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RELATIONSHIP BETWEEN ECONOMIC AND ORGANIZED CRIME IN MODERN SOCIETY

Thanks to the presence of stable social connections, the possibility of free movement of people, money and goods, there has been an evolution not only in social and cultural development, but also in the development of illegal actions, including those that can be classified as organized crime, terrorism, etc. Economic crime associated with organized crime is the focus of attention not only of the authorities of Ukraine, but also of other states. In addition to government bodies of different countries, international organizations and institutions also deal with the problems of this type of crime. The connection between economic and organized crime, a subtype of which can be considered economic, is directly proportional, since the development of any of these types of crime entails the development of another type, since economic crime developed with the development of the economy and business, information and communication technologies. Legal, as well as related criminological and criminological and other related scientific disciplines do not have a common opinion on the concept and definition of organized crime. However, theorists of these scientific disciplines generally agree that organized crime began to develop along with the development of modern states. One of the most influential and cited foreign theorists dealing with organized crime is Howard Abadinsky. Abadinsky views organized crime as “a non-ideological association existing

among a certain number of closely related individuals organized hierarchically” [1].

This designation is very similar to that offered to us by the law of Ukraine “On the organizational and legal principles of the fight against organized malice,” and under organized malice itself, this Law understands the totality of criminal offenses that are committed in ‘the language of the creation and activity of organized evil groupings[2]. A very important characteristic of organized crime is its transnational nature. The inadequacy of criminal law solutions in the field of identifying, preventing and combating crime and the inability of the state to reconcile supply and demand while building economic relations are some of the reasons for the wide room for maneuver for certain forms of organized crime. As with the theoretical definition of organized crime, there is no consensus on the definition of economic crime. The phenomenon of economic crime is in many ways similar to other types of crime, especially organized crime and some forms of modern crime such as cybercrime, which further complicates its problems.

Edwin Sutherland is one of the most cited authors in the context of economic crime. This American criminologist used the term "white collar crime" when studying economic crime. Through this term, Sutherland defined crime arising in the business sphere as follows - “manifest forms most often of manipulation associated with the purchase and sale of various shares, false advertising of goods, false representation of the financial position and activities of certain corporations, bribery of business partners, direct or indirect bribery of officials to secure profitable business relationships, embezzlement, misappropriation of funds, tax evasion and similar actions. Working on the problem of economic crime, Sutherland was one of the first to refute the established view that only the poor in society engage in crime.

The lack of a uniform definition of economic crime is also due to the differences in political and economic systems around the world, as well as the fact that economic crime covers various types of criminal offenses, both against the economy and against official duties, and partly crimes against property treat economic crime as criminal crimes directed against the economy, that is, criminal offenses related to abuses and other forms of illegality in the economic system and financial transactions. From a criminological point of view, economic crime, in addition to criminal offenses, includes economic offenses and offenses, as well as acts directed against material wealth, i.e. all other types of property crimes. A particularly important point is that different terms and definitions are used for the same or similar unauthorized activities. Thus, along with the concept of economic crime, such terms as commercial crime, business crime, market

crime, corporate crime, etc. appear in theory and practice. Taking into account the above definitions and practice in a forensic context, we can identify the main signs of economic crime. The main characteristics of economic crime include the following: concealment, dynamism (variability of manifestations), specialization and professionalism of criminals, specificity of evidence and means of proof, as well as specialization in the fight against economic crime. In addition to those listed, there are other characteristics of economic crime. In this context, they must be supplemented by: a variety of manifestations, prevalence and international character, a motive of greed, unethical behavior, etc. Economic crime manifests itself through its various forms, which depend on the area in which the criminal activity is carried out. Along with the variety of definitions of the concept of economic crime, there are also various classifications of its manifestations in legal theory.

Taking into account the previously presented definitions, characteristics, as well as forms of organized and economic crime, it is possible to recognize and point out the interrelationship of these types of crime. Taking into account the mode of organization (group, gang, organization, association, etc.), the internal structure (in terms of hierarchy, discipline, code of silence, etc.), goals that are often selfish, but also political character. According to the methods of activity, the level and quality of established connections between members of organized criminal groups and authorities at various levels, individual manifestations of criminal activity can be classified as both economic and economic-organized crime. Economic crime can be viewed in two ways. It can manifest as a form of criminal activity within organized crime. However, it can also be carried out in a manner that does not have elements of organized crime. The functioning of organized criminal groups in the economic sphere can have serious consequences not only for the economic sphere, but also for the general functioning of the entire state. Organized criminal groups “by committing criminal offenses not only in the economic and financial sphere, but also all economic and other criminal offenses in this category, strive to achieve the maximum possible financial gain or profit and legalize it. Numerous criminal offenses fall under the category of organized economic crime, but the most common include: counterfeiting money, counterfeiting and misuse of payment cards, smuggling of goods and people, money laundering, tax evasion and the like. The commission of these and other criminal offenses in the field of economic crime by organized criminal groups, when manifested on a larger scale, leads to violations in the monetary system of the state, the creation of a budget deficit, social tension and discontent, political instability, etc. ., thereby

jeopardizing the economic security of the state, which usually has direct consequences for the national security of the country” [3].

By analyzing the presented facts and points of view, it is possible to form a common position regarding organized crime in modern living and working conditions. With the development of society, the development of the national economy, globalization, society has achieved its rapid “development”. As for organized crime, considerable attention has been paid to this issue over the past 50 years. Due to the significant interest and impact that organized crime has on society as a whole, numerous theorists have provided their definitions of the concept. In addition to legal and criminological theories, there are a significant number of definitions and recommendations for defining this concept, which is associated with significant social losses at the normative level. Like the problem of organized crime, the problem of economic crime faces a lack of uniform definition and approach. The recommendation that arises in relation to both organized and economic crime is that both types of crime need to be viewed from a dual perspective, viewing them both in a narrow and in a broader context. Both types of crimes are associated with very complex phenomena that are subject to daily influence from various social spheres. It is very difficult to differentiate and classify various criminal offenses as a single type of criminal activity, because many criminal offenses simultaneously relate to both economic and organized forms of criminal activity. Generally speaking, it is very difficult to draw boundaries between specific types of crimes; this is why some theorists use the term "modern crime". This type of crime exhibits characteristics of both economic and organized crime. If we consider them as two separate types of crime, then economic and organized crime are largely interdependent and interrelated. A small number of criminal offenses in the field of economic crime do not have elements of organization, and vice versa, a large number of criminal activities with organized elements are committed in the field of economics and business activity.

References:

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