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MODEL OF CORRELATION BETWEEN ANTI-CORRUPTION INSTITUTIONS OF INTERNATIONAL AND NATIONAL LAW

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Abstract. The *subject of the article* is a model of correlation between anti-corruption institutions of international and national law. The *research methodology* involved the use of formal and dialectical logic, historical and legal, comparative legal, anthropological and legal, economic and legal, hermeneutical, synergetic, systemic, and statistical methods. The *purpose* of the article is to reveal the model of correlation between anti-corruption institutions of international and national law. It is determined that anti-corruption policy becomes a value when it is implemented on an institutional basis. Such a basis means its independence from the acquisition of public power by any person. The sustainability and completeness of the manifestation of virtues in legal relations are ontologically determined by the processes of nation-building, which, in turn, are based on the values of law inherent in human nature. The anti-corruption model is influenced by historical, spiritual, cultural, external conditions, climatic, geographical and other living conditions. Such a model becomes effective when all these factors and their conditions form the best basis for the development of the nation, compared to others, through the full use of the energy potential of the virtues of all its members. Any delay, irresponsibility and/or unjustified loss of vigilance regarding the components of this model leads to decline. It is emphasised that the national anti-corruption model is ternary, since it is based on three main elements, namely, anthropospatial legislation, the practice of its application within the framework of administrative and jurisdictional procedures. The configuration of both elements of the model and their parts is determined by its uniqueness. The most superficial classification of these models is based on the system of criminal justice components. The fundamental classifications of national anti-corruption models are based on the anthropological dimension of legislation and practices of its application outside the criminal process. This is the strategy of anti-corruption work. The role of a person in the strategy process is not to remain in office as long as possible, but to remain in office as useful and effective as possible. Corruption distortions in legal relations disappear where the individual nourishes the institutions of law and power rather than replaces them. The author establishes that the correlation between national and international anti-corruption models is conditional, since the international model has not yet been formed and largely reflects the worldview of the Western legal tradition. It is also precocious to discuss an international anti-corruption model because the international community has not reached a sincere agreement on a universal set of human rights and freedoms and their scope. However, such a substantive understanding is the essence of anti-corruption policy, where its rules and practices reveal the nature of human virtues in legal relations. Currently, there is no complete description of the counterbalance to this tradition of law. Eastern, Muslim, Hindu and other non-Western cultures have adopted legal institutions for the declaration of assets and interests of public officials, conflicts of interest, financial audits of public procurement and anti-corruption criminal justice systems. The Republics of Singapore, Japan and Hong Kong have been the most successful in this anti-corruption legislative reception. The implementation of these institutions by other nations requires their adaptation to unique existential conditions, so that the potential for the liberation of human virtues by the force of legislative requirements is organically strengthened by the conditions of the nation's development. This will manifest the features of both innovation and anthropo-dimensionality of law.

Keywords: anthropo-dimensionality, corruption, criminal justice, development, entrepreneur, equality, innovation, legislation, regulations, government, technology.

JEL Classification: D73, D63, O10, L26, O31

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1. Introduction

Anti-corruption legislation and the actors that implement it, in particular through the possibility of coercion, are state-centred. At the same time, the existential centre of institutional integrity policy is the nation, whose members are united by a common goal and ways to achieve it, which not only brings material well-being but is also consistent with universal legal values. For example, nations develop as a result of ensuring human life, inviolability, equality of people, maximum development of children, and the rights of socially vulnerable groups, and not vice versa. This means that people with high levels of materialism are more self-centred, more focused on money, success, influence and status, and less concerned about others. Self-esteem is negatively related to materialism. Self-esteem helps individuals respond to the pressures of self-worth by emphasising their ability to control and be more independent. Individuals with low self-esteem, on the other hand, usually use money to "cover up" their low self-esteem and need reputation and many possessions to identify themselves (Norziaton 2022, p. 316).

The national anti-corruption policy reaches the international level in that it exceeds other national anti-corruption models in terms of territory and population. The essence of this policy is a combination of relevant national models. International efforts to establish good human virtues in legal relations become ideal when they absorb the best of effective anti-corruption rules and practices of certain nations.

The most important variable in determining the level of corruption and the success of anti-corruption campaigns is the strength of the "national anti-corruption system" (NACS), which in many countries is better organised, resourced and more effective than the "national integrity system" (NIS) (Sampford 2009, p. 573). The key components of anti-corruption policy at any social level require taking into account the patterns in all spheres of social relations. Accordingly, conclusions on counteracting unlawful distortions of these laws are interdisciplinary in nature, which is reflected in the norms of various branches of legislation. In this regard, the influences of the national and international legal spaces in the issues of institutional elimination of threats of their distortion are not only interdependent, but also complex and synergistic. Initially, anti-corruption components of legislative requirements were formed in the national legal space. Then, on their basis, norms common to all states were created. Later, it was international anti-corruption law that began to influence the development of anti-corruption policies in individual states. The asynchronous development of states led to the coincidence of the anti-corruption legislation of highly developed countries with the newly created international anti-corruption law, which was later adopted by states that had not yet invented and/or insufficiently developed their own anti-corruption legislation.

