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ANTI-CORRUPTION MECHANISMS IN THE ANTIQUITY ERA AND THEIR EFFECTIVENESS

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Corruption, as one of the most persistent social pathologies, has accompanied humanity since the emergence of the first civilizations. It arose alongside the development of social hierarchies, administrative governance, and resource distribution, becoming an integral part of the relationship between authority and society. In ancient states, corrupt practices were so prevalent that many scholars consider them a systemic factor influencing the evolution of political and legal institutions.

In the antiquity era, corruption posed a significant threat to the stability of societies and the efficiency of state governance. States such as Athens, Sparta, and Rome faced a wide range of corrupt practices, including bribery, abuse of power, and embezzlement of public resources. In response, ancient societies began implementing anti-corruption mechanisms based on both legal and moral-ethical principles.

Corruption, as a social phenomenon, has accompanied state formations since ancient times, and the civilizations of Ancient Greece and Rome developed various mechanisms to curb it. In Ancient Athens, this issue was seen as a threat to democracy, which led to the introduction of ostracism—a mechanism of popular voting that allowed for the expulsion of politicians suspected of abusing power or accumulating excessive influence. If a person received more than 6,000 votes on pottery shards (ostraka), they were forced to leave the polis for ten years, serving as a preventive measure against the concentration of power in one person's hands. Additionally, there was dokimasia, a pre-appointment screening of candidates for public office, which assessed not only their financial standing but also their moral character. After completing their term, officials underwent euthyna, a process of public accountability in which they had to report to the assembly, and if abuses were found, they faced punishments ranging from fines to the death penalty. During the Peloponnesian War, anti-corruption efforts intensified, as state resources were critical for military operations, and any embezzlement was equated with treason. Nevertheless, despite these mechanisms, history records numerous instances of Athenian officials evading responsibility by manipulating the assembly or resorting to bribery.

In Ancient Rome, corruption became particularly acute during the late Republic when governing provinces became a means of personal enrichment for officials. The first attempt to address this issue was the Law on Bribery (Lex Calpurnia, 149 BCE), which provided for the

prosecution of officials who abused their positions, with penalties including property confiscation and exile. However, this law proved insufficient, leading to the enactment of *Lex Julia de repetundis* in 59 BCE, which introduced stricter sanctions, requiring guilty officials to return illicitly acquired funds and property, and even face permanent exile. A significant role in combating corruption was played by censors, special officials responsible for overseeing the moral conduct of magistrates and senators, who had the authority to remove corrupt individuals from office. However, during the decline of the Republic and the transition to an imperial system, corruption became even more rampant, and emperors often used bribery as a tool of governance. Some authoritarian rulers took particularly harsh measures against corruption, such as Nero, who ordered the execution of bribery offenders without trial, or Diocletian, who implemented strict control over state financial flows. Similar methods were used in other ancient civilizations; for example, in Babylon, under the Code of Hammurabi, corrupt officials could be sentenced to death, highlighting how seriously this crime was regarded in society. Thus, even in the ancient world, corruption was seen not only as an ethical issue but also as a threat to the state system, necessitating strict legal and administrative measures.

These mechanisms included laws regulating the activities of officials, financial reporting obligations for public servants, and institutions of public oversight. For instance, in the Roman Republic, special tribunals were established to handle cases of bribery, while in Athens, citizens participated in judicial processes through a lottery system. However, despite the progressive nature of some approaches, their effectiveness was often limited by inequalities in civil rights, insufficient institutional maturity, and the influence of private interests on state affairs.

The study of historical forms of anti-corruption efforts not only provides insights into their impact on the stability of ancient societies but also offers valuable lessons for contemporary governance systems. This article examines the key anti-corruption mechanisms of antiquity, their impact on the political and social structures of those societies, and their relevance in the modern context. The ancient experience of combating corruption serves as a reminder that, even in the most developed societies, eradicating corruption is a complex yet essential task.

Keywords: corruption, anti-corruption mechanisms, ancient world, antiquity, Greece, Rome, Athens, Sparta, bribery, abuse of power, effectiveness, legal norms, moral and ethical principles, social hierarchy, public administration, financial control, public oversight, legislation, social stability, political institutions, judicial system.

