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TOKAT GAZİOSMANPAŞA ÜNİVERSİTESİ
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**INVESTIGATING THE CAUSES OF CORRUPTION THAT TURNED
INTO A CORPORATE CULTURE IN AFGHANISTAN**

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**TOKAT GAZİOSMANPAŞA UNIVERSITY
GRADUATE EDUCATION INSTITUTE**

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INTO A CORPORATE CULTURE IN AFGHANISTAN**

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SCIENTIFIC ETHICS PAGE

I have prepared in consultation of Prof. Dr. Ahmet ÖZKİRAZ, “Investigating the Causes of Corruption that Turned into a Corporate Culture in Afghanistan” I declare that my Master thesis is an original work under scientific, ethical values and rules. I will accept all kinds of legal sanctions if the opposite is determined.

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INVESTIGATING THE CAUSES OF CORRUPTION THAT TURNED INTO A CORPORATE CULTURE IN AFGHANISTAN

JÜRİ KABUL VE ONAY

Altat Behzad tarafından hazırlanan “Investigating The Causes Of Corruption That Turned Into A Corporate Culture In Afghanistan” adlı tez çalışmasının savunma sınavı (Tarih Giriniz) tarihinde yapılmış olup aşağıda verilen Jüri tarafından Oy Birliğı / Oy Çokluğu (Hangisi İse Seçerek Birini Yazınız) ile Tokat Gaziosmanpaşa Üniversitesi Lisansüstü Eğitim Enstitüsü Kamu Yönetimi Anabilim Dalı’nda Yüksek Lisans Tezi olarak kabul edilmiştir.

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DEDICATION

I dedicate this work to my beloved family, friends, and teachers. You are all have been my greatest inspiration. I am very grateful for your unwavering support right from day one.

May the God Bless You All



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INVESTIGATING THE CAUSES OF CORRUPTION THAT TURNED INTO A CORPORATE CULTURE IN AFGHANISTAN

Altat Behzad¹

Abstract

Corruption is defined as actions that result from the use of the power and authority of the government or affiliated government agencies to obtain individual or collective financial benefits. Corruption is a complication that affects all developed or less developed, democratic, and undemocratic countries today. Where there is a government, there is greater or lesser corruption. Corruption exists today in almost every country, but it leaves the most devastating effects in developing countries. Due to the consequences and adverse economic, political, social, cultural, and legal consequences of corruption, the need to address this social problem from different scientific perspectives is becoming more and more felt. So in this paper, we're trying to investigate the causes and factors of corruption. The fact is that in the current Afghan administrative system, the appointment and assignment of posts based on communications, political considerations, ethnicities, or bribery has become commonplace, and collusion between wealthy individuals, often politicians, and bureaucrats, to get through. One-stream administrative system filters are accepted. Despite the many studies and research that have been done in this area, presenting a unique concept of corruption is a tricky thing; the main reason for this is the diversity of factors affecting the onset of this phenomenon. Studies on the phenomenon of corruption show the complexity and scale of the factors that influence this phenomenon's formation. Overall, the causes and characteristics of corruption in Afghanistan are 1- Social and cultural factors; 2- Political and organizational factors; 3- Economic and legal aspects. As part of this study, we tried to look at those factors and then, based on the results, develop ways to reduce and even prevent corruption.

Keywords: Causes and factors, social, cultural, political, administrative, economic, legal, corruption, Afghanistan.

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INVESTIGATING THE CAUSES OF CORRUPTION THAT TURNED INTO A CORPORATE CULTURE IN AFGHANISTAN

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Özet

Yolsuzluk, devlet kuruluşlarının güç ve yetkisinin kullanımından kaynaklanan veya bireysel veya grup mali kazançları için hükümete bağlı olan eylemleri ifade eder. Yolsuzluk, günümüzde demokratik ve demokratik olmayan tüm gelişmiş veya az gelişmiş ülkeleri etkileyen bir sorundur. Bir hükümetin olduğu her yerde, az çok yolsuzluk vardı. Yolsuzluk şu anda neredeyse tüm ülkelerde var, ancak en yıkıcı etkileri gelişmekte olan ülkelerde bırakıyor. Yolsuzluğun sonuçları ve olumsuz ekonomik, politik, sosyal, kültürel ve yasal sonuçları nedeniyle, bu sosyal sorunu farklı bilimsel bakış açılarından ele alma ihtiyacı giderek daha fazla hissediliyor. Bu nedenle, bu tezimizde yolsuzluğun nedenlerini ve faktörlerini araştırmaya çalışıyoruz. Gerçek şu ki, Afganistan'ın mevcut idari sisteminde, iletişim, siyasi mülahazalar, etnik kökenler veya rüşvete dayalı görevlerin atanması ve atanması, genellikle politikacılar ve bürokratlar olmak üzere zengin insanlar arasında Tek akışlı idari sistemden geçmek için olağan ve gizli bir anlaşma haline geldi filtreler kabul edilir. Bu alanda yapılmış birçok çalışma ve araştırmaya rağmen, tek bir yolsuzluk kavramının sunulması zordur, bunun temel gerekçesi, bu fenomenin oluşumunu etkileyen faktörlerin çok yönlü doğasıdır. Yolsuzluk olgusu üzerine yapılan araştırmalar, bu fenomenin oluşumunu etkileyen faktörlerin karmaşıklığını ve genişliğini göstermektedir. Genel olarak, Afganistan'daki yolsuzluğun nedenleri ve faktörleri şunlardır: 1- Sosyal ve kültürel faktörler; 2- Siyasi ve idari faktörler; 3- Ekonomik ve hukuki faktörler. Bu çalışmada, bu faktörleri araştırmaya ve daha sonra bulgulara dayanarak yolsuzluğu azaltmaya ve hatta önlemeye yönelik çözümler sunmaya çalıştık.

Anahtar Kelimeler: Sebepler ve faktörler, sosyal, kültürel, politik, idari, ekonomik, yasal, yolsuzluk, Afganistan.

² Tokat Gaziosmanpaşa Üniversitesi ,Lisansüstü Eğitim Enstitüsü ,Kamu Yönetimi Yüksek Lisans Programı, Türkiye,

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INTRODUCTION

Corruption, which is the basis of the country's administrative system and government administration, is a significant challenge for many developed and developing societies. As societies move forward, it becomes more apparent and leads to disruption of development processes. Therefore, it can be said that corruption is one of the manifestations of anti-social behaviors. A corruption-free administration system allows governments to achieve development and take advantage of its positive effects by reducing overhead and additional costs to society. Instead, the corrupt bureaucracy, with its financial resources for the development of society, acts like a swamp that swallows resources—corruption damages healthy competition and social justice by impeding growth. The press and media in various countries make it clear that corruption is not specific to developing countries and has a history in developed countries and former socialist countries.

One of the major problems in Afghanistan is corruption; since international institutions and the Afghan government have worked hard to combat crime, the number of cases of corruption in Afghanistan is still high. This study focuses on the causes and factors of corruption in Afghanistan.

Problem Statement

Corruption is a global phenomenon and has a long history of human institutions and organizations, and therefore it can be boldly said that no organization or society can be found that does not believe in organizational health in all aspects and various existence of human life. In the current era, due to the systematization of governance structures in multiple dimensions and the expansion of public and private organizations, violations and corruption have become one of the main challenges in the field of social sciences, sociology, criminology, and especially legislation and have been the subject of numerous disputes. Identifying and determining the anti-corruption strategy requires recognizing the causes and fundamental factors of the impact of corruption.

Corruption is a complex phenomenon rooted in different contexts which are often out of the control of the organization. Corruption is primarily influenced by economic, social, cultural, political, and judicial causes and factors and reciprocally deals fatal blows to the legitimacy of the political system, the efficiency of the administrative system, and the desirability of the social system.

In all societies, greed and poverty are influential factors in the conduct of corruption. Corruption occurs through weakness and cultural degeneration. On the other hand, it hampers the growth and development of societies and reduces the opportunities for meaningful efforts of individuals, institutions, and organizations, and its cost is incalculable, which can be said that the economic factors of a country and its degree of freedom show the opportunities for corruption in the public and private sectors.

In the Afghan administrative system, poverty and greed contribute in a fundamental way to the spread and spread of organized crime and misconduct. Politically, civil servants are motivated by corruption when they are too powerful and are not responsible for their actions. High-ranking corrupt officials often do not like their activities to be transparent because they think that more transparency means less power, and less power affects the interests of them and their followers and also prevents them from using non-transparent financial resources. Thus, the influential currents of government whose interests depend on such a monopoly are the chief cause of administrative and economic corruption.

Administration and organizational factors; Another reality of the administrative system is corrupt, in which administrative units are often faced with a large number of unrealistic or unnecessary rules and regulations, and ambiguities in managerial procedures and current work standards allow agents to make any arbitrary decisions and actions. In Afghanistan, the inadequacy of laws and regulations and non-compliance with the facts, non-compliance and non-implementation of existing laws, politicization of the administrative system, the dominance of relations over the rules with the help of some other factors provide a good ground for individual and organizational abuse and has provided various violations of the law in the administrative patient system of the country.

The experiences of different societies show that corruption has complex dimensions that combat it and require continuous and systematic policies. Corruption in offices is like an infection that, if it penetrates the organs of society, infects and disables its members one after another, and the spread of this infection may corrupt the whole body of humanity. The consequences of corruption are mainly in the form of problems and norms such as job abuse, bribery, embezzlement, and creating dissatisfaction for the client and people in the community, especially administrative staff.

Afghanistan is the 4th most corrupt country in the world, according to Transparency International's annual report. The Transparency International yearly report on corruption in different countries, published in 2017, ranks the other countries in 181 categories. Afghanistan came in 177th with 15 points. According to this ranking, Afghanistan is the most corrupt country globally after Somalia, South Sudan, and Syria.

The factors and grounds for corruption and the obstacles to fighting it are very much in line with each other; To the extent that without knowing the foundations for the formation of bribery, the impediments to fighting it cannot be addressed. At a minimum, it can be argued that by recognizing its context, it is easier to examine the obstacles to combating corruption. In this way, the framework of the study is more limited and easier to implement. In light of the questions raised, in this essay, we will answer the question: What are the causes and factors of corruption in Afghanistan? We investigate the phenomenon of corruption from an economic, political, cultural, social, and legal point of view.

Research Question

The Main Question

What are the causes and factors of corruption in Afghanistan?

Sub-Questions

1. What are the social and cultural factors of corruption in Afghanistan?
2. What are the political and administrative factors of corruption in Afghanistan?
3. What are the economic and legal factors of corruption in Afghanistan?

Research Hypothesis

The Main Hypothesis

The causes and factors of corruption in Afghanistan are cultural, social, political, administrative, and legal factors.