2. Analysis of Recent Topical Resources

The issues of modelling the anti-corruption policy as a system of relations between citizens regarding economic, political, spiritual, cultural and other benefits reflected in legislation and actions have been addressed in the scientific literature. In particular, the following issues have already been studied: the existing international anti-corruption instruments and their limitations, a new approach to fighting corruption formalised in trade law and other binding agreements (Bello y Villarino J.-M.); the current legal frameworks adopted by regional and international anti-corruption conventions and the difficulties associated with their application, effectively fighting corruption and informing people about its long-term consequences (Carr I.); "The Quiet Power of Indicators: Measuring Governance, Corruption, and Rule of Law" (Engle Merry S., Davis K. E., Kingsbury B.); the causes, factors and consequences of corruption in Bulgaria in a comparative context, the effectiveness of state policy in terms of suppressing corruption potential (Ganchev G., Tsenkov V., Paskaleva M.); anti-money laundering and corporate accountability measures as part of the protection of citizens‘ fundamental rights to privacy, beneficial ownership transparency and governments’ progress in preventing financial crime (Gilmour P.); the effectiveness of anti-corruption bodies and its correlation with the level of trust in state institutions (Gong T., Scott I., Xiao H.); a model for studying the interaction between the ruler, bureaucrats and civilians, incentives to comply with the law, and the use of discretionary powers by the ruler to promote personal interests (Hong F., Zhang D.); Luxury consumption as an act that can have political implications within Xi's campaign against corruption and extravagance and during the Hu-Wen period (Kuoa C.-H., Huangb M.-H., Huang C.-I.); the requirements of Article 8 of the UNCAC to implement a policy requiring officials to disclose their relevant powers, outside activities, employment, investments, assets and significant gifts or benefits (Messick R.); the determinants of corruption tolerance among law enforcement personnel (the Royal Malaysia Police Department, the Road and Transport Department, the Immigration Department) by four elements – ability, pressure, rationalisation, and opportunity (Norziaton I. K., Mohd Sabri Z. N.); the impact of political and economic disparities on foreign investment based on data from Chinese listed enterprises that make these investments, the relationship between cultural frictions and foreign investment

from the perspective of both the parent company and the foreign subsidiary (Xu Z., Tian M., Zhang Y.); "Law, Disorder and the Colonial State Corruption in Burma" (Saha J.); a new model of anti-corruption, integrity system and other needs for reforming the structure, procedures and efficiency of public administration in Queensland, methods of destroying national corruption systems (Sampford C.). At the same time, a number of issues remain unresolved, including those raised in this article.

3. Concept, Features and Components of the National Anti-Corruption Policy Model

The discretionary practices of rulers ultimately lead to hidden costs of enforcing laws and contracts. When individual rulers are preoccupied with exercising their discretionary powers for private gain, frontline bureaucrats are not interested in enforcing laws and contracts because they believe the state is led by a ruler who is not sufficiently interested in the public welfare. When national leaders or senior government officials engage in widespread corruption, public office attracts dishonest and corrupt individuals (Hong, 2023, p. 373). The rules for the dominance of human virtues in legal relations are formed at the national level. These rules are successful only when scholars have managed to formulate knowledge that corresponds to reality, and then this knowledge is reflected without distortion in both anti-corruption legislation and its application. The legal reality of these two spheres is such that distortions become their inherent feature. The degree to which a country is free from corruption correlates with the lowest levels of such distortions. It is futile to expect a reduction in the level of corruption at the international level, as even the most corruption-free country brings residual corruption into its interactions with other countries. The example of the Republic of Singapore proves that eradicating corruption is achievable, but only with a proactive policy.

A corrupt country experiences internal resistance to neutralising corruption. The resistance comes from civil servants who participate in corrupt profit-making schemes generated by entrepreneurs. For example, when companies over-prioritise the value of politics-business relations, the negative consequences of political connections gradually come to the fore, namely: 1) the need to incur certain costs associated with rent-seeking, which to some extent depletes their available capital; 2) greater vulnerability to political scandals and corruption factors compared to ordinary companies, which negatively affects their share prices; 3) a greater propensity to satisfy social demands of the government and politicians, which can lead to misallocation of resources (Xu, 2024, p. 7).

The trend of illicit enrichment of public officials is also fuelled by the unenviable result of the legislative work of the parliament in the form of inefficient, backward laws and/or laws with distorted legal content; low level of public understanding of both the principle of equality in legal relations and their own role in decision-making, as well as claims to undeserved benefits, etc. Apart from the Republic of Singapore, no country with serious problems with corruption has been among the top twenty countries in terms of freedom from corruption since World War II or the 1990s. Accordingly, the countries in the top twenty have not moved to lower levels. It is known that there is a correlation with the innovative capacity of countries, which determines the success of their economic relations, in particular with the EU, AUKUS (trilateral security partnership), G7, G20. For example, G20 countries should recognise the important but complex relationship between enforcement, trust in government and ease of compliance with tax laws, which contributes to the willingness of individuals and businesses to pay taxes voluntarily. These countries should support business integrity by ensuring that they have appropriate legislation that enables effective corporate compliance programmes, including anti-corruption and other responsible business practices, as well as responsible corporate political participation and lobbying; and should ensure strict transparency requirements for waste management and pollution control processes to ensure accuracy and compliance with environmental standards (G20 2024, pp. 8, 10, 17). The relationship between rights and freedoms and integrity and innovation can be seen in the table below.