Formulation of the problem. The issue of combating corruption, which today concerns not only the scientific community but also broad circles of the public and the entire world, is by no means a trend of the present day or a challenge of today's times. It, without exaggeration, has its roots in ancient times and traces its beginnings to the moment of the emergence of civilization and the formation of interstate relations. Foreign researchers on the problem of corruption, K. Barnick, J. Braemer, and J. Ludwig, believe that "corruption as a form of deviant criminal behavior is as old as humanity itself" [1]. Indeed, references to corruption appear frequently in the oldest preserved written sources. These references can be found in the cuneiform texts of Babylon and in the Old Testament. For many contemporaries, this may seem surprising; however, already 4,000 years ago, rulers of the most developed states recognized the dangers of corruption and introduced strict responsibility for corrupt offenses. At the same time, the very word "corruption", which we use today, has a history that is half as long. This all underscores the relevance of studying the features of combating corruption in countries such as Babylon and Ancient Rome.

The issue of corruption is as relevant in the context of ancient states as it is in the modern world, as these phenomena share common roots that arose with humanity's first steps toward a civilized society. The fight against corruption in ancient states was viewed not only as a means of ensuring public order but also as part of the moral and ethical responsibility of every citizen. Babylon and Ancient Rome were among the first examples where special mechanisms of legal control were created to prevent abuses, including both legislative acts and systems for overseeing the activities of officials.

Analyzing these ancient practices can help uncover deeper aspects of the evolution of corruption schemes and countermeasures, as well as reveal certain parallels with modern approaches. It is worth noting that many of the ideas embedded in ancient legal systems became the foundation for later legal norms and anti-corruption mechanisms in the medieval and modern periods. Studying such examples helps not only to understand how ancient societies fought against this phenomenon but also to determine which principles could be applied in solving contemporary corruption problems. At the same time, it is important to consider that the fight against corruption in ancient times often faced limitations arising from inefficient power institutions, insufficient mobilization of civil society, and the lack of a clear legal system. These problems, as in our time, remain a significant challenge on the path to overcoming corruption. It is crucial to realize that despite the millennia that separate modern times from antiquity, the effectiveness of anti-corruption mechanisms depends on a deep understanding of political, social, and legal conditions, as well as on society's ability to adapt to changes. In this context, the ancient experience of fighting corruption remains an important reference for today, offering valuable lessons for building modern anti-corruption strategies.

Analysis of the study of the problem. Historical and theoretical issues regarding the study of corruption's place in the fields of public administration and law have been addressed in the works of numerous domestic researchers, such as L. I. Arkusha, P. D. Bilienchuk, K. I. Bryl, V. O. Veklych, A. V. Haiduk, V. D. Gvozdecky, V. M. Harashchuk, V. L. Grokholskiy, V. I. Lytvynenko, H. A. Matusovsky, M. I. Melnyk, Y. V. Nevmerzhytsky, S. V. Omelchenko, S. A. Podolyaka, S. H. Stetsenko, O. V. Tere-shchuk, O. D. Tereshchuk and V. S. Tsymbalyuk. However, there are very few detailed studies on the formation of anti-corruption activities in individual ancient countries within the domestic scientific community, which determines the relevance of this research.

In 2024–2025, research on this issue at the national level gained new momentum due to the development of interdisciplinary approaches that combine historical, legal, and sociological methods. Domestic scholars are actively turning to ancient sources, reconstructing mechanisms for combating corruption in ancient states, particularly in Ancient Rome and Babylon. In the works emerging during these years, attention is paid to the comparative analysis of ancient legal systems and their mechanisms for preventing corruption offenses, which helps identify potentially effective principles for modern anti-corruption strategies. Specifically, researchers emphasize the importance of implementing citizen control institutions and democratizing governance processes as effective mechanisms to combat corruption, drawing on examples from the past.

The purpose of the article. The article is aimed to study how ancient civilizations, particularly Babylon and Ancient Rome, developed and implemented mechanisms to combat corruption. Specifically, attention will be focused on legal norms and institutions that ensured the prevention of abuses by officials and rulers. The effectiveness of these mechanisms will also be considered in the context of the political and social realities of that time and their potential application in modern anti-corruption strategies.

Presenting main material. Historically, the first state to begin recognizing the problem of corruption at the national level was Babylon—one of the most famous ancient civilizations, which emerged in Mesopotamia, in the area of present-day Iraq, around the middle of the 3rd millennium BCE. This city-state became the central hub of political, cultural, and economic power in the region. Babylon reached its greatest height under the rule of King Hammurabi (c. 1792–1750 BCE), who created the famous Code of Hammurabi, one of the first written laws in history. The city was renowned for its architectural grandeur, including the famous Ishtar Gate and the Tower of Babel, which are mentioned in biblical texts. Babylon underwent numerous changes in dynasties and conquests, including its fall to the Persians in 539 BCE. Although Babylon was destroyed and forgotten for some time, its influence on the development of law, science, and culture remained significant.