Sub-hypotheses

1. It seems that the cultural and social factors of corruption in Afghanistan are the impact of kinship relations, weakness in belief in beliefs and values, lack of effective and efficient supervision and control, etc.
2. It seems that the organizational and political factors of corruption in Afghanistan are the type of political system, the role of the human factor, the ethnic structure of power, political underdevelopment, the transition period, the weakness of democracy, etc.
3. It seems that the economic factors of corruption in Afghanistan, the level of salaries and benefits of employees, the unpleasant feeling of unfair payment levels, inadequacies in the payroll system, economic problems of employees, etc. and the legal factors of corruption in Afghanistan, inefficiency of laws and regulations, lack of transparency in administrative rules and regulations, monopolization of licenses, etc.

Literature Review

Given that corruption in Afghanistan is entrenched in government and the government is mired in corruption, domestic and foreign writers have paid attention to this issue, and significant effects can be seen, we will mention these works and differentiate the work of the present dissertation according to the mentioned works:

- Book: "Islam and the fight against corruption", by Judge Abdul Basir Sheikh Ahmadi, 2014.
- Book: "Afghanistan's Legislative Criminal Policy Against Corruption", by Ahmad Reza Sadeghi, 2015.
- Article: Afghanistan, Administrative Crimes and Violations; Factors and Solutions »Journal of Law Research, First Year, summer 2011.

- Article: "Pathology of Corruption of Government Employees" by Mahnaz Boroumand and Amer Moghadam, Journal of Political Science Studies - Law and Jurisprudence, Volume 3, Number 13, Fall 2017.
- Article: "Administrative Corruption, Factors and Strategies to Combat It from the Perspective of Verses and Traditions" by Jamal Farzand Vahi, Mina Yaghoubi, Journal of Interdisciplinary Research in the Holy Quran, No. 2, Fall and Winter 2013.
- Article: "Investigation of the causes of corruption and strategies to prevent and reduce it", by Mohammad Hossein Fathabadi, Journal of Auditing Knowledge, No. 13, Fall 2004.

Due to the fact that many articles and books have been published on corruption so far, in the internal works of Afghanistan, the existing cases have been dealt with in accordance with the former criminal law. But in this dissertation on the criminalization of corruption, we refer to the Penal Code. Also, considering the phenomenon of corruption in Afghanistan, we will analyze the figures, statistics, and reports that have existed in recent years and explain the role of the national unity government in combating corruption. This issue shows the difference between our research and previous works that did not address this issue in the existing works. We will also examine the causes and factors of corruption in Afghanistan from various political, social, cultural, economic and legal perspectives, but the four factors mentioned in the works are not fully expressed.

Innovation Research Interchange

Investigating the criminalization of corruption in Afghanistan's penal code in the form of a master's thesis of criminality and criminology is one of the initiatives of this text, which, of course, is scientifically examined in this treatise, the causes and causes of corruption in Afghanistan and scientific theories of criminology. It also appears that the National Unity Government (NUG) has taken anti-corruption measures in recent years, which have not been addressed in the theses of corruption in Afghanistan. As well, since there was an investigation into corruption in Afghanistan, there was less attention paid to criminology, which we will try to investigate corruption from a criminological perspective as much as possible. We will consider these as an innovative aspect of the research.

Importance and Necessity of Research

Corruption in the administrative system is more or less affects all countries, and the damage caused by corruption is numerous due to its various forms. For a country that is taking steps towards development and progress, it is necessary to address this issue free of corruption. It is necessary to prevent further damages in the future, today with all its power. In all areas with the causes and causes of it, a severe and continuous struggle should be carried out in a healthy society free of corruption, sustainable and comprehensive development in the country; Considering that the issue of lack of health of the administrative system and consequently administrative corruption has many

adverse consequences such as reducing the efficiency of organizations, enlargement of bureaucracy, slowing the process of competitiveness, heterogeneous distribution of incomes and pessimism of people towards government and governmental organizations, therefore, organizations and individuals in the society should care about this issue and promote it as a priority of their programs.

Research Purposes

1. Explain the concept and principles of criminalization of corruption
2. Explain the causes of corruption in Afghanistan
3. Anti-corruption methods in Afghanistan

Research Methodology

This thesis will be written using the descriptive-analytical method.

Data Acquisition

Information about this thesis is using a library tool. This study will be conducted using books, articles, publications, reputable sites, and criminal laws on corruption in Afghanistan.

Organize Research

Chapter 1: The concepts and generalities of the research, which express definitions of corruption and its differences with similar concepts and, in general, have been discussed the history of corruption, division, and its types.

Chapter 2: Social and cultural factors of corruption, such as the priority of kinship over laws in Afghanistan, weakness of social awareness, consumerism, luxury, etc. We paid attention to Afghanistan in corruption.

Chapter 3: Political and administrative factors of corruption include two parts, firstly related to political factors of corruption and in the second part to corruption administrative factors according to Afghanistan.

Chapter 4: Economic and legal factors of corruption, which have been investigated in the first part of the economic factors of corruption and the continuation of its legal factors with the attention of Afghanistan.

Finally, according to social, cultural, political, administrative, economic, and legal factors, suggestions and strategies have been mentioned in this section. Then the conclusions and resources of the contents are concluded.

CHAPTER ONE

Research Concepts and Generalities

1.1. Concepts

In this topic, the concept of causes, factors, corruption, administration, administrative violations, and the difference between corruption and violations are discussed.

1.1.1. The Concept of Causes

The cause is mentioned in the dictionary, meaning reason for an action or condition. Also, causes mean effect and result, directions, means, formal cause, material cause, personal cause, and ultimate cause. The external reason is things that are foreign from the nature of objects. At the same time, they are involved in their research, such as the ultimate cause and the subject of both external causes. That is, foreigners are disabled by nature.³

The word "cause" is used in philosophers in both general and specific forms. The general concept of cause is a being on which the realization of another being is stopped, although not enough to be realized, and its specific concept is a being that is sufficient for the realization of another being. In other words, the general term of cause is a being without which it is impossible to realize another being, and its specific term is a being which, despite it, necessities the realization of another being. As can be seen, the first term is the second term, because it includes conditions and defects and other causes of incompleteness, unlike the second term. Explaining the cause of the letter and incomplete and other types of cause will come.⁴

The reason or causes of this is the expression that causes a new force or new subject with its works. Firstly, watching a beautiful painting (work or handicapped) sentence and reason for the existence of the painter dominates the handiwork that created and painted them. Of course, the painter takes precedence over the creation of the painting. Now, if they have a subtle artistic taste, watching the painting will give us the accolades and admiration of the artist of this work, i.e., the "artist," and hopes to create enthusiasm and

³ Mohammad Moein, Persian Culture, Two Volumes, Tehran: Adena: The New Way Book, 2002, p. 1087.

⁴ Concept of cause and effect, philosophy education, site of information base, 03/11/2015.

excitement in you and give you a sense of appropriation and purchase, producing a sense of shopping in you is disabled, which is why watching a beautiful painting.

Now, depending on the purchasing power or lack of purchasing power, you may buy it or use it to receive money to buy it. There may be several favorable or undesirable events that all affect watching the painting, which is the sequence of the cause on the disabled. For example, when you buy the painting and transfer it to Taxi due to the Taxi driver's carelessness when moving the painting in Taxi, the sign breaks, the failure of the mental painting makes you unhealthy, so it causes your anger, and this way the box attacks the Taxi driver and injures him. Your unhealthy psyche and anger are the cause, and the failure of the painting is disabled. In criminology, the cause of crime is the total number of criminal factors and the lack of inhibitory factors.

"Every action that comes from a person is the reaction or reaction of a movement," said Gin Herg, a renowned Swedish criminologist. All human actions are influenced by the physical, mental, environmental, and social factors that cause these factors.⁵

However, some other scientists believe that whenever a person's high factor influence is more significant than that factor on ordinary people, it is called the cause of the mass.

From the criminology point of view, no incident of imagination becomes a verb unless it has created the cause, so the criminal phenomenon caused by the cause is influential in its emergence. Accordingly, the criminologist is looking for such a cause to fight against it and find a way to fight the causes of the crime and with the axis of these causes and take the necessary measures to prevent the disability (crime).

The judge's duty and criminology are different because the judge always fights the disabled (the accused and the offender). In contrast, criminology seeks the cause of the crime to find the way to fight it and prevent this cause in society. Criminology believes

⁵ . Mohammad Ahrar, Ahrar, Cause, Motive and Cause of Crime, First Edition, Kabul: Sirat Publications, 2013, p. 16.

that due to cause, disability or crime is followed by accident, but along with the cause, the cause is also effective in causing the crime.⁶

1.1.2. The Concept of Factors

Factors are the sum of factor.⁷ the criminal factor is the most common term criminology, and in fact, the recognition of criminal factors is the basis of criminology knowledge.

The role of the criminal agent is the phenomenon caused by physical, mental, social, and the genesis or increase of crime is undeniable. But the factor is not the cause of the crime, but the breeder.⁸

Abu Ini's two brothers were influenced by a genetic factor, trained in one environment, but one was properly working, and the other was a misdemeanor.⁹

In other words, the factors causing crime, including physical, psychological, natural, social, Each person does not have the same role and, to any degree of intensity, does not always and lead the person towards the crime, but rather the society and the cooperation of several factors that produce a crime prepare the person for the crime; hence the mentioned factors are called primary factors, i.e., the factors that potentially prepare the person and prepare for the crime, and when these factors in certain circumstances are inconsistent with the situation. Another tangible such as intense excitement or material need and the combination of the causes the crime to be acted from the power and the delinquency occurs.¹⁰

The phenomenon is caused by physical, mental, social, environmental, or atmospheric conditions that play an essential role in causing crime. However, the agent alone does not cause crime but rather nurtures it or underlying it. The factor is effective in causing mass. However, it will do not create a crime. In other words, the factor is individual, social,

⁶ Ibid, p. 16.

⁷ Ali Akbar, Dehkhoda, Vol. 22, Tehran: Management and Planning Organization, 1962, p. 3074.

⁸ Abdorrahman, Esara, Houshang Shambiani, Actions Affected by the Environment and Strategies for Controlling Criminal Emergence, Iranian and International Comparative Legal Research Journal, Volume 6, No. 19, Summer 2013, p. 2014.

⁹ Ibid, p. 83.

¹⁰ Muhammad Ahrar, Ahrar, Op.cit, p. 17-18.

environmental, and natural specialties that play an influential role in the development and formation of crime, the underlying factor is a crime, but it does not have a decisive and decisive role in the will of the crime, it is not the cause generator, with the slightest contemplation, many examples of the cause of the crime can be presented.