The countries in all three rankings for all years are almost completely identical. They only swap places in the top twenty as a result of competition with each other both in terms of the rule of human rights and effective mechanisms for obtaining evidence-based knowledge and integrity. For example, some EU Member States (Austria, Belgium, Greece, Ireland, Luxembourg and Spain) have been quick to restrict access to beneficial ownership information, while other countries, such as Latvia, Estonia and France, for example, have taken a more pragmatic approach. Governments should take into account the EU Court of Justice's judgement of 22 November 2022. Notable in this decision are the Court's conclusions that 1) it is unlawful for EU Member States to make information on beneficial owners in registers accessible "in all cases to any member of the public"; 2) this would constitute a "serious interference with the fundamental rights to respect for private life and to the protection of personal data" which is "neither limited to what is strictly necessary nor proportionate to the objective pursued" (CJEU 2022). The ruling effectively nullified the amendments to Council Directive 2018/843EU

Table 1
Correlations of rule of law, innovation and corruption indicators in national anti-corruption models for the period 1995-2023

#	Corruption perceptions index – CPI		Global innovation index – GII		Rule of law index – RLI	
	1995	2023	2007	2023	2015	2023
1.	New Zealand	Denmark	USA	Switzerland	Denmark	Denmark
2.	Denmark	Finland	Germany	Sweden	Norway	Norway
3.	Singapore	New Zealand	UK	USA	Sweden	Finland
4.	Finland	Norway	Japan	UK	Finland	Sweden
5.	Canada	Singapore	France	Singapore	the Netherlands	Germany
6.	Sweden	Sweden	Switzerland	Finland	New Zealand	Luxembourg
7.	Australia	Switzerland	Singapore	the Netherlands	Austria	Netherlands
8.	Switzerland	the Netherlands	Canada	Germany	Germany	New Zealand
9.	Netherlands	Germany	the Netherlands	Denmark	Singapore	Estonia
10.	Norway	Luxembourg	Hong Kong	Republic of Korea	Australia	Ireland
11.	Ireland	Ireland	Denmark	France	Republic of Korea	Austria
12.	UK	Canada	Sweden	China	UK	Canada
13.	Germany	Estonia	Finland	Japan	Japan	Australia
14.	Chile	Australia	UAE	Israel	Canada	Japan
15.	USA	Hong Kong	Belgium	Canada	Estonia	UK
16.	Austria	Belgium	Luxembourg	Estonia	Belgium	Belgium
17.	Hong Kong	Japan	Australia	Hong Kong	Hong Kong	Singapore
18.	France	Uruguay	Israel	Austria	France	Lithuania
19.	Belgium	Iceland	South Korea	Norway	USA	Republic of Korea
20.	Japan	Austria, France, Seychelles, UK	Iceland	Iceland	Czech Republic	Czech Republic

(the 5th AML Directive), which guaranteed full transparency of beneficial ownership information (Gilmour, 2024, p. 770).

The basis of the patterns shown in the table is that public power ensures the revelation of human freedom. The public authorities themselves in each of these countries are free from signs of tyranny, dictatorship and obsession with tenure. The release of relatively the best human energies is observed in the positions of the President of the country, members of parliament and other elected public positions, where the elected representatives retain the credit of trust and the mandate for the development of the nation, municipal entities, etc. For example, Australia's anti-corruption successes, including the results of the activities of the Crime and Corruption Commission as an independent statutory body to combat and reduce the incidence of serious crime and corruption in the public sector in Queensland since 1989, are exemplary (About the Crime and Corruption Commission Queensland, 2024).

The phenomenon of China in the 2023 innovation ranking is beyond the determinants of anthropometric legislation, as its one-party political system, capital punishment, planned economy with significant economic stratification of the population, "political purges, personalistic rule, emerging neo-totalitarianism" (Kuoa, 2023, p. 243) and similar features have nothing to do with unlocking the constructive potential of human freedom. Rather, this position is a consequence of favourable conditions for the transfer of high technologies from countries with anthropomorphic legal regimes, on which China continues to layer new knowledge gained on its own. Moreover, as the CPI shows, China still has major problems with corruption. "Extravagant position-related consumption" accounted for 2.79% of total public spending in 2012, and in Beijing it was even higher at 7.26%. "Grey consumption, which is defined as illegal personal consumption using public funds or appropriating public or corporate resources, accounted for 4% of China's GDP in the period 2004-2012, and the estimate could be between 2% and 4% higher. Furthermore, these figures may have been systematically underestimated following the launch of Xi's anti-corruption campaign in order to conceal the use of public funds for illegal purposes and avoid government audits. It is reasonable to expect that domestic consumption of luxury goods would be suppressed as a result of Xi's ongoing anti-corruption campaign. Instead, China is expected to become the world's largest luxury market by 2025. This growth is linked to both rising disposable incomes and the promotion of law-abiding consumption." (Kuoa, 2023, p. 245, 261; Chinas' Regulations on Practicing Thrift and Opposing Waste, 2013)

An increase in the human development index can be a basic rule for optimal control of corruption (Ganchev, 2024, p. 607). Due to the rule of law in

these countries, they are able to reveal the potential of their own population virtues, which determines the following pattern, namely: new knowledge and high technologies are created, the result of which is an increase in economic power, which in turn collectively allows the creation of weapons and other tools for the physical protection of the nation's gains. These tools include bribery in agreements with the authorities of highly corrupt countries. It is precisely the violation of parity that denies the nature of the rule of law in practice and forms corrupt distortions of international anti-corruption policy. There is no legal nature in such relations, unequal relations are saturated with the will of the dominant country and the losses of the country whose interests are subordinated to this will. This is the will not only of representatives of public authorities, but also of entrepreneurs and transnational corporations. Similarly, the domestic space shows corrupt distortions in all spheres of social relations where there is no equality of their participants, namely: marriage, family, work and career, etc.

