, in fact, there is a struggle for influence. So, at one of the educational sites, it was stated that «education lost the battle for attention: choosing what to spend money on, people prefer cinema and restaurants, rather than online courses» (The main competitor of education – Netflix. <http://www.edutainme.ru>). The above gives

reason to believe that the young generation is the main target audience, for the attention of which all actors of influence will fight, without exception.

Without going into in particular, it should be pointed out that the main goal of the state is «the welfare of the man, his/her moral, material and physical well-being, maximum legal and social security of the individual» (V. Khropanyuk, 2008, p. 155). As T. Hobbes pointed out, the state allows creating a civil status with the help of the government and the law, «without which there is always a war of everyone against all» and this prompted people to agree «about the person who should publish it» (p. 134-135). But the government in any country has not always used the proper means of managing society. During the existence of the country, government officials repeatedly discredited themselves, which, due to the incorrect identification of the government and its officials, led to a decrease in the level of trust compared to other participants in public relations. We must also keep in mind that organized crime is virtually impossible without a state. Organized crime is, on the one hand, the result of inefficient government, and on the other, the actor for which the state is the source of income. With a strong influence on state power, the government can become a tool for enriching crime, and the state as a tool of exploitation of society. Thus, based on the fact that the systematic movement of the state towards the ideal, levels the goals of criminal groups and jeopardizes their existence, we can assume that under natural conditions their relations will have the character of an irreconcilable opposition. The opposition can go into cooperation or neutrality only if a new opponent appears that is equally dangerous for their existence. From this it is also possible to conclude that the absence or weakness of the opposition in relations between them indicates either the weakness of the state, or the strong influence of criminal groups on the government. According to the ratings, one can pay attention to the absence of a direct relationship between the high level of organized crime (The Global Competitiveness Report 2019. Organized crime. [Http://reports.weforum.org](http://reports.weforum.org)) and the weakness of states (Fragile States Index 2019 – Annual Report. [Https://fragilestatesindex.org/2019](https://fragilestatesindex.org/2019)). The presence of a stable state power and a high level of organized crime without the presence of opposition between them may be a sign of the coalescence of these social systems. The above does not contradict the facts that in totalitarian countries organized crime actually ceased to exist, since the whole society served the goals of the ruling elite, whose power sought to total control. In addition, as shown by the chronology and composition of the participants in historical events in such countries, the ruling elite came to power precisely in the ways characteristic of criminal groups with further repression. In fact, a totalitarian state is a large-scaled, legitimate criminal association that is unviable in the long run.

The interaction between other actors of influence with organized groups can be built in the range from short-term cooperation to the opposition with the possibility of independence. But the need for the opposition will always be present, since their goals can be similar, but not common, and the ways to achieve them differ significantly. For business, only assistance that increases profit only under certain conditions of legal regulation and the development of market relations will be acceptable. With NGOs and the media, opposition is more likely, since they are referred to as «watchdogs of the society» (The Case of the «Newspaper office «Pravoye Delo» and Stekel v. Ukraine (Application № 33014/05). [Https://zakon.rada.gov.ua/laws/show/974_807](https://zakon.rada.gov.ua/laws/show/974_807), The Case of «Newspaper «Ukrayina-Tsenter» v. Ukraine». (Application № 16695/04). [Https://zakon.rada.gov.ua/laws/show/974_594](https://zakon.rada.gov.ua/laws/show/974_594)), and it is hardly possible to attribute their own forced exploitation to the society's goals. Cooperation can take place subject to general opposition to the government (with a similar goal), or when the goals of NGOs or the media do not correspond to those declared.

Due to the fact that for the existence of criminal organizations it is necessary to legalize and search for ways to shelter and support (K. Goryainov (ed.) et al,

2007, 491), their activities will be aimed at controlling (the possibility of influence) or establishing their own business structures, media and NGOs. The similarity of goals, ways to achieve them and the absence of opposition can testify of the involvement of such entities in lobbying for the organized crime's interests.

In this context, one should take into account the fact that organized crime, despite its scale, has difficulties that are inherent in any other social systems. These include personnel competence, management efficiency, weak coordination and interaction, etc. In addition, organized crime, in comparison with other entities, has difficulties in medium and long-term planning. The area of interests will be objects and branches that are of key importance in the circulation of resources and technologies (V. Ovchinskiy, 2016; 2018).