The cause of rape may be straying, low education during childhood, psychological issues, but the factor is summer and naked clothes. The theft may be unemployment, lack of regular income, and homesickness. However, the factor is the coldness of winter and long nights. Also, the cause of the traffic accident may be carelessness against possible danger or carelessness and inattention, but the factor is ice in the road and dust. The agent usually has various origins and plays a significant role in increasing crimes in a society. For example, the darkness of the alley is effective in increasing theft. However, turning on the lights above the gate is a theft deterrent.

1.1.3. The Concept of Corruption

In this speech, corruption is first identified in terms of lexical and then in terms of idiom.

Lexical

In Dehkhoda's dictionary, corruption is stated as "corruption is from the root of corruption, which means destroying, oppressing someone's property, and preventing them from doing the right and healthy things."¹¹

In this sense, corruption means any phenomenon that prevents a set of its goals and functions. However, in the idiom, any illegal seizure of state property and misuse of position and illegal use of power and power in order to use financial resources, which includes embezzlement, bribery, extortion, and economic rents, illegal withdrawal and seizure of funds and property, use of financial privileges and exploitations, and various other forms.¹²

¹¹ . Ali Akbar, Dehkhoda, Dehkhoda Dictionary, Second edition of the new era, Vol. 11, Tehran, Tehran University Press, 1998, p. 17150.

¹² Hassan, Dadgar, Gholam Ali, Masouminia, Gholam Ali, Financial Corruption, First Edition, Tehran, Young Thought Center, 2004, p. 16.

The word corruption is derived from the French root (corruption), and the Latin root (Rumpere) means "to break" or "to violate." What is broken or violated can be a "moral or social practice or administrative regulation." In Persian, different meanings such as "corruption," "oppression," "taking someone's property," "harming," "oppression," "evil" are mentioned.¹³

Idiom

According to the definition stated in the culture, "corruption is an illegitimate reward paid for the entry of a state person (broker) to a violation of the duty."¹⁴

The simple definition of corruption is "the abuse of state power vested by political leaders for private and personal gain to increase power and wealth."¹⁵

In defining corruption, Huntington said, "Corruption refers to the conduct of those public servants who violate accepted standards for their private interests."¹⁶

What the general public considers corruption in any government is corruption," the general definition of corruption states.¹⁷

UNAMA (United Nations Assistance Mission in Afghanistan) defines corruption as:

“Corruption is the abuse of public trust for private gain, and as such, corruption cannot exist without institutions designed to serve the public or common interests.”¹⁸ Therefore, the structures and functioning of public institutions are of primary importance in the

¹³ Abdorrahman, Afzali, Corruption and its Impact on Development: Causes, Consequences and Solutions Out, International Legal Journal, Journal of The Center for International Legal Affairs of the Presidency, 2011, p. 135.

¹⁴ Ahmad, Sardari, Approach to Administrative Structures of Developing Countries, Proceedings of the Second Scientific and Research Conference on Supervision and Inspection in The Country, Faculty of Management Publications, University of Tehran, p. 134.

¹⁵ . Paul Heywood, Corruption, 1997 Akt. Translated by Mohammad Taheri, Tehran: Institute for Strategic Studies Publications, 2002, p. 24.

¹⁶ Samuel, Huntington, Political Organization in Transformative Societies, Translated: Mohsen Salasi, Tehran: Publication Essays, 1991, p. 90

¹⁷ Paul, Heywood, Corruption, Translated by Mohammad Taheri, Tehran: Institute for Strategic Studies Publications, 2002, p. 27.

¹⁸ UNAMA, Afghanistan's fight against corruption, groundwork for Peace and Prosperity, may 2019, p. 6.

emergence of corruption. Institutional transformation and bringing new regulations is necessary to struggle corruption.

Corruption in government agencies can be recognized by instances such as partisanship, injustice, blackmail, creating customer dissatisfaction, and even expediting it in all different forms of personal power and illegitimate use of positions, so when an administrative official is influenced by personal interests or family relations and social attachments in making administrative decisions, he has committed corruption. Therefore, corruption can be considered an act or an adverse action, including individual or group motives, originating from material or immaterial interests.¹⁹ The concept of private interest mentioned here; relates to the acquisition of money or valuable assets, but can also encompass increases in power and status.

Since at least 1931, corruption has often been used as an "abuse of public power for private gain".²⁰

Gunnar Mirdall believes that corruption is applicable to a variety of instances of deviation or exercise of personal power and illegitimate use of positions. "J. J. Kennedy S.S. Corruption is considered a behavior that, due to personal ambitions, represents the deviation from the usual way of doing the job and manifests itself as a violation of laws and regulations and acts such as military, partying, and embezzlement."²¹

McMullin believes that corruption occurs when a government official accepts cash or sexual bribes in exchange for doing what he is forbidden from. In Tanzi's view, corruption, based on the role of social and family affiliations in its employee's decision, means that an employee and public servant commits corruption in making administrative decisions influenced by personal interests or family and social interests.²²

¹⁹ Hossein, Mohammad Nabi, Corruption and Combating It from the Viewpoint of the United Nations, Tehran: Advocacy, February and March 2002, p. 32.

²⁰ Ahmad Reza, Sadeghi, Afghanistan's legislative criminal policy for corruption crimes, Kabul: Kaleme Publications, Autumn 2015, p. 5.

²¹ Abdorrahman, Afzali, Corruption and its Impact on Development: Causes, Consequences and Solutions Out, International Legal Journal of the Center for International Legal Affairs of the Presidency, 28, No. 45, 2011, p. 238.

²² Ibid, p. 238.

In general, corruption can be said to be such that two groups or two individual are involved in it together (such as army and extortion) or by a public official alone (such as embezzlement). From this definition, it should not be underserpreted that corruption is exclusive to the public sector and corruption in private sector activities. Therefore, the possibility of corruption in both the public and private sectors is conceivable.

1.1.4. The Concept of Corruption in Afghan Law

Legally, corruption is the behavior deviated from official standards and duties of a public role that occurs on private or ethnic and regional considerations and is usually used for matters such as corrupt and poor governments and acts that come from their active apparatuses.²³

Afghanistan's Anti-Corruption Law of 2004, in Article 3, defines corruption as an act against the law, which is committed by public servants and other public service officials for the purpose of achieving personal goals and interests (as specified in this law). In 2008, the Law on Overseeing the Adaptation of the Anti-Corruption Strategy was passed. In this law, corruption is not defined, but only its cases and instances are specified. In this law, more instances are known as acts of corruption. Furthermore, this law (Article 7) considers committing corrupt practices in private sectors with money transactions with the government, including corruption. Accordingly, it can be said that corruption is an act of law committed by public servants and other public service officials (as specified in this law) to achieve personal goals and interests.

1.1.5. The Concept of Administration

In this sense, the administration is the activities and services performed or provided by public organizations or under their supervision. In the practical concept of administration, goals, and objectives are considered. In administrative law, two main goals are considered

²³ Heywood, Paul, Corruption, Translated by Mohammad Taheri, Tehran: Institute for Strategic Studies Publications, 2002, p. 47.

for administration or administrative organization, maintaining order and perform public services.²⁴

The public administration to which administrative law relates is different from other types of administration, such as the administration of private organizations and the administration of international organizations. The concept of public administration is sometimes used in a formal and organizational sense and sometimes in a substantive and practical sense. Administration in the formal and organizational sense is the administrative

Apparatus of the government, regardless of the type of activity that these apparatuses perform. However, it is the services and activities performed by these devices in a substantive and practical sense.²⁵

1.1.6. The Concept of Administrative Violations

In laws, there is no explicit definition of administrative violations, but experts in word science and law have tried to provide a proper definition of it according to its nature and elements, for example, some of these definitions are mentioned. In the culture of 'Amid, under the word "violation", meanings of wrongdoing, contrary to the promise of acting, contrary to the saying or fulfillment of one's own vows are mentioned.²⁶

Administrative violations are that employees of an organization in different occupational and responsibility categories do not respect the rules and regulations, regulations, workflows, norms and rules of work and workshop in general or in part, intentionally or unintentionally, so that it is damaged in the provision of the organization's services and its social reputation. Administrative violations are in some ways different from corruption finance. Administrative-financial corruption is a state in the administrative system caused by repeated and continuous employee violations and prevents it from optimal efficiency and expected effectiveness.

²⁴ Abdul Basir, Nabizada, Afghanistan, Administrative Crimes and Violations, Amal and Solutions, Journal of Law Research, First Year, No. 15, Summer 2011, p. 78.

²⁵ . Sarwar, Danish, Administrative Law of Afghanistan, Kabul: Avicenna University Press, winter 2015, p. 40.

²⁶ Abdul Basir, Nabizadeh, Former, p. 83.

Administrative violations underlie corruption- financial corruption. Of course, not every violation causes financial corruption but should have specific characteristics, the most important of which are frequentness, continuity, institutionalization, and relatively high impact at different organizational levels.²⁷

Some lawyers define administrative violations as “administrative or law enforcement errors are any act or leave of action that is contrary to the duties and duties of the employee's job and organization, such as inconsistent occupational behavior or repeated absences or disobeying superior legal orders or leaving impartiality in performing duties.”²⁸

Therefore, in a general summation with a bit of negligence, two concepts can be considered for administrative violations, in the strict sense: administrative violation of those acts and behaviors (whether verb or leave of verb) is against the dignity of the job and administrative obligations which,

According to the law, disciplinary penalties, such as verbal and written reprimands, deduction of rights and benefits, dismissal, etc. So for it, it has been predicted. In the broad sense, administrative violations are that employees of an organization in different occupational and liability categories do not comply with laws and regulations, regulations, workflows, norms, and rules of employment in whole or in part, intentionally or unintentionally, so that the process of producing goods or providing the services of the organization as well as its social reputation and reputation is damaged.²⁹

Therefore, employees' violations as deviation from organizational and work standards is a matter that severely affects organizational productivity.

²⁷ Seyed Ali, Morad Hosseini Pak, Arithmetic in Corruption String, Quarterly Journal of Social Sciences Studies, Volume 2, Summer 2016, p. 29.

²⁸ Abdul Basir, Nabizadeh, Op.cit, p. 83.

²⁹ Ibid, p. 83.

1.1.7. The Difference between Corruption and Violations

Another point to keep in mind is that there is a distinction between corruption and infringement. Because the reasons and motives of each one are very different from the other. Thus, there is a general and unique relationship between these two concepts, meaning that every corruption is a violation, and there is no doubt. However, not every violation is corruption because many violations are cross-sectional and minor, which is not called corruption.