Babylon can also be considered the first country to begin fighting corruption. The first anti-corruption fighter is often regarded as the Sumerian king Urukagina (Ur-Guinimga), who stopped abuses by judges and officials who demanded illegal rewards. This is known from the deciphered cuneiform texts of ancient Babylon dating back to the mid-3rd millennium BCE. Urukagina was the king of the ancient city-state of Lagash in Sumer, ruling around 2400 BCE. He is famous for implementing some of the earliest reforms in history, including his famous legislative act, which became the foundation for improving the social status of the lower classes. Urukagina opposed abuses by the aristocracy and officials, implementing laws to protect the poor from exploitation. He also reformed the tax system and reduced the burden of state debts on the population. His reign became an example of the struggle for social justice in the ancient world.

One of the earliest surviving monuments of written law is the stele of the Babylonian king Hammurabi (who ruled Babylon around 1792–1750 BCE), which is now known as the “Code of Hammurabi” or the “Collection of Laws of Hammurabi”. The primary reason for writing the Code of Hammurabi was the need to establish fair and centralized governance in Ancient Babylon. As king, Hammurabi sought to strengthen his power and ensure order in his vast and diverse kingdom, which included various peoples, cultures, and legal traditions. An important reason was also the need for a single legal code that would regulate the interactions between people from different social classes, as well as ensure the stability of economic relations, particularly in trade and land ownership. The Code of Hammurabi was created to address social injustice arising from various forms of abuse and corruption among officials and the higher classes of society. Therefore, this code became the foundation for punishments, rights, and duties of citizens, as well as an important tool for strengthening state power.

The surface of the stone slab, dating from the 1780s BCE, contains 282 legal norms (often referred to as the paragraphs of the Code), regulating various spheres of social relations. The author does not distinguish corruption as a specific category of crime. However, punishments for blatantly corrupt actions also found their place among these paragraphs.

Most domestic researchers of the history of anti-corruption efforts [3; 4] pay special attention to § 5 of the Code, which regulates the responsibility of a judge for document falsification, and which prescribes relatively mild (compared to other paragraphs) penalties of an administrative and disciplinary nature: “If a judge examines a case, makes a decision, produces documents with a seal, and then changes his decision, the judge should be exposed for altering the decision, and he must pay the sum of the claim in that case twelve times over, and he must be removed from his judicial seat and must not return to sit with the judges in the court”.

Of course, when studying the history of anti-corruption efforts specifically within judicial bodies, this approach may seem exhaustive. Moreover, the substantial amount of the fine, especially the prohibition from conducting judicial activities (judging by the lack of clarifications on the term – possibly for life), may be viewed by contemporary researchers as a rather harsh punishment. However, the Code of Hammurabi contains a number of other norms that address actions that, under modern domestic definitions, would fall under the concept of “corruption”.

According to the Law of Ukraine “On Preventing Corruption”, corruption is the use by a person, as specified in part one of Article 3 of this regulation, of the powers granted to them or associated opportunities to gain illegal benefits or to accept such benefits or accept a promise/proposal of such benefits for themselves or others, or, accordingly, the promise/proposal or provision of an illegal benefit to a person, or at their request to other individuals or legal entities, to induce this person to unlawfully use the powers granted to them or associated opportunities” [5].

At the same time, according to subparagraph “g” of part 1 of the first section of Article 3 of this law, the subjects to whom it applies also include “military officials of the Armed Forces of Ukraine, the State Service for Special Communications and Information Protection of Ukraine, and other military formations created in accordance with the laws, excluding conscripts, cadets of higher military educational institutions, cadets of higher educational institutions containing military institutes, cadets of faculties, departments, and divisions of military training” [5]. In the case of the Code of Hammurabi, the mentioned “dekum” and

“lubuttum” (sergeants and centurions) are precisely “military officials”. Their abuse of power was punished by Hammurabi much more severely than the aforementioned fraudulent judges.

For example, according to §33, “If a ‘dekum’ or ‘lubuttum’ (centurion or sergeant) has taken a person who is not subject to conscription, instead of a ‘reduma’ (a soldier who must serve) or if he accepted a mercenary for the royal campaign and sent him as a replacement for the ‘reduma’ (again – a soldier who must serve), then this ‘dekum’ or ‘lubuttum’ must be killed” [2].