Although organized crime replenishes its human resources from society, it should be recognized that people who find themselves in a difficult life situation or who have the goal of quick enrichment do not always choose systematic criminal activity, submission, and strict rules. So, some young people try to get rich exclusively on episodic or short-term criminal acts (A kind man without coast: the story of the first murder ordered on the darknet / Website BBC Russian. <https://www.bbc.com>).

Issues of propensity and prerequisites for the emergence of criminal behavior are studied by different fields of knowledge. In this sense, the similarity of the prevailing views of society on expected results and ways to achieve them will be important. In other words, the more loyal a society is towards the expansion and forced exploitation of others, the more favorable is the environment for the emergence of organized criminal groups. Accordingly, it is precisely this «life position» or ideology that criminal groups will encourage. For this, different methods and technologies can be used. J. Dickie points out that representatives of organized crime «never fenced off from change, they simply set themselves the goal of guiding them in the right direction» (J. Dickie, 2007, p. 512) The above allows us to make an assumption that in post-totalitarian countries the level of loyalty to criminal behavior will be higher, since such behavior will be familiar on the one hand and, on the other hand, a projection of revenge for excessive unjust pressure and control. Mafia states in the post-communist space are also emphasized in the works by M. Balint (2016).

Using a systematic approach to understanding organized crime does not give an answer to all questions of the existence of this social phenomenon, but allows us to draw tentative conclusions regarding trends in the criminal groups' activities, as well as measures to influence them.

The criminal groups activities will be aimed at their inclusion in social processes and control:

- 1) information and means of communication between social systems;
- 2) resources, technologies and their turnover;
- 3) changes in the socio-economic life of the society, the state and the world as a whole.

A distinctive feature of a criminal worldview will be the justification of expansion and forced exploitation both at the national and international levels, as well as the division and opposition of society and the world as a whole (for example, the division into «friend or foe») and discrediting the government and international organizations. The latter may take the form of humiliating public authorities or provocations that affect international cooperation.

As M. Korzhanskyi (1996) pointed out «combatting crime is not a legal matter, but a political one, not lawyers', but politicians'» (5). G. Mirskiy (2006), analyzing the social processes of our time, saw the way out of their existing crisis phenomena in that «awareness of the depth of moral and social degradation should provoke a reaction of that healthy rational principle that has always allowed humanity to overcome the phenomena that threaten it with degeneration» (Return to the Middle Ages? 2006).

Accordingly, the fight against this phenomenon at the political level should be of a comprehensive nature of the impact on the existing opposition and conflict, and not their suppression. From the point of view of the impact on the conflict, R. Ackoff & F. Emery (1974) use three terms: «elimination» of the conflict comes down to a change in environment, «resolution» – to change someone else, but not oneself, and «solution» – to change of one's own behavior» (p. 195). Using the developments of A. Rapoport and other experts, they indicate that «a conflict in which physical force is used to eliminate or neutralize one of the participants», which «can eliminate the conflict from the winner's point of view, but not from the defearer's one», fraught with more negative consequences. This is explained by the fact that «the hostile attitude of the loser to the winner, as a rule, does not pass, but only intensifies, so that, when the opportunity arises, he/she tries to unleash a new conflict, often even more intense than the first». This, in turn, «usually leads not to the elimination or destruction of the conflict, but to its temporary suppression, accompanied by subsequent escalation» (p. 196).

The use of a systematic approach and analysis of the behavior of essentially similar social systems (organizations) allows to assume of a high probability of the formation of an underground in criminal groups, which must be taken into account when developing them by law enforcement agencies. The underground within such systems, being the cause of confrontation and tension, can also play the role of a source of self-reproduction. Observation of the nature of the relationship of participants in public relations with the criminal environment, the methods they use to achieve the desired results can give rise to conclusions about their involvement in organized crime and, accordingly, predict possible behavior and ways to neutralize it.

Thus, organized crime can be seen as a social system that is part of a global social system. This system has distinctive features, which are as follows.

1. It has a conspiratorial nature, strict rules, hierarchical construction, which limits the behavior of individuals who form this system. It is also not able to satisfy the individuals' requests regarding the quality of life and their own development in the long run.