For example, violations may occur suddenly or by administrative rules and regulations. However, what are the criteria for separating the scope of these two concepts? Some have tried to set standards and criteria that can be distinguished between corruption and violation: the first element that separates corruption from a common violation is that a corrupt practice is acceptable outside of softness. That is, a government agent when he breaks acceptable administrative norms and exceeds his or her qualifications. The second criterion of corruption is mental and spiritual standards, which means that when a state can determine which action is following the law and which is not, but at the same time violates the norms and regulations because his mind and soul have not been so law-free and regulatory. The third element and criterion for corrupt action is the "repetition" of the action. Therefore, an offending act, however insignificant, can be considered as corruption when it becomes a habit. The fourth criterion for corrupt practice is that the action is carried out in a network, organization, and group. Of course, it should be noted that these criteria are each sufficient on their own to be considered a corrupting act.³⁰

1.2. Generalities

In this topic, we first discuss the history of anti-corruption, and the following is to investigate the division of corruption in terms of administrative and political and various types of corruption:

³⁰ . Mohammad, Hedayat, Political Roots of Corruption in Afghanistan, Journal of Social Sciences, No. 4, winter 2008, p. 160.

1.2.1. History of Anti-Corruption Efforts

The issue of corruption has been plagued by governments and the intellectual concerns of many political scientists and thinkers throughout the world. However, Vito Tanzi believes that corruption is not a new phenomenon. Two thousand years ago, The Prime Minister of a Hindu king, Kautilya, addressed corruption in his book.³¹

Political and administrative corruption has existed in many forms and forms for a long time. A review of the penal code of ancient civilizations clearly shows that bribery was considered a severe issue among Jews, Chinese, Japanese, Greeks, and Romans. In the written history of corruption in a document 2,300 years ago, the Prime Minister of one of India's regions, Chana Roar Gotia, warns of a different method of embezzlement and misuse of government resources.³²

In fact, corruption was formed when one felt that in one set, he had the power and authority that others needed to refer to him in order to resolve his affairs, and that he could score points against the exercise of his power, which is in fact his duty to do his duty. Corruption also arose when one assumed that the power and power they lacked and backed by a large and powerful complex such as the state was a way to gain profit and wealth to oneself or another. The first and most obvious example of corruption since the beginning of history has been bribery, but the definition of corruption has not always been easy and accepted. Although everyone understood corruption, when it came time to define it, disagreements began. After World War II, factors such as advances in education, declining political support, and growing public welfare reduced the deprivations that fueled corruption. Today, corruption cases are constantly being detected and reported in most countries of the world, including Afghanistan.³³

During Ahmad Shah Baba's period, verses of the Holy Quran were written among the circle of the seals of judges and members of the Courts of Shari'ah Islamiyah of

³¹ N. sivakumar, conceptualizing corrupting: A sri Lankan perspective, international jurnal of education and research, Vol, 2 NO. 4 Ppril 2014, p 391.

³² Neda, Nejati, Corruption and the Role of Relationships in Reducing It, Journal of Management Culture, 2005, p. 24.

³³ Sura al-S. 26: "So judge the right among the people, and do not follow the breath's will to mislead you through God."

Afghanistan, in a part of the seals of the Verse of Mubarakah. (فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ وَلَا تَتَّبِعِ الْهَوَىٰ (وَ إِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ), It was

Engraved. That is why the judges should not go to the air of corruption and bribery and should fear God.³⁴

Mir Ghulam Mohammad Ghobari writes: "Sardar Mohammad Sarwar Khan, the son of General Sultan Muhammad Khan, governor of Maimana, was so old that two people held his hands and showed him in the administration of the government when he was asked to do so because of the destruction of the affairs and to Kabul, he had accumulated so many assets from the corruption that Amir Abdul Rahman Khan commanded that 285 horses and camels, a herd of cattle. Moreover, 38 camels confiscate and sell his belongings in Mazar city." He also wrote about the administration of His Majesty Amanullah Khan Ghazi: "This disturbance, which should have been a mistake on the side of the government, corrected the corruption of the administration and promised a severe adjustment to the government for the future, did not work in the way Afghanistan was governed. It also says that the jirga ratified the constitution and obliged the government to make the right choices and have the authority to make the right choices and to have the authorities' dignity. On the latest page, the author added: "... And resentment in the army became a natural thing, so in a country where the feudal class, the nobility, and the cleric opposed the government, and the government officials were ruthlessly offending the masses."³⁵

Mir Mohammad Sediq Farhang wrote: "Amir Habibullah Khan withdrew from curiosity in people's personal affairs and ended up with agents of measures who earned money by force and torture, from every middle class of people, including officials and businessmen, and put part of it into the government's coffers and poured it into their bags." In this way, it can be seen that corruption existed in previous regimes of the country, which has

³⁴ Sura al-Nasa, Verse 58: "When you judge among the people, judge justice."

³⁵ Mohammad, Ahrar, Corruption and How to Fight Against It, Kabul, Mastaqeq Publications, 2008, pp. 31-35.

sometimes taken measures to prevent the existence of the administration, and sometimes corruption itself has become one of the causes of the overthrow of the government.

1.2.2. Division of Corruption Administratively and Politically

Regardless of the various forms of corruption that vary in different societies and the amount of sensitivity and hatred of society compared to each of them, corruption has many types based on the focal point in which it is formed, in a division of corruption is classified into two types of administrative and political: Political corruption is created at the highest level of the political system. This type of corruption means dealing with essential individuals who use their positions to obtain extensive methods from national and

International companies or volunteers for projects and contracts or embezzle large sums of public funds for their benefit and deposit them into their bank accounts. This type of corruption is usually perspeased by policymakers, and they are a group of limited individuals who hold political power in a country and make important national decisions. However, corruption, also known as low-level or street-level financial corruption, is the same as dealing with general managers every day in sectors such as Attorney general Office, The Mayor, Police, Customs, Experience it.³⁶

Corruption, of course, may occur at the end of the executive spectrum of public administration, without necessarily being part of the political system or facing political consequences.

This type of corruption, which involves material abuse and will harm the public interest, is mainly in the form of rent-seeking and rent-seeking. It is formed formally or contractually employed by government agencies, institutions, institutions, and companies. The result of corruption is revealed by natural or legal persons working in the governmental organizations due to the nature and duties of organizations related to the two areas of public order (security, tranquility, and health) and general necessities

³⁶ . Rahmatollah, Gholipour, Analysis of the Relationship between Good Governance And Corruption Model, Journal of Management Culture, 3rd Year, No. 10, Autumn 2005, p. 109.

(distribution of water and electricity, provision of communications and prevention of diseases).³⁷

Corruption is categorized in two general formats: corruption within the government and corruption in government-citizens relations. Corruption or bureaucratic corruption appears in various forms within the state and government relations with citizens. This type of corruption should be considered a complication of the fundamental weakness of the state, not the underlying factor or the only determinant of society's diseases.

Therefore, in examining the roots of bureaucratic corruption, the foundations of the state and the conditions governing it should be considered. The administrative problem or problem will not be solved, and administrative health will not be achieved unless the structure and foundations of the state and the conditions governing it are amended.

In a case conducted by one of the researchers in Iran, revolutionary and war conditions, conditions of reconstruction, the inefficiency of regulatory apparatus, lack of proper role of civil institutions in monitoring the performance of the administrative system, lack of performance evaluation system, lack of management control system, incomplete managerial procedures and procedures, oldness of them, vagueness of laws and regulations, the inefficiency of organizational structures,

Excessive interference of government in the administration of economic affairs and governmental monopolies. The weakness of the measures has prepared the grounds for the use of extraordinary rents for a small group of citizens and has provided them with great wealth and the spread of corruption.³⁸

1.2.3. Types of Corruption

It is difficult to divide all kinds of corruption, because regardless of the disagreements that distinguish any society from another because of differences in cultural and moral values, there is also disagreement among elites and the masses because of the diversity of public views in terms of corruption. Also within a society, moral values change over time.

³⁷ Ibid, p. 109.

³⁸ Ibid, p. 110.

Some researchers believe corruption should be defined according to the public's views. Therefore, an action within the framework of governmental administrative activities finds the instance of corruption that is immoral and harmful to the people of the society. However, a political scientist named Heiden Heimer divides corruption into three species: black, gray and white.³⁹

Black Corruption

A work that is unpopular with the masses and political elites and whose cause must be punished. For example, bribery can be used to ignore safety criteria in the construction of a building.

Gray Corruption

A work that is unpopular with the elites, but which the masses disregard, for example, the shortage of employees in enforcing laws that are unpopular with the people and which no one other than the political elite believes in their usefulness.

White Corruption

What appears to be against the laws, but most members of the political elite community and most ordinary people do not see it as so harmful and important to demand punishment for its perpetrator, such as ignoring violations of regulations that have lost their necessity due to social and cultural changes.

Some other writers categorize the various definitions of corruption in three categories: administrative- governmental, market-oriented and based on good governance." These three groups of reports of corruption, which have been repeatedly cited in corruption-related texts, have been used as the starting point for the analysis of political corruption

³⁹ Abdorrahman, Afzali, Corruption and its Impact on Development: Causes, Consequences and Solutions Out, International Legal Criteria, Journal of the Center for International Legal Affairs of the Presidency, 28, No. 45, 2012, p. 240.

in the Heiden Heimer inquiry, "Political Corruption" in 1970, and a prosperous 1989 edition by Heiden Heimer and Jaston Volvoin.⁴⁰

However, the administrative-governmental definition of corruption, which has been proposed by the shadow for corruption and is related to our discussion, is as follows: "Deviations that arise due to personal points of view and interests (family and gang play very privately, material or situational gains, or violations of rules to a particular type of the personal influence." Bribery (the use of a reward to influence the judgment of a trusted person, party play (support or forgiveness arising from personal relationships rather than moral competence), and financial abuse (illegal exploitation of government resources for personal gain).⁴¹

In another view, the corruption of the political and financial sectors of the public sector can be classified into two levels of "political and administrative," "political corruption" can be independent or dependent on "corruption," and its control requires transparency in electoral laws and conflict-of-interest laws of MPs. Accordingly, corruption focuses on the public sector and the distinction between private and official activities. Paul Heboud defines political corruption as "the deviant behavior of public officials from their official standards and duties due to personal, party, ethnic or regional considerations." Farz-Egerman believes that "corrupting behavior with corrupt activities that take place during the budget preparation phase (i.e., at the stage where political decisions prevail) is called political corruption." Political corruption, he believes, occurs when political decision-makers, independently or through collaboration with corrupt officials, change the course of government resources (public) in a way that diminishes the well-being of society.⁴²

Although corruption is pervasive and profound in many developing countries, this is due to these countries' lax and vulnerable structures. Systematic and standardized corruption seriously threatens the political and economic reforms imposed in these countries. Thus, we find that corruption is a problem of all government systems with any

⁴⁰ Hassan, Abedi, Anti-Corruption: Role of NGO, Proceedings of the Conference on Administrative Health Promotion, New Time Publications, Autumn 2010, p. 227.

⁴¹ Abdul Rahman, Afzali, Op.cit, p. 241

⁴² Ibid, p. 241.

economic approach, but its severity, weakness, scope, and depth are different in different societies and cultures.