The next norm is a sort of continuation of the previous one. According to §34, “If a ‘dekum’ or ‘lubuttum’ takes the belongings of a ‘reduma’, causes harm to the ‘reduma’, rents out the ‘reduma’, hands over the ‘reduma’ to a stronger person, or takes a gift given by the king to the ‘reduma’, then this ‘dekum’ or ‘lubuttum’ must be killed” [2]. Thus, abuse of power by military officers was punished exclusively by the death penalty. Moreover, the list of possible abuses was quite extensive and was recorded in writing. It is difficult to assess the effectiveness of such anti-corruption policies today, but it is possible that it was precisely this approach that contributed to the greatness of Babylon, which is now considered one of the first civilizations on our planet.

The Laws of Hammurabi and the Law of Ukraine “On Preventing Corruption” share several common aspects, despite the millennia-long difference in time and cultural context. Both documents are aimed at ensuring justice and equality for all citizens, regardless of their social status. The Laws of Hammurabi establish punishments for various social classes, taking into account their social status, while simultaneously setting clear legal norms. The Law of Ukraine also strives to create equal conditions for all in the fight against corruption. The Code of Hammurabi contains provisions aimed at combating corruption among officials and judges, including punishments for bribery and other forms of abuse of power. The Law of Ukraine “On Preventing Corruption” also seeks to reduce corruption risks among officials and defines measures to combat corruption in various areas of activity. Both documents establish specific punishments for offenses. The Code of Hammurabi clearly outlines the consequences for violators, particularly those who violate the rights of others, engage in corruption, or abuse their powers. The Law of Ukraine defines punishments and control mechanisms for the corrupt actions of officials. The Code of Hammurabi was an important tool for state stability and economic development, as clear legal norms allowed law enforcement agencies to prevent unjust practices. The Law of Ukraine “On Preventing Corruption” also contributes to the stability of society by ensuring legal order in government institutions and authorities.

Thus, both documents have similar functions in establishing clear legal norms to combat corruption, prevent abuses, and promote justice in society. However, despite the clear sanctions, during that period, the problem of corruption was not completely solved due to the limitations of the legal institutions of the time, such as the lack of an independent judiciary and weak citizen participation in control processes. The idea of fighting corruption in Ancient Babylon was also linked to the idea of justice and ensuring state stability, as any corruption undermined faith in state institutions and justice, which in turn could lead to social and political upheavals.

Centuries passed, some states disappeared, while others just began to emerge. And only corruption accompanied each of them both in their formative stages and in times of decline. A millennium and a half after Hammurabi, the issue of combating corruption fell to the rulers of Ancient Rome. The term “corruptere” itself comes from Latin and was passed down to us from Rome.

In Ancient Rome, corruption became a serious problem as it permeated all areas of life, from administrative and military structures to judicial bodies. There were well-known cases where corrupt practices, including bribery and abuse of power, became the norm among officials. However, it was Rome that created some of the first institutions to combat corruption, such as special positions designated to oversee officials and prevent abuses. In particular, the activities of bodies like the “Censors” – magistrates responsible for the morality and behavior of citizens – were aimed not only at monitoring public morality but also at reducing corruption among rulers. Despite the creation of certain mechanisms to combat corruption, it remained a significant issue that negatively affected the functioning of the state.

It is also worth noting that the understanding of the problem of corruption did not come to the Romans immediately. Trying to understand the nature of corruption, Cicero repeatedly raised the issue of bribery

among officials in his public speeches, attributing its cause to human nature and the vices inherent in it. However, it took centuries for legislators to begin active work on anti-corruption tools.

In Ancient Rome, corruption was not only seen as a societal evil but also as a serious challenge to the preservation of stability and order in the empire. The Romans, aware of the scale of this problem, developed certain legal mechanisms aimed at limiting corrupt practices among officials and citizens. They believed that corruption destroyed not only legality but also the foundations of public morality, which, in turn, led to a decline in trust in state institutions. Special attention was given to the role of the “censores” – magistrates who, in addition to other functions, monitored the morality and behavior of officials, as well as conducted audits of public finances, attempting to reduce the scale of corrupt offenses. However, due to its structure, Roman society often could not effectively fight corruption due to the internal weakness of control mechanisms and the lack of sufficient independence of judicial bodies. Furthermore, complex social and political conditions, particularly the struggle for power and political intrigue, only contributed to the flourishing of corruption in various areas of public life. The problem of corruption in Rome was not just a legal one, but also a deeply social issue, caused by numerous internal contradictions and limitations of the existing political system.