Many commercial interests from developed countries are involved in bribing public officials in developing countries. These cases of bribery occur in the context of public procurement, licensing and foreign direct investment, reinforcing the view of politicians and think tanks in developing countries that developed countries are equally to blame for contributing to grand corruption in their countries. Evidence also suggests that wealthy developed countries are equally prone to petty corruption, as the recent scandal over possible corruption among prison staff suggests (Carr, 2007, pp. 3-4). The actual lack of correlation of subjective legal possibilities within the national legal space excludes the correlation of such a nation in international relations. In this case, the formal-legal shell corresponds only partially to the actual filling of legal relations, but in the other part the legislation consists of norms-declarations, norms-goals. Accordingly, a corrupt country is determined by the sign of non-compliance with the legal reality of citizens' lives written in the legislation. The higher the level of corruption in the country, the greater the discrepancy, the more biased the application of legal requirements, etc. The problem of corruption is solved by the parliament when it creates legislation that is as close as possible to legal reality. The number of norms-declarations, norms-targets in such legislation should be such that it becomes a legal reality within the timeframe determined by the public authorities. For this purpose, public administration uses the conceptualisation of strategies and programmes, as well as other planning methods among the main management methods. Up to a quarter of such transformations (from declaration to reality) can be postponed to the next planning periods, preferably short-term (up to 5 years) and with EU-acceptable indicators of state budget balance – a deficit of no more than 3% of GDP and debts of no more than 60% of GDP (EU Treaty 2016, Protocol No. 12, Article 1). The greater the share of unfulfilled indicators of these transformations and/or the longer they do not take place, the greater the level of corruption distortions. This extreme limit is saturated with traitors to the constitutional values of the nation and reaches the point of war with an external aggressor. At this point, where there are losses of people, economic achievements and territories due to the war with an external aggressor, there is a strong motivation for catch-up development. The technical resource for this is the synergy of scientifically reliable knowledge and high technologies. However, over time, the power of corrupt people in such a country suppresses the transformation of legislation and practices of its application aimed at releasing the legal energy of human virtues. Corruption hinders the country's military success and technological breakthrough. In fact, this is the second war being waged against internal corruptors, their predicate and related crimes. The speed of victory over the external enemy depends directly on the success of this war and the number of lives lost for this victory.

The dynamics of the CPI and the three indicators of the quality of public administration is directly related to the effectiveness of this administration in terms of suppressing corruption potential, as well as to the public perception of the effectiveness of the measures taken. The increased importance of the Public Administration Effectiveness indicator is explained by the fact that its impact has a long-term effect over time, both on the dynamics of the Corruption Index and on other indicators of public administration quality. The influence of Government Effectiveness can be defined as relative to the dynamics of the Corruption Index, and the influence of this factor is mainly directed towards the Control of Corruption indicator. The influence of political stability as a factor is another difference between the two groups of countries. For low-ranked countries, including Bulgaria, none of the three indicators of government quality has a direct impact on the Corruption Index (Ganchev, 2024, pp. 607-608). The example of Ukraine demonstrates the destructive impact of corrupt officials and the traitors to Ukraine's constitutional values involved, both during the first wave of the Russian Federation's military aggression since 2014 and after February 2022. This corruption manifests itself in both the simplest forms (embezzlement of budget funds, extortion and bribery) and in complex forms – mismanagement, in particular of military units, which has led to unjustified human losses. The prolonged emasculation of professionals from public authorities could not ensure

effective legislation and its application in the context of war. "Nepotism and cronyism" and/or other family and friendship ties, as well as buying positions and/or obtaining them through sycophancy, flattery and appeasement, have pushed talented and developed people out of public office. The absence of a system of control over civil servants has led to the fact that instead of effectively managing the army and/or other defence sectors of the country, such officials have been engaged in satisfying their ambitions for recognition in the academic world, achieving career goals at the expense of soldiers, etc.

The peaceful way of anti-corruption policy, which allows to use the virtues of its own citizens at the level of developed countries, requires a clear imitation of the measures taken by the Republic of Singapore, as well as their adaptation to the specific historical circumstances of the recipient country, enhancing the productivity of the unique features of this country. Such resources may include support from other countries, diasporas, rising global prices for export products, the propensity of different segments of the population to accumulate and/or invest capital, engage in entrepreneurship and/or the arts, develop information and/or digital technologies, and the content of the existing scientific and technical potential, etc.

In the fight against corruption, the importance of the motivation and causes of corrupt behaviour cannot be overemphasised (Carr, 2007, p. 4). Without addressing the adequacy of legislation to legal reality, any other anti-corruption work remains ineffective. For instance, effective compliance is expensive – the UK financial services sector is reported to spend over 34 billion GBP on compliance each year (Gilmour, 2024, p. 769).