CHAPTER TWO

Social and Cultural Factors of Corruption in Afghanistan

Corruption is one of the manifestations of antisocial behavior that gives its perpetrators benefits outside the norms and contrary to ethical and legal standards. In contrast, it undermines the power to improve the living conditions of others. To earn money from corruption, employees, as one of the functions of their exclusive position, for a service or practice, can decide who should take how much and how much a job can sustain their own individual interests. Undoubtedly, social and cultural factors play an essential role in the incidence of corruption. Many employees and officials are influenced by personal interests or family ties and social attachments in making administrative decisions and commit corruption. In this chapter, social and cultural factors of corruption are evaluated:

2.1. Priority of Kinship over Law in Afghanistan

Kinship is one of the causes of corruption. In societies like Afghanistan, if a person is placed in an administrative position, relatives expect him/her to prefer kinship to existing managerial decisions. If a person acts against this, society will not evaluate him/her positively.⁴³

In such cases, public sector employees cannot be expected to behave efficiently according to the criteria. In a country like Afghanistan, family relations, ethnic and racial descent have led to the weakness of social capital, and we are facing a lack of social capital.

The concepts of "social capital" by Coleman (1990) and "political capital" by Louis (1996) illustrate the role of kinship in corruption. Social capital is a type of asset that consists of a set of debts that individuals owe to each other. This asset makes it possible to obtain results that would be impossible in the absence of such capital. Political capital also refers to the debt collection that individuals in a political communication network owe to each other. Part of the above dual assets is rooted in the family context of individuals, and the owners of these assets inherit it from the family. Part of it is due to the social and political transactions of individuals. In individualistic societies, people think about themselves and their interests and consider themselves independent and

⁴³ Mohammad Hossein, Adib, *Sociology of Iran*, Hasht Behesht Publications, 1995, p. 34.

needless of the group. Personal interests are the most important and strongest motivation. In sectarian societies, each person's identity is determined by their relationship to the other, their membership in a group, and their efforts to socialize and collaborate with others.

In societies where family interests and solidarity are extreme (group-oriented societies), People's dependence on eliminating the need for relatives is also greater. In this oven, individuals have more credibility for ethnic groups. They will have different treatment of relatives, especially in the state system, which makes it difficult (due to limitations in resources, time) to serve others—strong family, ethnic and tribal affiliations, religious, etc. Because of resource constraints, a person behaves differently from different people, which is a precursor to discrimination and corruption. In contrast, the needlessness and lack of dependence of a particular group or group reduce the likelihood of multiple encounters and corruption.⁴⁴

In modern governments, the national spirit sits in place of ethnic fervor. In Afghanistan, nation-building has not been accomplished, and the culture of political descent has brought national identity to the fore. Ethnic nationalism has left no room for nationalism and poses a significant challenge to modern state-building and, consequently, strengthening democracy and healthy governance in Afghanistan. Tribal ethnic identity is now much more manifest and objective than national identity. McCauley argues that if the United States wants to eliminate the breeding ground for radicalism and political violence, there is no alternative other than nation-building. Nation-building, in his opinion, requires a combination of policies to support development, strengthen education and health systems, and, above all, decent governance.

One of Afghanistan's most critical social problems is the decline of social capital and the weakening of ethical norms in social relations. The spread of lies in personal and social

⁴⁴ Ali, Taghavi, Impact of Organizational Culture on Corruption, Tadbir Magazine, No. 181, June 2007, p. 30.

relations, the increase and spread of swearing-in dialogues, suspicion, pretense and hypocrisy, intermediary or relationality, law-abiding, demagoguery and demagoguery, discrimination, inequality, aggression, violence, flattery, and exaggeration are signs of the loss of social capital and the lack of moral norms and trust in society. The diversity and instability of political fronts, the fluidity of coalitions, and the double political differentiation and behaviors in the last three decades of Afghanistan's history also reflect the realities that, more than ever and in place, have significantly reduced the level of social and political trust as a fundamental element of identity and cohesion in society. Afghan society has been plagued by the collapse of social solidarity and the weakening of social norms and norms in the last few decades due to unpleasant events, and this situation has led to a normative vacuum. These conditions have created a platform for the growth of corruption.

For example, we will report from the 8 a.m. newspaper published in 2018: The report said: "For many years, The State Department's positions have become a rewarding institution for allies and political intermediaries of the government because of their high salaries and missions abroad.

For this reason, for many years now, some of the State Department employees have been "grandchildren of political and jihadi leaders." Those who have been appointed to important positions and have found a good place in this ministry due to their affiliation with political and ethnic currents. What is documented in this report shows that at the time of Mr. Rabbani's tenure at the Ministry of Interior, most of those who entered the country's diplomatic apparatus were from the Jamiat Party, and especially from Badakhshan province, Mr. Rabbani's hometown. Until a few years ago, Badakhshan was one of the provinces with the fewest people in the Ministry of Foreign Affairs, but now it is one of the five provinces with the highest number of Foreign Ministry staff and diplomats.⁴⁵

According to documents and reliable sources at the Ministry of Foreign Affairs, some of the Ministry's internal and external employees who work in critical positions have been

⁴⁵ Ali, Arsh, Monopoly on diplomacy posts by representatives of political parties, 8 a.m. newspaper, Saturday, December 31, 2018.

employed, even without a university education and without passing through the entrance exam of the Ministry and considering the principle of meritocracy in the Ministry.

(Part of the table provided by the 8 a.m. newspaper on the hiring of employees based on ethnic and political relations at the Foreign Office)

NO	Name & Surname	Dependence	Current Duty
1	Khairullah Azaz	Salahudin Rabani Relative	Afghanistan Embassy
2	Zelgai Sajad	Salahudin Rabani Relative	Secretary of Interior affairs
3	Sebghatullah Ahmadi	Son of Qari Rahmatullah	Deputy Chief of Intelligence
4	Musadiq Faqiri	Son of Nasim Faqiri	Deputy Head of Ceremonies
5	Jahed	Salahudin Rabani Cousin	Office Spokesperson
6	Zainab Hakimi	Daughter of Waqif Hakimi	Regional Cooperation Officer
7	Nadia Shahim	Daughter of Qadam Shah	Human Rights Department
8	Mohammadi	Son of Besmlah Mohammad	Cultural Relations Department
9	Mohammad Uoresh	Son of Zahir Aghbar	Economic Affairs Department
10	Zabih Sadeqi	Salahudin Rabani Relative	Afghanistan Consulate USA
11	Amena Massoud	Daughter of Zia Massoud	Afghanistan Consulate Paris
12	Mohammad Habibi	Iqbal Brothers	Economic Affairs Employee
13	Sayed Dawood Amin	Salahudin Rabani Relative	Afghanistan Consulate N.Y
14	Khaled Arman	General Dostom Relatives	Interior Affairs Employee
15	Helel Rahim	Salahudin Rabani Relative	Afghanistan Consulate USA
16	Edris Daqiq	Son of Mahmood Daqiq	Deputy Director of Consular
17	Rahimullah Pirzada	Ata Mo noor Relatives	Deputy Director of Cultural Af
18	Ahmad Zai	Brother of Nazir AhmadZai	Afghanistan Consulate Pakistan
19	Sayed Hamed Nomani	Salahudin Rabani Relative	Department of Human resources
20	Sayed Abdul Hadi	Salahudin Rabani Relative	Afghanistan Advisor in Dubai
21	Shabana Ahmadi	Daughter of Ahmadi	Afghanistan Embassy Canada
22	Abir Atebar	Son of Yousuf Atebar	Interior Affairs Employee
23	Sabir Atebar	Son of Yousuf Atebar	Interior Affairs Employee
24	Amin Mohammad	Salahudin Rabani Relative	Regional Cooperation Head
25	Framarz Hosaini	Salahudin Rabani Relative	Department of Ceremonies
26	Zabih Mahdyar	Salahudin Rabani Relative	Deputy Head of Office
27	Aminullah Azadani	Ismail Khan Relatives	Interior Affairs Employee
28	Yaser Sadiq	Son of Ismail Khan	Interior Affairs Employee

Relying on reliable sources at the Ministry of Foreign Affairs, the 8 am newspaper has documented about 120 employees of the ministry who have been nominated by parties, representatives of the National Assembly, and influential figures. However, these statistics do not indicate all the irregularities in the ministry, and according to sources, the number of people who have made their way to the Foreign Ministry from high-level addresses is much higher.

One of the innovations noted in the Afghan Penal Code is discrimination in the offices referred to in Article 409: "(1) Whenever the duty of public services or the duty of the foreign government or the international or international organization or non-governmental institution based on personal, ethnic, regional, linguistic, religious, gender, political, ideological or supporting a particular group or sect, in the execution of duties or provision of services or other cases of discrimination "He will be sentenced to imprisonment or a fine of 30,000 to 60,000 Afs."

The second paragraph of this article criminalizes it: "(2) whenever the action contained in this article is committed by high-ranking government officials or high-ranking officials of other authorities, the perpetrator shall be sentenced to a maximum average imprisonment or a fine of 300,000 Afs." However, as we stated, in Afghanistan's offices, the recruitment of employees is based on ethnic and political considerations. Given that this issue has been criminalized in the Afghan Penal Code, it is not implemented in practice.

2.2. The Effect of Social Awareness Weakness

In criminology, different variables are considered as causes and factors of criminal behavior. The relationship between literacy and Delinquency is one of the most critical and new criminology and criminal sociology issues. Literacy, or the ability to read and write, is one of the essentials of today's life. At the same time, literacy and knowledge can lead to the human tendency to Delinquency. As one of the most basic forms of deviants and norm-breaking, Delinquency is influenced by various causes and factors in society. Different opinions have been expressed by late criminologists about the effectiveness of literacy in Delinquency. From the criminologists' point of view, the first literacy is considered a means for social human beings. Under its protection, human

beings can immunize themselves against social harms and move less towards committing crimes. Although there is no comprehensive view among this group of criminologists about the role of literacy in Delinquency, it is generally the overall approach that literacy is a deterrent to Delinquency.⁴⁶

Modern criminology has a two-way view of literacy. On the one hand, literacy is effective in the occurrence of crimes. On the other hand, it also emphasizes the issue of illiteracy. After reviewing criminology theories, it is found that with the development of technology and knowledge and proper use, improper use of literacy, knowledge, and technology has become common among the people of the society. The study of delinquent behaviors in recent years shows that the use of literacy and knowledge to use advanced methods in delinquency is common. In general, illiteracy is one of the most important causes of deviation. Weakness of social awareness, low level of knowledge, and culture of individuals are social factors that provide a suitable platform for committing administrative corruption. For example, in traditional Afghan society, where people's relationships are based on ethnic, group, religious, tribal, and local issues, a suitable environment for committing administrative corruption is possible. By becoming a mediator in Afghan society, it has become a well-liked and public culture.