2. It does not have the concept of «ideal» in the category of results, as a result of which strategic planning is not characteristic of it. Short-term desired results are difficult to measure. Strive for legalization by establishing their own (or controlled) legal social systems.

3. The worldview of the system is focused on the capture and forced exploitation of resources, technologies and non-entities and systems. Violence, separation, and opposition are supported. For the ideological basis, part of the worldview or ideologies of other social systems with adaptation for their own needs is used.

4. The interaction of individuals within the system will bear the features of opposition and rivalry, a high probability of the emergence of an internal underground.

5. From the point of view of the desired results, interaction with other main actors of influence is in the nature of opposition and rivalry. The absence of real opposition to the government, corporations, NGOs and the media may indicate the falsity of the declared goals by the latter or about their control by criminal groups.

6. It seeks to discredit the state through discrediting the government, making conflicts between countries and organizations or within them. The consolidation of other actors of influence among themselves significantly threatens the existence of criminal groups and organized crime in general.

To minimize the involvement of part of society in criminal activities for public administration, it would be appropriate:

- 1) to build channels for sustainable communication and information exchange between actors of influence, including organized criminal groups;

- 2) to make conditions for cooperation between states and international organizations on the identification and neutralization of organized crime;
- 3) to make conditions for the formation of a worldview based on mutual coexistence, respect and cooperation;
- 4) to ensure the employment of the population and the involvement of society, especially youth, in scientific and educational long-term projects;
- 5) to make conditions for the socialization of persons who committed crimes by granting alternative forms of employment;
- 6) the use of interdisciplinary research to develop tools and methods for the early detection and neutralization of organized criminal groups;
- 7) to make conditions for management based on cooperation and the creation of alternatives, rather than pressure and suppression.

Conclusions. The worldview of the people or other self-identifying community of people determines the direction of development. That is why issues of managing the worldview, ideology, upbringing and education of the younger generation have always been given close attention of the actors of influence. During intensive circulation of information, the worldview is split into smaller parts, the coordination of which is complicated. The interaction between them becomes complexly predictable. Organized crime today has an impact on social processes of not only limited territories, but also global ones. The emergence of quasi-states, mafia states, transnational organized crime and other social entities, whose goals do not coincide with ideas about civil society and the rule of law, are only prerequisites for spreading the ideas of expansion, violence and self-esteem at the expense of others. Rejected or not recognized as a special form of social structure, organized crime, in the event of an inadequate reaction from other actors of influence, can lead society to conditions in which the development of the individual will be complicated. The aspiration of criminal groups for total control within the system and their environment ultimately jeopardizes social values and progress. The activities of actors of influence, whose goals are different from the goals of organized crime, should take measures to consolidate and cooperate with long-term goals that bring society closer to the ideals of well-being of everyone.

Conflict of Interest and other Ethics Statements

The author declare no conflict of interest.

References

- 2019 Edelman trust barometer. Global Report. https://www.edelman.com/sites/g/files/aatuss191/files/2019-02/2019_Edelman_Trust_Barometer_Global_Report.pdf.
- A kind man without coast: the story of the first murder ordered on the darknet* / Website BBC Russian. URL : <https://www.bbc.com/russian/features-50167318> [in Russian].
- Akoff, R. (1977). *Creating the Corporate Future*. Progress. [in Russian].
- Akoff, R. (1982) *The Art of Solving Problem*. Mir. [in Russian].
- Akoff, R., & Emeri, F. (1974) *About Purposeful Systems*. Sov. Radio [in Russian].
- Alesina, A., Piccolo S., & Pinotti P. (2019). Organized Crime, Violence, and Politics. *The Review of Economic Studies*, vol. 86, issue 2, March 2019, 457–499. URL: <https://doi.org/10.1093/restud/rdy036>.
- Andreas, P., & Naim, M. (2012) Foreign Affairs «Measuring the Mafia-State Menace Are Government-Backed Gangs a Grave New Threat?». URL : <https://www.foreignaffairs.com/articles/2012-07-01/measuring-mafia-state-menace>.
- Balint, M. (2016). *Anatomy of a Post-Communist Mafia State: The Case of Hungary*. Novoye literaturnoye obozreniye. [in Russian].
- Belkin, R.S. (ed.) at al (2006). *Forensics. NORMA*. [in Russian].
- Chebykina, N.R., & Molodavkin. V.I. (2018). Failed states and quasi-states: international legal analysis. *Vestnik Omskogo universiteta. Seriya «Pravo»*, 3 (56), 54–58. URL : <https://cyberleninka.ru/article/n/failed-states-i-kvazigosudarstva-mezhdunarodno-pravovoy-analiz> [in Russian].