The rule of law is a factor that reduces the public's perception of corruption; functioning oversight bodies, strengthened police and more effective courts are also integral to effective anti-corruption enforcement. This factor cannot be addressed without reforms to reduce institutional weaknesses (Ganchev, 2024, pp. 606-607). The law can be interpreted and explained in detail, it can be applied against common sense, selectively and/or despite the justified protests of citizens, but this does not make such a law a legal, effective instrument of social reproduction and/or progress. In Malaysia, for example, the law enforcement agencies commonly associated with corruption are the Royal Malaysia Police, the Immigration Department of Malaysia and the Road Transport Department. Cases of arrest, detention, prosecution and conviction for corruption offences involving agencies and government enforcement occur almost every month throughout the year. Persistent family problem due to failure in financial budgeting needs leads to bribery. Greed, ambition and immorality have been known to human society since the dawn of civilisation. People use all the tools available to them: kinship, common past, school contacts, common interests, friendship, political and religious ties. Manipulation of financial statements is also common due to unethical practices of company personnel (Norziaton, 2022, pp. 312, 325, 317). Another example is modern corruption in Myanmar. It is worse than colonial corruption. However, being a part of people's daily lives, it is performative, as the state is often manifested and felt in everyday life through abuses and misconduct. The experience of colonialism has fundamentally changed the Burmese mentality. The colonial state emerged in everyday life through new practices in Burma, practices regulated by bureaucratic rules, legal codes and institutions, financially supported by the resources of imperial Britain. Importantly, corruption was pervasive and an integral part of the state-building process. The new formal, legal resources of the colonial bureaucracy enabled the informal, illegal exercise of state power by subordinate officials. The colonial state was also imposed through judges who demanded bribes; police officers used the law to frame innocent people and secretly release friends from prison; officials used bureaucratic procedures to embezzle public funds by misappropriating marked money, and so forth (Saha, 2013, pp. 126-129).

The successful use of favourable external conditions allows a country to improve its position in the corruption freedom ranking, but without correlation between legislation and legal reality, a country does not become economically developed and is not able to rank in the top twenty of such a ranking. This correlation is confirmed by the results of anti-corruption work of specialised criminal justice agencies in Eastern Europe, the Balkans, the Republic of the Philippines, and Ukraine's powerful anti-corruption infrastructure. These bodies produce positive results, but do not demonstrate significant progress in ensuring integrity in the country.

It is the public's subjective assessment of the potential for corruption, a mixture of perceptions of concrete results and persistent opinions formed over time, that will underpin the final product and measure called the Corruption Index. When public attitudes and perceptions of corruption are formed, the effectiveness of state governance gives way to the government's ability to both create and limit corruption potential (Ganchev, 2024, p. 607). Organisationally, the anti-corruption infrastructure consists of virtually all citizens of the state. In Romania, for example, state actors "operate within a discourse of modernisation and governmentality, both of which are based on a technocratic logic that is inherently opposed to politics". Civil society actors are more concerned with state accountability and are deeply politicised (Engle Merry, 2015, p. 323).

Everyone contributes to corruption or eliminates corrupt distortions of the content of legal relations by their behaviour. Mass protests by citizens against corruption in the form of rallies are effective only in influencing the public authorities of highly developed countries. In cases of deep and long-term corruption (over 10 years) and/or complicated by betrayal of constitutional values (espionage, etc.), only public control becomes effective. So, schematically, the anti-corruption model of a nation can be represented as follows.

The hierarchical nature of the model lies in its irreversible logic. It is impossible to replace or exclude any of the three components without losing the functionality of the national anti-corruption model. Identities, in turn, place development actors in a hierarchical order, with some actors standing above others (Engle Merry, 2015, p. 321).

Referring to the successful anti-corruption model of Hong Kong, C. Sampford aptly noted not only the system of powerful specialised bodies, but also strong legislation adequate to the challenges of corruption. NIS do not rely on one major anti-corruption institution to protect public integrity, but on a whole set of institutions and procedures (Sampford, 2009, pp. 561, 573). In the above framework, the anti-corruption model is not only determined by the specifics of the structure and/or function of the criminal justice system. The organisational dimension of effectiveness is related to the internal characteristics of specialised anti-corruption bodies, in particular whether they have the power to act decisively against corruption, whether they have appropriate procedures, whether they have organisational integrity and whether they are independent. The ecological dimension refers to whether it can effectively adapt to a changing political and social environment when more or new types of corruption emerge (Gong, 2023, p. 568). The institutionality of the model lies in the fact that these bodies exist in any organisational form, but their functionality is effective because it has become the logical final element of the ontological phenomena of the legal order, namely: quality legislation and practices of its application. Simply introducing a specialised anti-corruption infrastructure into the national legal space in the form of a single specialised body or system of anti-corruption bodies does not make it effective. There are dangers in creating a single overarching anti-corruption institution: such an institution could be so powerful that it becomes a threat in itself; the corrupt only need to capture one institution to capture the anti-corruption fight; a single institution cannot tackle the problem from so many directions; fighting corruption is not enough – the goal is to make governments effective and a multi-directional approach is more likely to succeed (Sampford, 2009, pp. 562-563).

In addition to the above, it should be borne in mind that the poor quality of legislation and its practical implementation causes deviations in human behaviour, as such results of the work of parliament, public administration and courts contradict the nature of law. This nature is anthropomorphic. The productivity of these deviations will require the state to immediately reflect them in legislation.