In Islamic law, intercession and mediation are licensed and encouraged if they are good and in the way of good and favor of religious rulings. However, in Afghan society, the weakness of religious and cultural awareness of individuals, intercession, and mediation is perfect and inclusive. Anyone who commits a crime, society rushes to intercession, does not think about the consequences of this intercession and mediation; the result of this social culture is that it dares to commit corruption and encourages those infected with corruption.

2.3. Consumerism and Luxuriousness

Criminals are divided into two general categories in terms of acquiring property and committed a crime: white-collar and blue-collar criminals. The first category: the

⁴⁶ Lemiya, Rostami Tabrizi, Relationship between Literacy and Delinquency from the Criminology Perspective, Islamic Azad University, Central Tehran, 2011, quoted by Iran Doc website.

white-collar criminals are those who do not have a basic need and are more likely to seek indulgence and usually have a prosperous life, but blue collars are criminals who are more likely to commit crimes because of financial need. White-collar criminals have been intelligent people, but they have put their intelligence on the wrong track. These people are money-worshippers and commit crimes out of indulgence and luxuriousness. The impulse to acquire property and luxury in white-collar criminals leads to new crimes.⁴⁷

If we take money from some crimes, the crime does not occur. The money itself is the goal, so that is why if we want to get in from the perspective of prevention or confrontation, we have to make it hard for these people to spend money and not be able to launder money, then their motivation will be lost. In addition, those who earn money due to eye and eye and commit a crime should be punished with these funds and sentenced to two or three times in cash penalties. This punishment should be considered in addition to the punishment of imprisonment.⁴⁸

Luxuriousness certainly increases the grounds for crime to earn more income and money, so one way to prevent this disease of the century is to reform people's culture and their view of nosy wealth. If people's culture is reformed and they do not want luxuries, they certainly will not do the wrong thing to make money. For example, if someone has a great home and a high-rise model car is boarded, we do not welcome having these luxury devices very much and not sow the culture of luxuriousness and consumerism; of course, this does not mean fighting against having a lot of money and wealth, but it means fighting against luxuriousness.

Sometimes it can be seen that some people, although they do not have much money or wealth, do things to show others that they are rich. Such people take the phones of the top model and usually show up at parties by renting Luxury cars, even a bunch of these luxurious people sell their house so that they can rent a house in the highest part of the city and boast and show off their so-called self: mental and psychological deficiencies and luxury plague such people to compensate for this problem. Also, In the Holy Qur'an, God refers to luxury and extravagance and says: God does not love extravagant and considers them as the brother of the devil.

⁴⁷ Fariba Khan, Ahmadi, Crimes in the World of Luxury, Magyran website, 2013/07/21.

⁴⁸ Ibid.

Ibn Khaldun's view in analyzing the social factors of crime is closer to mixed and combined theories. However, he considers luxuriousness and conflict among urbanites as the basis for many crimes and, among all social factors of crime, pay special attention to the government and its political and economic corruptions.⁴⁹

Therefore, the tendency of prosperity and tranquility brings people into harmony with others and helps to protect them. These stretches reach their peak when the feet of the family and those close to man are in between. On the contrary, the abandonment of assistance and desire to preside after the formation of human assemblies appears in the relationships between them, thus providing the ground for satisfying other human luxuries and lusts.

With the rise of luxuriousness, consumerism, and wealth, values are gradually transformed and raised as values. The promotion of luxury and ceremonial goods and the gate's opening for their arrival comes from appearance and wealth and may have made those who are luxurious, wealthy, and consumerist.⁵⁰

On the other hand, some environmental and economic trends such as job creation and ways of income have not been consistent with this change of values. Therefore there are no legitimate and legitimate ways to achieve these values for all. This disharmony can plunge some people into the abyss of criminal tendency, including employees of the apparatus, into administrative corruption. In underdeveloped countries where the country is weeping with inflation, the purchasing power of the people decreases. However, the need for consumer goods in the shadow of advertising and other factors intensify, and this kind of declines politically, socially, and culturally. In the situation of consumerism that everyone is caught in, people are looking for services and goods that have become valuable. In this way, they compare themselves with the rulers and the affluent class, and if they have less of them, they feel deprived and unfair, and the grounds for deviations are provided.⁵¹

⁴⁹ Ali, Kheiry, Social Factors Affecting the Emergence of Crookedness and Crime from Ibn Khaldun's Point of View, Journal of Social Cultural Knowledge, 3rd Year, No. 4, Autumn 131, p. 87.

⁵⁰ Mohammad, Farahani, Sociology of Corruption and Security, Tehran: 1, Perseman, 2005, p. 2009.

⁵¹ Faramarz, Rafipour, Social Cancer of Corruption, Tehran: Publishing Joint Stock Company, 2007, p. 2012.

It should be noted that Islamic scholars have also considered luxury and extravagance as undesirable and have noted its relationship with corruption and corruption: Abu l-'Ala Maududi said: "Islam has closed all how man may spend his wealth in the preparation of luxurious life and throughout extravagance, and the costs that Islam has made legitimate and pious are: the costs and expenses that man spends in providing a normal and conventional life. Suppose his income was added from the provision of these conventional and ordinary needs. In that case, he should consume it according to the advice of Islam in order to provide the benefits of society and to help those who cannot meet the needs of life at a moderate level, which is closer to piety."⁵²

With the emergence of the capitalist system in the West, there was a change in consumption that gradually led to a new form of consumption in the name of modern consumerism. Along with the expansion and inclusiveness of capitalist thinking, consumerism as an inseparable element of that broad level has been learned from countries, including Afghanistan. In this process, consumption advertising, independent income, foreign goods entry, urbanization and migration to cities, international institutions (NGOs), extraterritorial migration, international assistance To Afghanistan, some cultural categories, and the lack of attention to The Culture of Islam along with the developments related to modernism and the process of women's freedom are among the most important reasons for the entry and expansion of consumerism in Afghan society.

Also, the increase of expectations and expectations in life, people's ignorance of their rights and citizenship rights, the materialism of managers and public employees, the spread of laziness and consumerism in society are the most critical and influential socio-cultural factors shaping corruption in government organizations and offices.⁵³

2.4. Inequality and Dissatisfaction

In a general definition, it means social inequality, unequal access of population members (both individual and collective) to valuable resources of the four, namely financial industries (e.g., wealth and income), political resources (e.g., organized

⁵² Ali Reza, Rastegaran, *Luxury from the Perspective of Islam*, IRIB Islamic Research Center, 2003, p. 2013.

⁵³ Saeed, Khani, A passage on what corruption is a case study of government agencies in Kurdistan Province, Inspector General's Organization, 10th year, No. 102, Ajan 2017, p. 82.

authority and power), social resources (e.g., honor, dignity, social dignity, and epistemological resources (including a variety of skills)).⁵⁴

Moreover, from the economists' point of view, income equality, the path of economic development today, contrary to classical economic criminology theories, is believed that income inequality is more effective on delinquency than poverty affects crime. In Central America, for example, despite countries in this region not being wealthy, crime studies show that the distribution of wealth in a society is more important than natural poverty in predicting the rate of violence. It has been argued that absolute income inequality raises delinquents who, seeing these inequalities, seek justification for "theft for wealth" and the spread of meaningful violence for their actions. Also, according to the findings of Fagen Zubair Al, income inequality (not per capita income level) in Latin and Central America is one of the main drivers of violent crime. It is more associated with the rate of intentional homicide and robbery. Changes in the way income are distributed rather than absolute poverty levels are associated with violent crimes.

Emotional injustice or unfair treatment is often cited as the perpetrator of an employee's perversion; sometimes, creating a sense of injustice in the employees of an office leads to a kind of deviant behavior such as theft and destruction. People react differently to feeling unfair; part of these reactions are harmful to the administration and lead to negative consequences.⁵⁵

In 1968, Gary Becker addressed crime in his essay "The Economics of Crime and the Punishment of an Economic Approach." People like Stigler and Ehrlich made similar efforts to finally enter economics in the 1970s to analyze criminal activity from an economic aspect. The Economic of Crime model is based on the assumption that if a person's expected desirability (Expected Utility) is greater than the desirability he can achieve using his resources in other activities, then he or she will most likely commit a crime. For example, imagine a curved graph of the possibilities of producing an individual

⁵⁴ Masoud, Chalabi, Theoretical Analysis of the Origin and Relationship between Social Norms and Inequalities, Tehran: Social Analysis of Order and Inequality, 2010, p. 9.

⁵⁵ Gholamreza, Salimi, Ali Asghar, PourEzzat, Investigating the effect of the relationship between perception of injustice in the organization on spreading the desire for administrative corruption, strategic management thought, fourth year, issue 1- spring and summer 2010, p. 140.

or a group against the desirability of their consumption, now, for a variety of reasons such as unemployment, inflation, income poverty, and the like, access to higher indifferent curves for the individual or group should gradually decrease.

This individual or group cannot meet their needs by being on the curve of lower facilities, so the individual or group is more likely to commit criminal activities to access the curve of higher facilities to meet the needs. Put, if an Afghan government officer's monthly salary does not cover his expenses, the possibility of taking bribes is not beyond imagination, or government extortion is a striking example of crime or the blackening of the economy. The theory of crime economics assumes that individuals engage in criminal activity when the cost of entry is lower than the gained benefits.

Poverty is one of the most important economic factors in determining crime. There is a significant and direct relationship between poverty and crime, which increases the chances of entering crime as poverty increases.⁵⁶ Justice can make sense for individuals in different dimensions. When people are tasked in an organization and organization, they often expect justice from their relevant organization. These expectations can be summarized in the following dimensions:

- A government official expects his department to serve everyone fairly with the resources and facilities that are in administration. It is referred to as distributive justice.

In this sense, individuals expect justice to be observed in the distribution and allocation of resources in the administration, all without discrimination, to have an equal right to use these resources. It should not be that in one office, some people enjoy good facilities for no reason and others are deprived of these facilities.

- When people work in an agency and a fair distribution of resources by the department, they expect them to be treated according to fair procedures. That is, the administration's resources are distributed on a fair and reasonable basis, in a way that provides the contentment of those who are deprived of them, and they consider the justification for this distribution to be reasonable and wise. Any action that affects even their rights and privileges must be based on fair procedures. For example, any material

⁵⁶ Hamidullah, Formula, Economic Signs of Crime in Afghanistan, 8 a.m. newspaper, Saturday, May 16, 2014.

and spiritual privileges to be distributed to individuals of an administration and organization must first be based on predetermined and legal criteria. In the second step, these predetermined and legal criteria must be based on logic and practice, away from discrimination, mediation, kinship, party, or group.⁵⁷

- Employees of an organ, in addition to distributing and fairly allocating resources based on fair procedures in an organization, expect them to be treated fairly and humanely, such as politeness, honesty, respect, so that when an officer in an office feels that he or she is facing some kind of injustice, resources are not allocated according to the principle of fairness, with people with different procedures and based on party, group relations, Political, ideological, gender, kinship, and mediation should be treated differently based on the factors mentioned above, their status will not be respected, they will be angered in such circumstances and seek revenge.⁵⁸

The most tangible result of this vengeance will appear in the lack of adherence to duty, dishonesty at work, lack of vitality and creativity, harsh treatment of clients, and ultimately corruption and even destruction of the office's property. In short, creating a sense of injustice in employees is a psychological and individual factor that causes administrative corruption. When employees face injustice in their organization and organization, they are willing to commit administrative corruption to remedy the injustice they know in their own right.