Over time, anti-corruption efforts in Rome gained significant momentum. There were even specific lawsuits called “action de albo corruption”, which were filed against anyone who damaged or altered the text of the praetorian edict displayed on the white board (album) for public announcements, which was written in black or red letters. Julius Caesar promoted the practice of severe punishment for bribery and gifts to officials. For instance, he prohibited provincial governors from accepting golden wreaths from subordinate cities. At the same time, voter bribery in Ancient Rome became so widespread that some Roman citizens began to view the sums they received as legitimate payment. Julius Caesar, one of the most famous Roman political and military leaders, recognized the extent of corruption in the Roman Republic and took a series of measures to curb it. One of his key initiatives was the reform of the tax collection system. He abolished many private contractors, who often abused their positions for personal gain, replacing them with public servants to reduce opportunities for bribery. He also initiated judicial reforms, particularly changing the way judges were selected to reduce the influence of corrupt magistrates. Caesar also attempted to curb corruption among his supporters and military commanders by establishing strict norms for conducting military campaigns and distributing military awards. He strengthened control over the allocation of land to veterans, reducing the potential for dishonest deals.

At the same time, one of Caesar’s main challenges was that corruption was part of the very political structure of the Roman Republic, and even his reforms could not completely eradicate the phenomenon. However, he made a significant contribution to the fight against corruption by creating new mechanisms and reforming existing institutions. At one point, Emperor Augustus even gave his personal funds to voters so they would no longer demand anything from candidates for public office. However, this approach did not work, nor did any other attempts to placate extortionists with funding.

There are also references to corruption in the greatest monument of Roman law – the Twelve Tables: “Table IX. Aulus Gellius. Attic Nights, XX. 17: Will you consider it harsh to enact a law that punishes with death a judge or intermediary who was appointed for the trial (of a case) and was found to have accepted a monetary reward for it?” Among the special commissions of magistrates was the commission on bribery and extortion by public officials, established by the Calpurnian Law in 149 BCE, which developed measures to fight corruption and proposed official definitions of illegal rewards for officials.

The renowned researcher of the history of corruption and anti-corruption activities, V. O. Veklych, identifies a whole system of anti-corruption measures from Ancient Rome: the recognition of the inadmissibility of senators’ involvement in certain areas of activity: “the prohibition of engaging in maritime trade, financial transactions, as well as state contracts”; efforts to counter the degradation of public morals, which led to an expansion of the environment for the spread of corruption. To this end, laws concerning luxury were enacted and implemented in Rome – “leges sumptuariae.” Specifically, the “Law on Gifts” (lex Cincia de donationibus) of 204 BCE, [9] restricted the size of gifts from clients to patrons and introduced a ban on certain types of gifts and forms of giving; other laws (The Law of Gaius Orhidius of 181 BCE, The

Law of Fannius of 161 BCE) [9] strictly regulated the conduct of public events—such as dinners and banquets (including setting the number of guests and the amount of money allowed to be spent); special legislation to limit the size of certain types of property that could be held by individuals or their families, or the use of certain benefits: “The Law of Claudia (lex Claudia de nave senatorum) of 218 BCE prohibited senators and their families from owning ships with a capacity greater than 300 amphoras (these norms were later used by Caesar in 59 BCE in lex de repetundis); The Law of Oppius (lex Oppia) of 215 BCE [9] prohibited Roman women from possessing more than half an ounce of gold, wearing multicolored clothing, riding in carriages in Rome and other cities, or around them within a mile, except on state and religious holidays”; restrictions on consumption: The Law of Publius Licinius Crassus Mucianus of 131 BCE introduced a limit on the amount of meat that could be consumed [10, p. 4].

The Ukrainian legal scholar also addressed the issue of corruption in his academic research, particularly in the context of the history and current challenges of the legal system. His works focused on analyzing corrupt practices in public administration, including their impact on scientific and legal activities. V. O. Veklych viewed corruption as a structural problem that permeates not only political and economic spheres but also educational and scientific activities, where it can have a devastating impact on the objectivity and integrity of research, evaluations, and publications.

An important aspect of his studies was the examination of corrupt practices in legal systems, particularly in Ukraine, with an emphasis on how these practices can infiltrate the scientific community, distorting research results and even complicating access to funding and resources for scholars. V. O. Veklych emphasized the need to implement effective anti-corruption mechanisms in the academic sector, particularly through transparent procedures for the appointment, financing, and evaluation of scientific projects. He also highlighted the importance of public oversight, anti-corruption bodies, and ethical norms within scientific communities to ensure integrity and fairness in scientific activity.