Corruption deviations of legal entities mean that the state authorities should adopt other norms in such a number and content that will make it impossible to have current corruption distortions in the future. These are the rules of the future. For example, income declaration rules first appeared in the 1960s at the level of legislation of individual US states. In 1978, these requirements became general for the entire territory of the United States (The Ethics in Government Act, 1978). In the United Kingdom of Great Britain and Northern Ireland, similar rules appeared in May 1974, in particular, the rules on the Register of Interests of the House of Commons to promote transparency and accountability, providing information on any pecuniary interest or other material benefit received by a member of Parliament that might reasonably be considered by others to be likely to influence his or her actions, speeches or votes in Parliament, or actions taken as a member of Parliament (UK: House of Commons Register of Interests, 1974). In Ukraine, these norms were adopted in 1993, in particular, Article 13 "Declaration of Income of Civil Servants" (The Law of Ukraine "On Civil Service" of 16.12.1993 No. 3723-XII). As can be seen, the future norms of such content for Ukraine are already a 20-year reality of legal relations of public authorities in these countries. However, even such a relatively late reaction is nothing if one takes into account the super-inertia of the international anti-corruption model. For international anti-corruption law, this provision has become a novelty 10 years after it was already adopted in Ukrainian legislation. In accordance with Article 8(5) of the UN Convention, each State Party is required to establish measures and systems requiring public officials to declare to the appropriate authorities, inter alia, their outside activities, employment, investments, assets and pecuniary interests that may give rise to a conflict of interest in connection with their functions as public officials, where appropriate and in accordance with the fundamental principles of their domestic law (UN, 2003).

4. National Models of Establishing Integrity in International Anti-Corruption Law

Countries with modest anti-corruption records do not even need to invent standards. These can be borrowed from developed countries and adapted

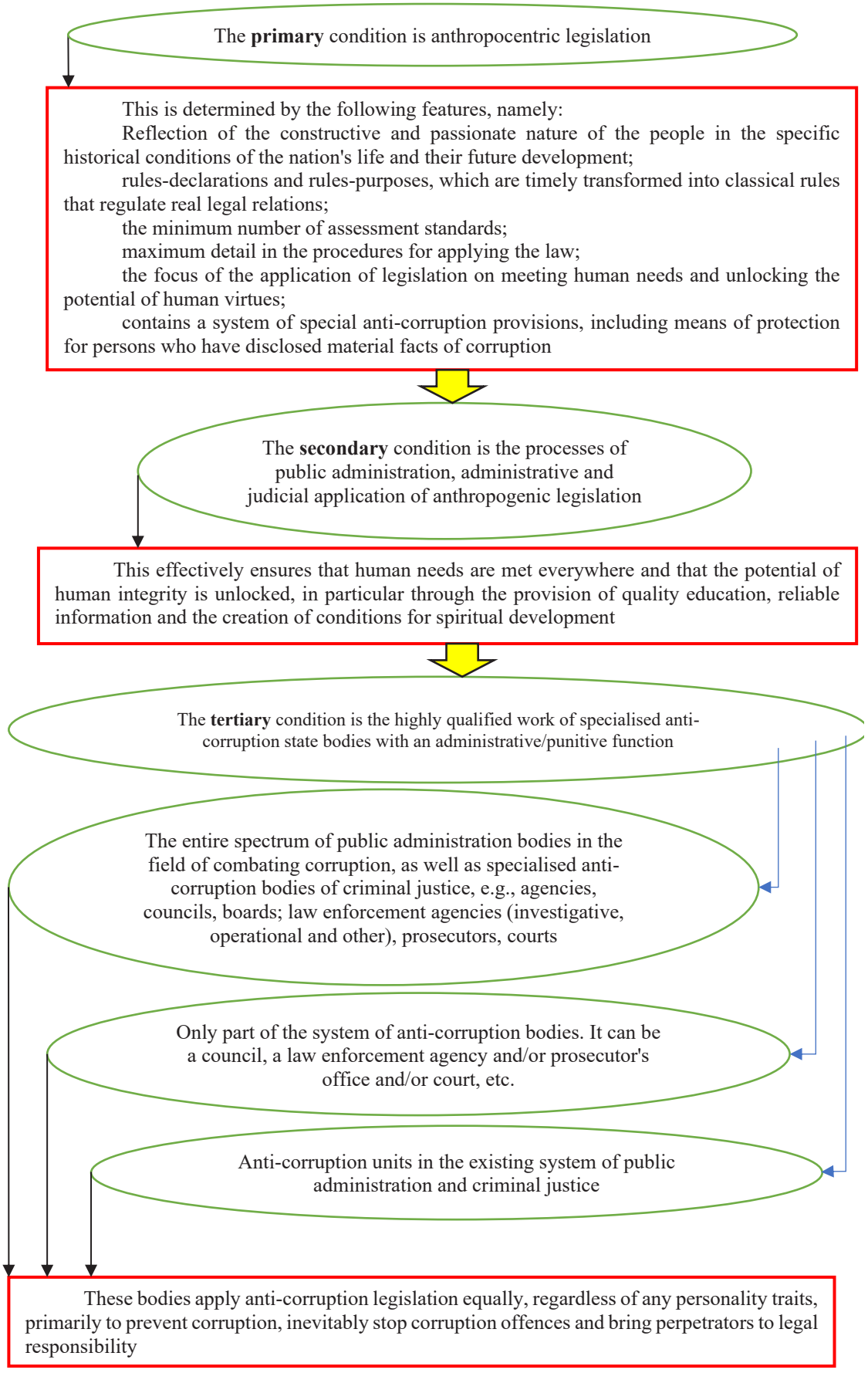

Figure 1. National anti-corruption model illustrating the hierarchy and institutionalisation of legal relations

to the realities of their own national legal space. Finally, one need to explore how power has been arranged to make states possible (Saha, 2013, p. 128). The anti-corruption model envisages a system of measures such as amnesties, truth and reconciliation commissions and the sequential investigation models. The different mechanisms would require different levels of support. A model of consistent investigations requires the support of key prosecutors or anti-corruption officers. It will also require protection for those who have uncovered significant evidence of corruption (whistleblowers). This is especially true in countries where violence is used to silence opponents. In such cases, the whistleblower protection system must be, literally and figuratively, "bulletproof" (Sampford, 2009, p. 570).