2.5. Weakness of the Middle Class

Robert Agnew is one of the criminologists who has raised the pressures of failure on criminal behavior. Although his initial views in the theory of failure emphasize criminal behavior in the lower class, Agnew also emphasizes these types of acts between the medium and the upper class. In his theory and his position in social stratification, he also pays attention to his expectations of the future and his relationship with criminals. Agnew's theory is based on the general idea that when people are in a bad situation, they may break down and turn to criminal activity.

⁵⁷ Abdul Basir, Sheikh Ahmadi, Islam and the Fight against Corruption, Kabul: Tavaana's Office, 2014, p. 92.

⁵⁸ Gholamreza, Salimi, Op.cit, 134-138.

In his view, the middle and upper classes have experienced or observed positive value stimuli in the past, forming goals, and deprivation leads to resentment, hatred, dissatisfaction and frustration, and loss of happiness, all of which are related to the phenomenon of pressure in criminology.⁵⁹

Also, middle- and upper-middle-class youth easily have access to more money and parental supervision. A young person from a low-income family may have the lowest parental supervision, as his single parent is usually working. Such a young person cannot possibly have enough money to participate in school sports or social activities. In this way, he or she may be expelled from school or dropping out of school more than anyone. On the other hand, low-income families experience more significant problems with their children, so that their low income usually deprives their children of many of the opportunities and necessities that are the basis for their upbringing.⁶⁰

Unemployment is the most critical economic variable affecting the legal income of people in society. It is one of the main factors affecting crimes. Unemployment reduces the opportunity cost of doing illegal acts. Therefore it is expected that increasing employment (reducing unemployment) by reducing the gap between obtainable legal income and available illegal income will lead to a decrease in the desire to commit crimes in society. In addition, a significant linear relationship can be drawn from the absence of an effective employment policy between security and stability in Afghanistan, which means that many individuals affiliated with terrorist and criminal groups have joined their ranks due to the lack of a decent livelihood income.

Over the past 13 years, due to the lack of a clear economic vision of the government, not only was global aid not used effectively, but it created inequality in income distribution in a clear and de facto manner. Inequality in income distribution from the perspective of desirability affects crimes. According to sociologist Robert Merton's theory of pressure, if the distribution of income in society is unequal, people in a lower position economically feel dissatisfaction and powerlessness about their conditions. They have always been under some psychological pressure. Therefore there is the possibility

⁵⁹ Vahid, Ghasemi, Atieh, Yazarloo, Impact of social failure on the type of crimes among ethnic groups of Golestan province, *Journal of Humanities and Social Sciences*, 4th year, No. 14, 2004, p. 116.

⁶⁰ Hossein, Gholami, Crime Prevention through Social Development, *Journal of Law and Politics*, No. 11, 2004, p. 141.

of violent behavior by them as a kind of psychological drain. Another is inflation, which represents an increase in the price index. In other words, the factor is the decrease in the income of real people in the society, i.e., in the case of inflation in the economic structure, if the official income of individuals does not increase by the same amount, the real income of individuals is reduced and therefore it is expected that it has a positive relationship with the desire to commit crimes in countries like ours (Afghanistan) the leading cause of inflation is the excess supply or the printing of banks in the amount of more than the volume of production in the country.

That is, the lack of regulated, knowledgeable institutions overseeing the financial activities of the government and the government, and the lack of independent central banks, one of the ways to finance high-authorities is to publish money, which means not improving the days of the week and middle class in society.⁶¹

In Afghan society, due to the lack of urban development and urban culture, as well as the pervasive administrative bureaucracy as well as agricultural economics, the middle society has not gained the opportunity to actively and effectively emerge in society, hence democracy, a healthy administrative system, fighting corruption and social deviations, deprived of its most prominent class supporter. On the other hand, the weak power of the middle class and its small size has taken the cap of managing reformist developments and aggregating the demands of the lower classes.

2.6. The Effect of Increasing Urbanization on Corruption

Berge's believed that in the transitional zone, the highest crime and delinquency rates were observed for reasons such as high levels of population mobility, high migration rates, destruction of homes, and population density. Demographic and ecological instability in the transitional zone damages the functional ability of social institutions such as: Family and control the behavior of residents.

On the other hand, the traditional values of ethnic culture cannot persuade teenagers and young people, and they are drawn to a marginal situation. Consequently, they lack group identities and references that lead them to behavior that is accepted in

⁶¹ . Hamidullah, Formula, Economic Signs of Crime in Afghanistan, 8 a.m. newspaper, Saturday, May 16, 2014.

society. Under such circumstances, peer-to-peer groups and delinquent peer groups fill the vacancy and offer solutions to get out of this marginal existence. In situations where no group is present as a reference group, the continuation of isolation and loneliness leads to criminal behavior such as drug use and sexual deviance.⁶²

Park and Burgess believed that if immigrant cultural and racial minorities seceded from their homogenous culture and entered urban areas, especially slums, as a subculture; In industrial cities, this process of turning minority groups into subcultures, along with the low socio-economic status of residents and living in slums, will lead to the creation of a criminal subculture and the spread of crime.⁶³

The increase in urbanization increases the number of clients to the government office. The more people go to the government office, and the more likely the money will increase. Increasing urbanization requires an increase in the provision of government services. Increasing government services for those who issue licenses to serve and operate provides an essential and appropriate opportunity for those who are conditioned to sign government services to commit administrative corruption. On the other hand, the increase in urbanization leads to economic and manufacturing activities, leading to companies and economic activists entering the unhealthy competition to sell their services to the public sector and using bribes, percentages, and other privileges to sell their activities to the public government.

In a study conducted in Iran on embezzlement factors, it became clear that urbanization has prolonged administrative performance in government offices. Increasing urbanization has led to an increase in taxation, in hiring people in offices to obtain contracts and obtain licenses for economic activities.⁶⁴ When the government employee is not satisfied with his job, he or she first tries to transform himself. If he fails to do so, his unpreparation will increase. For example, if a judge, law manager, who lives in the city center with appropriate residential facilities, turns against his will into districts

⁶² Mohammad, Farzaneh, Social Unorganized Theories, Islamic Management Website: Derived from Kaveh, Mohammad, Pathology of Social Diseases, First Edition, Volume 1, Tehran: Journal of Sociologists, 2012.

⁶³ Mahmoud, Yaghoumidoost, Measuring the Correlation Model of Marginalized and Non-Marginalized Residential Indicators with Their Domestic Violence against Children, Journal of Human Geography Research, Volume 45, No. 4, Winter 2014, p. 247-248.

⁶⁴ Office of Economic Studies, Recognition of Effective Components on Embezzlement in Iran, Majles & Research, June & September 1998, No. 25, pp. 120 and 12.

around the city with fewer living facilities, often causing his dissatisfaction with his job. In this case, he first attempts to transform himself into a city center again. To do this, it uses every means, even money, and resentment. If it fails to achieve its goal in this way, it tries to show up at least once a week and spends the rest of the official days in the city with its family. This act is, in essence, the kind of administrative corruption itself. Furthermore, suppose he is forced to attend the duty. In that case, his motivation and instigation towards his job will be weakened. He may abuse state facilities and courage in response to the situation imposed on him and, while achieving the benefits of the Physical, somehow retaliate against the policy of his administration.⁶⁵

Another factor is unemployment due to urbanization. Urbanization is caused by unbalanced centralism or development. However, the disease exists differently in most developing countries because the surplus of labor in rural areas leads to urban migrations, which around metropolises causes marginalized areas, causing all kinds of unemployment. However, in Afghanistan, in addition to the problem of centralism or unbalanced development, due to inefficiency or lack of economic projects, the government has condensed a large number of populations into the center of Kabul, the cause of which is also evident. The few facilities provided by global aid are only in Kabul, such as universities, job creation centers, etc. Of course, there are reasonable political reasons for those gathered in the capital that will not be addressed here. Economists' approach to crime is beneficial through cost, so human beings commit crimes when their benefits outweigh their cost.⁶⁶

2.7. Lack of Supervision and Control

The lack of alarming or intelligent monitoring systems or weaknesses in existing surveillance systems is a ground for committing crimes and corruptions in the organization. In addition, the lack of attention or indifference of some employees to the actions and behavior of their colleagues, in other words, undermining the role of public

⁶⁵ Abdul Basir, Sheikh Ahmadi, Islam and the Fight against Corruption, Kabul: Tavaana's Office, 2014, p. 96.

⁶⁶ Hamidullah, Formula, Economic Signs of Crime in Afghanistan, 8 a.m. newspaper, Saturday, May 16, 2014.

supervision of employees, which is known in Islam as enjoining good and for cracking evil, can play a significant role in the occurrence of crimes and corruptions.⁶⁷

The Ph.D. Emphasizes official social control, which judges and other enforcement agents exercise. The central assumption in this theory is that human beings are essentially rational and have analyzed the acquisition of any behavior filth. Therefore, if the acquisition cost exceeds its benefits, they will avoid the filth of behavior. Therefore, the primary assumption is that the punishment – i.e., social control through detention, trial, imprisonment, or execution of the offender – prevents the crime from being committed and the lack of punishment and incentive of any behavior. Therefore, if in a society, the cost of corruption is less than its output, then corruption increases spontaneously. Unfortunately, in Afghan society, the cost of corruption against its output is meager, and this factor is very influential in the growth of corruption. Of course, the imposition of punishment in the case of due diligence, "intensity," "certainty," and necessary "speed" will also be effective in general and will prevent the public from committing a crime and act uniquely. The person will prevent the coil of the behavior from continuing the crypt. This theory assumes that the higher the severity, certainty, and speed of the punishment, the greater its deterrence power.