- Dickie, J. (2020). *Cosa Nostra: a history of the Sicilian Mafia*. KNT. [in Russian].
European Union serious and organized crime threat assessment 2017. URL : <https://www.europol.europa.eu/activities-services/main-reports/european-union-serious-and-organised-crime-threat-assessment-2017>.
- Fragile States Index 2019 – Annual Report*. URL : <https://fragilestatesindex.org/2019/04/07/fragile-states-index-2019-annual-report/>.
- Goryainov, K.K. (ed.) et al (2007). *Theory of operational-search activities*. INFRA-M. [in Russian].
- Hobbes, Th. (2017) *Leviathan*. RIPOL klassik. [in Russian].
- Jung, C.G. (2001). *Psychological types*. Azbuka. [in Russian].
- Khropanyuk, V.N. (2008) *Theory of State and Law*. Interstil: Omega-L. [in Russian].
- Korzhanskyi, M.Yo. (1996). *Criminal law of Ukraine. Part general: Lectures*. Naukova dumka. [in Ukrainian].
- Mafia today: how the Italian clans work* / Website BBC Russian. URL : <https://www.bbc.com/russian/features-42853350> [in Russian].
- Malkov, V.D. (ed.) (2006). *Criminology*. Yustitsinform. [in Russian].
- Mental health* / Website World Health Organization. URL : <https://www.who.int/news-room/facts-in-pictures/detail/mental-health>.
- Mirskiy, G. (2006) Return to the Middle Ages? *Rossiya v globalnoy politike*, 5. URL : <https://globalaffairs.ru/articles/vozvrat-v-srednevekove/> [in Russian].
- Muhametov, R.M. (2014). The phenomenon of the «Islamic State». *Rossiya v globalnoy politike*, 5. URL : <https://globalaffairs.ru/articles/fenomen-islamskogo-gosudarstva/> [in Russian].
- Naím, M. (2012). *Foreign Affairs «Mafia States Organized Crime Takes Office»*. May/June 2012. URL : <https://www.foreignaffairs.com/articles/2012-04-20/mafia-states>.
- Ndrangheta: life in the dungeons of the Calabrian mafia* / Website BBC Russian. URL : https://www.bbc.com/russian/society/2013/05/130501_italy_mafia_tunnels [in Russian].
- Ovchinskiy, V. (2006). 21st Century Mafia: Made in China. *Rossiya v globalnoy politike*, 4. URL : <https://globalaffairs.ru/articles/mafija-xxi-veka-sdelano-v-kitae/> [in Russian].
- Ovchinskiy, V.S. (2018) *Artificial Intelligence. Big data. Crime*. Knizhnyy mir. [in Russian].
- Ovchinskiy, V.S. (2016). *Mafia: new global trends*. Knizhnyy mir. [in Russian].
- Schneider, J. (2018). «Fifty Years of Mafia Corruption and Anti-mafia Reform». *Current Anthropology* 59, 18, 16-27. DOI: <https://doi.org/10.1086/695801>.
- Terziev, V., Petkov, M., & Krastev, D. (2018). Eurojust Casework on Mafia-Type Criminal Organisations (July 2, 2018). *Proceedings of SOCIOINT 2018 – 5th International Conference on Education, Social Sciences and Humanities, 2-4 July 2018 – Dubai, U.A.E*. URL : <https://ssrn.com/abstract=3208553>.
- The Case of «Newspaper «Ukrayina-Tsenter» v. Ukraine»*. (Application № 16695/04). URL : https://zakon.rada.gov.ua/laws/show/974_594 [in Ukrainian].
- The Case of the «Newspaper office «Pravoye Delo» and Stekel v. Ukraine (Application № 33014/05)*. URL : https://zakon.rada.gov.ua/laws/show/974_807 [in Ukrainian].
- The Global Competitiveness Report 2019*. Organized crime. URL : <http://reports.weforum.org/global-competitiveness-report-2019/competitiveness-rankings/#series=EOSQ035>.
- The main competitor of education– Netflix*. URL : http://www.edutainme.ru/post/glavnyy-konkurent-obrazovaniya-netflix/?fbclid=IwAR1-N3sgbt0vVxtvdud6PvA7qVRoKt6N0sMsvNBQRNPSbPV4gfkXiG8_ahY [in Russian].
- The Secret Life of Young Militants of ISIS* / Website BBC Russian. URL : https://www.bbc.com/russian/resources/idt-sh/is_fighters_russian [in Russian].
- Transnational organized crime: the globalized illegal economy*. URL : <https://www.unodc.org/toc/en/crimes/organized-crime.html>.
- United Nations Convention against transnational organized crime and the protocols thereto*. URL : <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>.
- Website Fragile States Index*. URL : <https://fragilestatesindex.org>.
- Website Howard Gardner*. URL : <https://howardgardner.com>.
- Website of the United Nations Office on Drugs and Crime*. URL : <https://www.unodc.org/e4j/en/organized-crime/module-1/key-issues/defining-organized-crime.html>.
- Website Prosecutor General's office of Ukraine*. URL : <https://old.gp.gov.ua/ua/statinfo.html> [in Ukrainian].