Such a method of borrowing is not available to developed countries or their unique associations, such as the EU and NATO, as it has no analogues. Accordingly, their method of continuous improvement of the anti-corruption mechanism is always innovative, driven by the correct application of the scientific methodology of cognition of integrity in the realities of legal relations.

Regional and international institutions have been hyperactive in developing and adopting anti-corruption legislation. Currently, there are eight regional and international conventions. While it would be logical to expect that these conventions have adopted a harmonised approach to fighting corruption, the scope of these legal instruments varies, and the conventions developed in recent years have become increasingly comprehensive, creating offences that can be challenged for disregard of due process (Carr, 2007, p. 2). This example of lagging behind in the use of already established anti-corruption institutions at the national level means that states are not united in their understanding of anti-corruption policy at the international level. International legislation in this area does not reflect the true level of development of the states that have implemented it in their national spaces, either in terms of implementation or content. For those nations that did not invent the requirements of this legislation, but simply signed up to it, it remains ineffective to the extent that it does not correspond to the national level of legal awareness.

In essence, international anti-corruption norms are derived from the principles of international law, the laws of war and human rights norms, which states began to formalise in the form of international treaties, conventions and similar instruments at the end of the 19th century. For example, Convention (II) on the Laws and Customs of War on Land (The Hague) of 29 July 1899; Slavery Convention of the League of Nations of 25 September 1926 (The High Contracting Parties 1899; League of Nations 1926). The end of the 20th century was marked by the first global anti-corruption legislation (Makarenkov, 2024, p. 168). Bringing human rights and anticorruption together could fuel objections to the international anticorruption agenda, often seen in the human rights context, as part of the European/Western model of statehood and rights (Bello y Villarino, 2022, p. 387).

Therefore, the stratification of international anti-corruption standards is even stronger than within the state, as it is fuelled by the energy of a larger number of legal actors than at the national level, whose ideological legal positions need to be harmonised. Modern international anti-corruption law requires a mechanism for harmonising its standards even among developed countries, not to mention that the result of such harmonisation should be similar for less developed countries. It is appropriate to talk about several levels of anti-corruption standards of international law, which are determined by the levels of civilisational development of states. Obviously, the standards of integrity differ in countries where the results of presidential/parliamentary elections are manipulated and in countries where the re-election of representatives in public authorities reflects the true will of the population. Other ideological differences between nations can be traced to their capacity to innovate, namely, to discover new knowledge based on the results of scientific research. Less developed countries copy this knowledge because they cannot create it.

International institutions and regional organisations are trying to introduce anti-corruption conventions. The existence of a number of conventions (Makarenkov, 2024, p. 168) inevitably puts states before a choice of which convention to ratify or which model to build their own legislation on. Adoption and rapid ratification of conventions by a large number of states is not enough to curb undesirable corruption practices (Carr, 2007, pp. 22, 35). National legal norms of the Western tradition, such as those of the United States, the United Kingdom of Great Britain and Northern Ireland, and the Federal Republic of Germany, have become innovative in the fight against corruption. Countries of the Eastern tradition have followed suit, with the Republic of Singapore and Japan being particularly successful.

As large and leading economies, the G20 countries have a responsibility to remove obstacles to achieving the 2030 Agenda. Integrity and the fight against corruption are the cornerstones of well-functioning financial markets and cross-border payment systems. As such, they should serve as fundamental pillars in strategies aimed at attracting the necessary financing for sustainable development (G20, 2024, p. 18). Grouping countries by level of development correlates with the level of anti-corruption standards. The higher the anti-corruption standard, the higher the material and spiritual development, and vice versa. There are no

examples of economic prosperity and/or technological progress in countries with high levels of corruption. The implementation of legal provisions always complies with the spirit of the law, which cannot be replaced by the form of the law.

The separation of powers and self-restraint on the part of rulers lead bureaucrats to believe that serving the public interest matters in the eyes of the ruler, encouraging them to faithfully enforce the law. Obviously, the divergence of paths between weak and strong states is due to a number of factors (Hong, 2023, p. 373). As a result, the international anti-corruption model is the essence of national anti-corruption standards of highly developed countries. Other states lose resources for parity economic and other cooperation with more developed countries in the fight against corruption, become vulnerable to international corruption influences, etc. The inequality between those who give orders and those who have to obey is not as radical as the inequality between those who have the right to demand a response and those who have the obligation to respond (Engle Merry, 2015, p. 317).

The effectiveness of the current conventional anti-corruption legislation is undermined by the existing mechanisms for ensuring the fulfilment of international obligations and the limitations that can be found in the normative content of conventional anti-corruption legislation (Bello y Villarino, 2022, p. 395). The international anti-corruption model is also specified in substantive areas, namely: neutralisation of bribery, money laundering, nepotism, conflict of interest, income declaration, efficiency of public procurement expenditures, etc. Currently, there is no system of international rules for any of these areas. Such a system is in place within the EU, including at the stage of understanding the role of artificial intelligence systems in accordance with privacy and data protection rules, while data processing meets high standards of quality and integrity (Artificial Intelligence Act, 2024). For example, an asset disclosure programme can be a useful tool in the fight against corruption. But it must be designed and implemented in a way that is tailored to the specific circumstances of the country. There is a wealth of experience with such programmes in developed and developing countries that reformers can draw on when creating a new programme or revising an existing one (Messick, 2009, p. 16).