By the beginning of our era, in the most developed states, attempts were already being made to establish, if not a fully functional anti-corruption mechanism, then at least a system of punishments for corruption offenses. These attempts to formalize anti-corruption measures were evidence of an early recognition that corruption has the potential to undermine the foundations of state power and pose a threat to social stability. In Ancient Rome, in particular, the systems of punishment for corruption were closely linked to the political and social hierarchy, which allowed rulers to attempt to minimize the negative impact of corrupt practices through harsh sanctions for officials. However, despite these early institutionalized efforts, the effectiveness of such mechanisms was limited due to the lack of real mechanisms for public oversight and an independent judiciary, which allowed corrupt elements to maintain their power. Moreover, the influence of corruption on legislative processes, granted by individuals in collusion with the authorities, enabled such offenders to avoid punishment, undermining the overall effectiveness of legal norms. Therefore, although punishments for corrupt actions were established, in practice, the fight against corruption often turned into a tool for political manipulation, which demonstrated its limited effectiveness in practice.

Conclusions. Throughout all of known human history, corruption has been a companion of the state, as its foundation lies in the desire of officials to gain additional benefits from their position. At the same time, corruption relentlessly destroys the state mechanism, corrupts both public servants and ordinary citizens, and undermines the value of the law. The analysis of anti-corruption norms and traditions of ancient Babylon and Ancient Rome provides grounds to believe that even then, attempts were made to identify a range of corrupt practices (such as document forgery, bribing judges, bribing voters, receiving expensive gifts, abusing authority over subordinates), as well as the development of mechanisms to combat corruption (primarily by establishing a system of punishment for corrupt actions). Further attention from researchers should be given to the issue of corrupt practices in other countries of the same historical period and the study of its impact on the development and decline of civilizational projects throughout known human history.

Research into anti-corruption norms and practices in Ancient Babylon and Ancient Rome suggests that even in the early stages of civilization, attempts were made to legally document corrupt practices and introduce sanctions aimed at preventing them. These practices included a detailed analysis of corrupt

behaviors such as voter bribery, abuse of power, falsification of official documents, and the giving of expensive gifts for personal gain. From this, it is evident that there was a systematic effort not only to hold wrongdoers accountable but also to establish clear mechanisms to prevent corrupt offenses through the imposition of punishments.

However, despite these early attempts to combat corruption, their effectiveness was limited due to the lack of an independent judiciary, the mismatch between the legislation and the real needs of governance structures, and the absence of widespread citizen involvement in oversight processes. This means that even in those times, anti-corruption efforts faced significant challenges that reduced their effectiveness. The next step in research should involve examining corruption practices in other civilizations of the same period, particularly in India, China, Egypt, and the Greek city-states, as comparing anti-corruption mechanisms across different cultures allows for a better understanding of general patterns and local peculiarities of this phenomenon. Studying how corruption influenced the decline of great empires and state formations opens up new opportunities to analyze its destructive impact on the development of civilizations. Furthermore, such historical parallels could contribute to the development of more effective modern anti-corruption strategies capable of minimizing this phenomenon in the context of a globalized world.