Юрій Крамаренко

**ОРГАНІЗОВАНА ЗЛОЧИННІСТЬ ЯК СОЦІАЛЬНА СИСТЕМА:
ХАРАКТЕРИСТИКА ТА ТЕНДЕНЦІЇ**

Анотація. У статті організована злочинність й організовані злочинні співтовариства розглядаються як цілеспрямовані соціальні системи, що мають певні параметри. Мета статті – дати загальну характеристику й визначити найбільш типові тенденції їх діяльності.

Під суб'єктами організованої злочинності (злочинними співтовариствами) в роботі розуміються стійкі ієрархічні об'єднання декількох осіб, створені з метою отримання особистого та спільного прибутку протиправним шляхом, при цьому для різного рівня керівників цих об'єднань такий вид діяльності є основною формою зайнятості. Під організованою злочинністю розуміється сукупність взаємодіючих між собою злочинних співтовариств, що мають аналогічні світогляд, цілі, інструменти та способи їх досягнення. Будучи частиною суспільної системи й самовідтворюючись за рахунок членів суспільства, організована злочинність перебуває в певному оточенні. Під «оточенням» у статті мається на увазі суспільство в цілому, як сукупність індивідів, соціальних груп і суб'єктів впливу, які мають можливість стикатися один з одним прямо або опосередковано, здійснюючи взаємний вплив. До суб'єктів впливу відносяться: держава (уряд), міждержавні та міжнародні організації, церква (релігійні організації), корпорації, засоби масової інформації, недержавні громадські організації.

До основних рис організованої злочинності можна віднести наступні: 1) конспіративний характер, суворі правила, ієрархічна побудова, що обмежує поведінку індивідів, які утворюють цю систему; 2) відсутність в категорії результатів діяльності системи поняття «ідеал», внаслідок чого для неї не є характерним стратегічне планування; 3) світогляд членів злочинних співтовариств, орієнтований на захоплення й примусову експлуатацію ресурсів, технологій та інших суб'єктів, що не належать до цього співтовариства, застосовуються та заохочуються з боку такої системи такі заходи, як насильство, поділ і протиставлення; 4) взаємодія індивідів всередині системи має характер опозиції й суперництва, висока ймовірність появи внутрішнього підпілля, яке з одного боку є причиною соціального напруження в системі, а з іншого може відігравати роль джерела самовідтворення; 5) взаємодія з іншими основними суб'єктами впливу має характер опозиції та суперництва; 6) прагнення злочинних співтовариств до дискредитації держави (органів влади) та створення конфліктів між державами й міжнародними організаціями або всередині них.

Ключові слова: організована злочинність, цілеспрямована система, взаємодія, світогляд, суб'єкти впливу

Submitted: 12.09.2020

Revised: 15.02.2021

Accepted: 04.03.2021