In 2021, the UN stated the need to identify possible models for the disposal and management of confiscated proceeds of crime established in accordance with the Convention, including, where possible, the transfer of such proceeds to a national revenue fund or public treasury, reinvestment for specific purposes and compensation to victims of crime, including through the social reuse of assets for the benefit of communities (UN 2021, Item 49). At the same time, the system of criminal justice bodies for combating corruption at the international level needs to be developed, namely, the existing law enforcement function of Interpol should be supplemented by at least the institutions of prosecutors and judges with international jurisdiction in anti-corruption cases.

5. Conclusions

Therefore, an anti-corruption policy acquires sustainable value when it is implemented on an institutional basis. Such a basis means its independence from the acquisition of public power by any person and/or group of persons. The sustainability and completeness of the manifestation of virtues in legal relations are ontologically determined by the processes of nation-building, which, in turn, are based on the values of law inherent in human nature. The anti-corruption model is influenced by everything that is inherent in these two factors (nation and legal values), including historical, spiritual, cultural, external conjunctural, climatic, geographical and other living conditions. Such a model becomes effective when all these factors and their conditions form the best basis for the development of the nation, using the energy of the virtues of all its members. Any delay, irresponsibility and/or unjustified loss of vigilance in relation to this model leads to the decline and disappearance of the nation on different time horizons, latently and/or gradually.

The national anti-corruption model is triune, as it is based on three main elements, namely atropodimensional legislation, its application in administrative and jurisdictional procedures. The first two elements of the model provide the state with a good perspective if they reflect a successful anticipation of development. This is the future-norms from a legal system that is open to the development of society at any pace: creeping, dynamic, approaching, leading.

The configuration of both the elements of the model and their parts is determined by its uniqueness. The classification of these models by components of the criminal justice system remains the most superficial. On this basis, the following types of countries are distinguished: 1) countries with specialised law enforcement agencies, prosecutors and courts; 2) countries with an incomplete set of these elements; 3) countries where there is a specialised body with administrative powers to combat corruption (agency, council, etc.) and/or anti-corruption justice is a separate unit of the police and/or any other previously established state body.

The fundamental classifications of national anti-corruption models are based on the anthropological dimensions of legislation and its application practices outside the criminal process. The norms and practices

of such legislation determine the achievement of the following goals, namely 1) development of human virtues in each generation through educational, scientific and educational infrastructure; 2) use of administrative, material and other resources to reproduce and increase the results of the nation's development, etc. This is the strategy of anti-corruption work, which is nothing more than the knowledge, creation and application of such mandatory requirements that reveal human virtues everywhere and at all times.

The issues of methods and results of administrative or judicial practice, the effectiveness of any public authority or its credibility, as well as any other elements of the national anti-corruption model, are fully subordinated to the first two parts of its foundation. They are absorbed by them and remain issues of tactics and details, as well as the technique of implementing the anti-corruption strategy. The parliament is the first not only in proposing legal rules for the nation. Its role is primary in anti-corruption policy. Only after its proper implementation does the need for specialised anti-corruption bodies, anti-corruption efforts of public administration, courts, etc. become relevant.

In the context of anti-corruption strategies, the role of the individual is not to maintain a position for an extended period of time, but rather to serve in that capacity in a manner that is both useful and effective, as espoused by Lee Kuan Yew. Corruption distortions in legal relations disappear where a person nourishes the institution of law and power, rather than replacing it. Otherwise, the institutionalisation of the exercise of public power is levelled by the individual. This means damage to the public interest from the manifestation of defects of such a person, among which the main ones are the following: 1) lack of motivation to overcome their shortcomings; 2) lagging behind others in development under equal competitive conditions; 3) unhealthy ambitions to eliminate competitors for a public position; 4) manic obsession with the position, etc. Such people in public office absolutely critically and inevitably do not strengthen the nation, but significantly weaken national security. The longer and/or the more such corrupt distortions take place, the more losses the nation suffers, in particular, in the form of the inability to protect its citizens from an external aggressor, etc.

The correlation between national and international anti-corruption models is conditional, since the international model has not yet been formed and largely reflects the Western tradition of legal outlook. It is also premature to talk about an international anti-corruption model because the international community has not reached a sincere agreement on a universal set of human rights and freedoms and their scope. However, this substantive understanding is the essence of anti-corruption policy, where its rules and practices reveal the nature of human virtues in legal relations.

Currently, there is no alternative that fully describes this legal tradition. Oriental, Muslim, Hindu and other cultures have adopted such legal institutions as declaration of income and interests by public officials, conflict of interest, financial audit of public procurement, a system of criminal justice agencies specialised in enforcing the rules of these legal institutions, eradicating bribery, etc. The Republics of Singapore, Japan and Hong Kong have been the most successful in this anti-corruption legislative approach. The implementation of these institutions by other nations requires their adaptation to unique existential conditions. This implies the organic strengthening of the potential of human virtues reflected in these legislative institutions by the historical, legal, political and other conditions of the nation's development. This will reveal the features of both innovation and anthropo-dimensionality of law, which will displace the artificiality of externally imposed legal norms, as well as eliminate the shortcomings of building legal relations imposed by external military, economic and other violence. Accordingly, the topic of further research arises around the use of digital technologies, artificial intelligence to strengthen the forensic methodology of anti-corruption investigations, etc.

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