REFERENCES

1. Barnick, K., Braemer, J., & Ludwig, J. (2007). *Korruption – (kleine) Geschichte der Bestechung*. [In German].
2. Hammurabi, Stele. (2006). *Universal Dictionary-Encyclopedia (4th ed.)*. Kyiv: Teka. [In Ukrainian].
3. Samoylovych, A. (2019). *Zahal'na kharakterystyka istorychnoho stanu zapobihannia ta protydii koruptsiynym pravoporushenniam* [General characteristics of the historical state of prevention and counteraction of corruption offenses]. *Jurnalul juridic național: teorie și practică*, 5. P. 77–81. [In Ukrainian].
4. Omelchenko, S. V. (2000). *Korupciia z tocky zoru riznykh kul'tur svitu* [Corruption from the perspective of different world cultures]. *Pidpriemnytstvo, hospodarstvo i pravo*, 3. P. 54–57. [In Ukrainian].
5. *Pro zapobihannia koruptsii* [On the Prevention of Corruption]: Zakon Ukrainy No. 1700-VII vid 14 zhovtnia 2014 r. Baza danyh "Zakonodavstvo Ukrainy" / VR Ukrainy. Retrieved from: <https://zakon.rada.gov.ua/laws/show/1700-18#Text> [In Ukrainian].
6. Melnyk, M. I. (2001). *Koruptsiia: sutnist', poniahttia, zakhody protydii: Monohrafiia* [Corruption: Essence, Concept, Countermeasures: Monograph]. Kyiv: Ataka. 301 p. [In Ukrainian].
7. Harashchuk, V. M., & Mukhatayev, A. O. (2010). *Aktual'ni problemy borot'by z koruptsiieiu v Ukraini: Monohrafiia* [Current Issues of Combating Corruption in Ukraine: Monograph]. Kharkiv: Pravo. 143 p. [In Ukrainian].
8. Aulus, Gellius. (1903). *Noctium Atticarum. Libri XX / Post M. Hertz ed. C. Hosius*. 2 vols. Lipsiae: Teubner. (Reprint: 1981). [In Latin].
9. *The Roman Law Library, incl. Leges*. Retrieved from: <https://web.archive.org/web/20120831060912/http://web.upmf-grenoble.fr/Haiti/Cours/Ak/> [In English].
10. Veklych, V. O. (2017). *Istorychnyi dosvid shchodo protydii koruptsiieiu za chasiv Staroho Rymu i yoho znachennia za umov postradians'koho koruptsiynoho seredovyshcha* [Historical experience in combating corruption in Ancient Rome and its significance in the post-Soviet corruption environment]. *Aktual'ni problemy vitchyznanoi iurysprudentsii*. Specvypusk, ch. 1. P. 3–7. [In Ukrainian].

СПИСОК ВИКОРИСТАНИХ ДЖЕРЕЛ

1. Barnick K., Braemer J., Ludwig J. (2007). *Korruption – (kleine) Geschichte der Bestechung*.
2. Гаммурапі стела // Універсальний словник-енциклопедія. 4-те вид. Київ: Тека, 2006.
3. Самойлович А. Загальна характеристика історичного стану запобігання та протидії корупційним правопорушенням. *Jurnalul juridic național: teorie și practică*. 2019. № 5. С. 77–81.
4. Омельченко С. В. Корупція з точки зору різних культур світу. *Підприємництво, господарство і право*. 2000. № 3. С. 54–57.
5. Про запобігання корупції: Закон України № 1700-VII від 14 жовтня 2014 р. *База даних "Законодавство України" / ВР України*. URL: <https://zakon.rada.gov.ua/laws/show/1700-18#Text>
6. Мельник М. І. Корупція: сутність, поняття, заходи протидії: Монографія. Київ: Атака, 2001. 301 с.

7. Актуальні проблеми боротьби з корупцією в Україні: монографія / В. М. Гарашук, А. О. Мухатаєв; Нац. акад. прав. наук України, Ін-т вивч. пробл. злочинності, Служба безпеки України, Ін-т дослідж. пробл. держ. безпеки. Х.: Право, 2010. 143 с.

8. Auli Gelli Noctium Atticarum. Libri XX / Post M. Hertz ed. C. Hosius. 2 voll. Lipsiae: Teubner, 1903. (Перевидання: 1981).

9. The Roman Law Library, incl. Leges. URL: <https://web.archive.org/web/20120831060912/http://web.upmf-grenoble.fr/Haiti/Cours/Ak/>

10. Веклич В. О. Історичний досвід щодо протидії корупції за часів Стародавнього Риму і його значення за умов пострадянського корупційного середовища / Актуальні проблеми вітчизняної юриспруденції. Спецвип., ч. 1, 2017. С. 3–7.

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АНТИКОРУПЦІЙНІ МЕХАНІЗМИ В ЕПОХУ АНТИЧНОСТІ ТА ЇХ ЕФЕКТИВНІСТЬ

Корупція, як одна з найбільш стійких соціальних патологій, супроводжує людство з моменту зародження перших цивілізацій. Вона виникла одночасно з появою суспільної ієрархії, адміністративного управління та розподілу ресурсів, стаючи невід'ємною частиною взаємовідносин між владою і суспільством. У стародавніх державах корупційні практики були настільки поширеними, що багато вчених розглядають їх як один із системних чинників, що впливали на розвиток політичних і правових інститутів.

В епоху античності корупція становила серйозну загрозу для стабільності суспільств і ефективності державного управління. Такі держави, як Афіни, Спарта та Рим, стикалися з широким спектром корупційних проявів, зокрема хабарництвом, зловживанням владою та незаконним привласнення державних ресурсів. У відповідь стародавні суспільства почали впроваджувати антикорупційні механізми, які ґрунтувалися як на правових, так і на морально-етичних засадах.

Корупція, як соціальне явище, супроводжувала державні утворення ще з античних часів, і цивілізації Стародавньої Греції та Риму виробили різноманітні механізми для її стримування. У Стародавніх Афінах ця проблема розглядалася як загроза демократії, тому було запроваджено ostracism – механізм народного голосування, який дозволяв вигнання політиків, запідозрених у зловживанні владою або надмірному зростанні впливу. Якщо людина отримувала понад 6 000 голосів на черепках (ostrakonaх), вона мусила залишити поліс на 10 років, що слугувало превентивним заходом проти концентрації влади в руках однієї особи. Крім того, існувала dokimasia – перевірка кандидатів на посади, під час якої оцінювали не лише їхні фінанси, а й моральні якості. Після завершення терміну правління чиновники проходили евтину, тобто звітували перед народними зборами про свою діяльність, а в разі виявлення зловживань піддавалися покаранню, яке могло варіюватися від штрафів до смертної кари. Під час Пелопоннеської війни боротьба з корупцією загострилася, оскільки державні ресурси були критично важливими для ведення бойових дій, а будь-які зловживання прирівнювалися до державної зради. Водночас, незважаючи на ці механізми, історія зберегла численні свідчення про афінських посадовців, які ухилялися від відповідальності, маніпулюючи народними зборами або використовуючи підкуп.

У Стародавньому Римі проблема корупції набула особливої гостроти в період пізньої Республіки, коли управління провінціями перетворилося на спосіб особистого збагачення посадовців. Першою спробою її подолання став Закон про хабарництво (*Lex Calpurnia*, 149 р. до н. е.), який передбачав судове переслідування чиновників, що зловживали своєю посадою, з покараннями у вигляді конфіскації майна та вигнання. Однак цей закон виявився недостатньо ефективним, і тому в 59 році до н. е. було ухвалено *Lex Julia de repetundis*, який запровадив суворіші санкції, зобов'язуючи винних повертати незаконно набуті кошти й майно, а також передбачав можливість довічного вигнання. Значну роль у боротьбі з корупцією відігравали цензори – спеціальні посадовці, відповідальні за контроль за мораллю чиновників і членів сенату, які мали повноваження вилучати корумпованих осіб зі складу керівних органів. Однак у часи занепаду Республіки та переходу до імперської форми правління корупція набула ще більшого розмаху, а імператори нерідко самі використовували підкуп як інструмент управління. Особливо жорсткі заходи проти зловживань застосовували деякі авторитарні правителі, серед яких Нерон, який наказував стратити хабарників без суду, або Діоклетіан, що запровадив суворий контроль за фінансовими потоками держави. Аналогічні методи використовувалися і в інших давніх цивілізаціях: наприклад, у Вавилоні за “Кодексом Хаммурапі” корупціонерів могли засуджувати до смертної кари, що свідчить про надзвичайну серйозність цього злочину в очах суспільства. Отже, ще в античному світі корупція розглядалася не лише як етичне питання, а й як загроза державному устрою, що потребувала суворих правових та адміністративних заходів.

Серед таких механізмів були закони, що регулювали діяльність чиновників, фінансові звіти посадовців і інститути громадського контролю. Наприклад, у Римській республіці діяли спеціальні трибунали для розгляду справ про хабарництво, а в Афінах практикували залучення громадян до судових процесів через систему жеребкування. Проте попри прогресивність деяких підходів їхня ефективність часто була обмежена нерівністю громадянських прав, недостатньою інституційною зрілістю та впливом приватних інтересів на державні справи.

Дослідження історичних форм протидії корупції дає змогу не лише зрозуміти їхній вплив на стабільність стародавніх суспільств, але й визначити уроки, що можуть бути актуальними для сучасних систем управління. У цій статті розглядаються ключові антикорупційні механізми античності, їхній вплив на політичну та соціальну структуру суспільств, а також їхня релевантність у сучасному контексті. Античний досвід боротьби з корупцією слугує нагадуванням, що навіть у найбільш розвинених суспільствах її викорінення є складним, але необхідним завданням.

Ключові слова: корупція, антикорупційні механізми, стародавній світ, античність, Греція, Рим, Афіни, Спарта, хабарництво, зловживання владою, ефективність, правові норми, морально-етичні засади, суспільна ієрархія, державне управління, фінансовий контроль, громадський контроль, законодавство, соціальна стабільність, політичні інститути, судова система.