Every military needs a system of control and oversight to work correctly. In such a way that at any moment, the necessary information about the way each component works and consequently how the whole system works and provides it to the senior officials. Weakness in this system and inefficiency of the custodians of this sector can confuse the whole system. For example, when a system fails to differentiate between an effort employee and an employee and acts quickly in time for encouragement and punishment, it will also lead to indifference. On the other hand, when an employee observes that he or she is hiding from the regulatory eye of the system, he or she may be inclined to do their affairs through unconventional channels and turn to all kinds of corruption. In Afghanistan, due to weak judicial organs, effective monitoring mechanisms are minimal, and the lack of prosecution of perpetrators of corruption has led to the spread of corruption. When given to the authorities, reports of abuse by officers are often left

⁶⁷ Mohammad Hassan, Qaimi, Factors affecting the incidence of crimes and administrative corruption and preventive methods, Journal of Justice, No. 57, 2006.

without prosecution, and either effective treatment is available so far. Fear of reprisals and threats from the powerful also disrupts opportunities. Consequently, the unanswered complaints and the existence of threats make it possible for Afghans not to complain and raise their voices in most cases publicly.

Although several institutions were brought together to monitor and fight corruption, their functions and activities showed that, contrary to expectations, these institutions themselves are more and more trapped in corruption, according to the United Nations, the Administrative Reform and Civil Service Commission, which is responsible for administrative reform by recruiting qualified employees, the Commission for Oversight of Corruption, Higher Education, Education, etc. They are among the vital anti-corruption institutions at different levels, most of all trapped in corruption. Pathology and cognitive factors of corruption in these departments show that non-aligned and unhealthy leaders at the head of them are the leading cause of corruption in these departments.⁶⁸

2.8. Lack of Organizational Culture

One of the most important social and cultural factors of corruption is the lack of organizational culture, especially in Afghanistan. Organizational space or atmosphere and organizational culture play an essential motivational role in providing the grounds for corruption. Lack of organizational culture and lack of attachment of employees and managers to the organization and its goals, and lack of transparency and accountability in the activities of the administrative system, are important factors that, along with other administrative and managerial factors, cause corruption. It should be said that solid organizational culture influences employees' minds and souls and can act even more influentially than official structural control.

More than 160 definitions of organizational culture are presented. One of the first definitions was provided by Taylor in 1871. The English anthropologist believed that culture was: "a complex set of sciences, knowledge, arts, thoughts, beliefs, laws and regulations, customs, traditions and briefly all the learnings and habits that a human being receives as a member of society."

⁶⁸ Zia, Danish, Anti-Corruption Barriers in Afghanistan, Payam-e-Aftab website, Tuesday, November 12, 2013.

Organizational culture is the sum of assumptions, principles, and foundations about the types of supply of products and services, creating knowledge, intellectual capital, communication, and information in the organization and establishing communications with its performance environment, and determines the pattern of organizational behavior and distinguishes the organization from other organizations. Organizational culture is the standard and general perception and inference of the members of the organization from it. The role of culture for society or organization is a character for the individual and is the primary source of culturalization in the organization of its founders. A solid organizational culture intensifies the continuation of procedures in behavior. According to this concept, it can be underserpreted that a strong culture can replace the official rules and regulations of the organization. Therefore, management should be less concerned about official rules and regulations to determine (control) the individual's behavior.

Culture is categorized into the strong culture and poor culture. In a strong culture, the organization's core values are taken into consideration on a large scale. Therefore, the more members of the organization accept the core values and have more commitment to them, the stronger the culture of the organization has different functions, tasks, or roles:

- Identity (providing a source for identification). Or behavior control;
- Stabilization of motivational methods (strength in encouragements);
- Organizational culture determines the organizational boundary, i.e., it separates organizations in a way that creates a sense of identity within the organization's members.
- Organizational culture makes people have a kind of commitment to something more than one's resources.
- A person's behavior with organizational culture makes it possible for a person to become a member of the organization.
- Organizational culture leads to the stability and sustainability of the social system.
- Culture is socially considered as a glue that can connect the organization's components by providing appropriate standards (concerning what members of the organization should say or do);

- Culture is considered a controlling factor that creates or shapes attitudes in employees' behavior.

As it is known, organizational culture, through its essential functions, can have a high capability to prevent corruption by affecting employees. The impact of organizational culture on employees is such that it is the source of informal organization formation. Organizational culture can be considered a reference for employees' sense of identity so that they consider their personality dependent on organizational culture and gain credibility from it. If the organization has a desirable culture, it creates the mentality in the employees that they are valuable people, so the likelihood of undesirable behaviors in employees also decreases.

In Afghanistan, political crises and instability have prevented organizational culture from continuity and stability and destroyed its foundations. The current nascent organizational culture is fragile and incapable, so people are not committed to their organization and do not gain credibility. This phenomenon leads to corruption and the lack of commitment of employees to their organizations and undoubtedly increases corruption. Afghanistan's organizations do not view citizens and clients as real bosses and masters, and actions and activities are based on relationships, not law. Abuse of the *beit al-Mal* (Money of the Nation) has become a culture. Therefore, to eliminate both attitudes and behaviors in government agencies and organizations, it is necessary to create a culture.⁶⁹

⁶⁹ Ibid.

CHAPTER THREE

Political and Administrative Factors of Corruption

Corruption and politics have similarities in appearance and content. Nevertheless, in both individual motives and interests, the law deviates from the public interest. Both of these deviations have occurred in exchange for a corrupt monetary flow or some non-monetary bias. However, there are also apparent differences and distinctions: Different types and forms of corruption have caused it not to be easily incorporated into a definition. However, one thing that can be shared between all instances of corruption is the existence of motives and benefits of exploitation for some people. Individuals either bribe to meet these interests or direct the flow of interests and laws by capturing the government. The point of distinction between these two types of corruption is not its tool but the political and level of people involved. In the first type, those who take bribes are employees or law enforcement, while in the second type, they aim to take over the flow of interests of higher political and administrative levels.

3.1. The Effect of Factors Related to the Type of Political System

Postmodern criminology, as one of the newest theories of critical criminology, raises the phenomenon of crime mainly on the structure of the ruling political and cultural system, especially under the influence of dominant discourses in society, so crime is viewed as a subjective phenomenon and from the productions of sovereignty that have been created in the context of society and power-based relations support it.⁷⁰

One of the paradigms of the 1950s is postmodern criminology, the culmination of which emerged in 1970; in fact, that intellectual movement began in the second half of the 20th century after the end of World War II. They believe that what we face as a crime in today's societies is mainly based on the cultural and political system, especially under

⁷⁰ Seyed Ahmad, Razavi, Razavi Fard, Behzad, Studying the Position of Postmodern Thinking in The World's Major Criminal Policy Systems with An Emphasis on Criminal Policy, Political Science Quarterly, Year 13, No. 37, Winter 2016, p. 221.

the influence of excellent discourses in society, so crime does not exist as a foreign and objective reality, but it should be viewed as a subjective phenomenon that has been created in the context of society and supports it. Crime is constructed in interactions and processes of social reaction and power, and the owners of its interests against individuals are marginalized and weaker.⁷¹

Therefore, the more societies have an authoritarian or ideological approach to defending the interests and power of citizens' lives, the more they put them in criminal and governmental coverage. Moreover, the more democratic a society is the less state-controlled space and more freedom of citizens.

The basis of the Afghan system was laid down in the wake of the Bonn agreements. Under these agreements, a government-based political system consisting of different groups was formed. This means that all political and ethnic groups must see themselves in the power field according to their social status and that power maintains its balance according to these ethnic and group divisions. This has been the only favorable option for a stable and united Afghanistan is a separate debate. However, it has also been a factor in facilitating the emergence and spread of administrative corruption in Afghanistan.

In the wake of the Bonn agreements, a kind of political system was brought about by the sharing of ethnic and political groups, where the share of each ethnic and political group had to be determined in the government, and no one else had the right to take the share of another political and ethnic group. This type of political system strengthened the relationship between supporters and followers. Moreover, it paved the way for different groups to think more about consolidating their group and party status instead of nationally.

Such an atmosphere in the country firstly paves the way for the significant efforts of various political groups involved in political power to strengthen the group by increasing its supporters in state institutions. The result is that these groups focus only on the slight increase of their supporters in the government, so the possibility increases that they will work to broaden their administrative organizations, creating an additional and

⁷¹ Ibid, p. 222-223

revenue-generating package for their friends and relatives than they need to attract human power. In the policy of these groups, group and ethnic criteria are prioritized instead of competence and competence. Accordingly, the fate of government officials falls into the hands of those who lack the necessary expertise and expertise.⁷²

Secondly, those who take office due to such a process are at significant risk because of their strong support for administrative corruption. The group is sure to support them in a crisis. For example, a person appointed by an influential person in the government first thinks and benefits the interests of that group or person, and when he is caught and corrupted, the same influential person and group support him.

For example, research has shown that for some public service positions, political influence has been a major factor in hiring employees.⁷³ The lower echelons have also provided support to subordinates for administrative corruption. Research has shown that the Guzma's chiefs responsible for collecting illegal extortion are likely to be supported by some of the higher people.⁷⁴

Therefore, there are no strong political parties in Afghan society that pressure the government to fight Corruption seriously, even if there are political parties. However, they cannot threaten the government because ethnic and group factions are more potent than the values of democracy and a party based on national standards. The government is not afraid of such parties being forced to fight Corruption. The media and the press, which act as strong political parties, are restricted from accessing information, or the media and the press themselves are related to these individuals and groups. This situation has forced the government to respond.⁷⁵

⁷² Abdul Basir, Sheikh Ahmadi, Op.cit, p. 102.

⁷³ Independent Joint Committee on Anti-Corruption Monitoring and Evaluation, 4th Six-Month Report, 01-30 May 2013, 28-2013, 28-2013, p. 15.

⁷⁴ Integrity Watch Afghanistan, On Afghanistan's Roads: Extortion and Improper Dealing with Drivers, November 2013, p. 42.

⁷⁵ Ghulam Reza, Salimi, Op.cit, p. 49.

3.2. The Role of Human Factors

Administrative institutions and organizations have different responsibilities to achieve their organizational goals; the realization of the organization's goals depends on cooperation and coordination of all factors that their systematic interaction with each other means the organization's existence.

In the meantime, the role of the human factor as a conscious factor with material and spiritual needs is more evident and prominent than other factors. This is because the efficiency of human resources is not always predictable based on economic and material calculations. However, many other factors arise from the unique needs of human beings in social dimensions, identity, spiritual values. In other words, expertise and commitment (work conscience) is the main asset of human resources in order to achieve the goals and function of the administrative system, so in the human field, lack of expertise and weakness of work conscience can be considered as the main factors and areas of administrative crimes and violations in Afghanistan. The lack of familiarity of much Afghan administrative staff with the principles of work and lack of competence and knowledge to perform the duties and responsibilities properly provides a suitable platform for administrative violations in them.

Suppose discrimination and injustice in selecting employees replace justice and central expertise (as we are witnessing in Afghanistan today). In that case, this outflow will have unpleasant consequences for the administrative and social system. The primacy of relationships over expertise and standards is more effective than the injustice itself as a social and political anomaly. Of course, a sense of injustice arises when:⁷⁶

A: Persons suffer from political and social deprivation.

B: Increase the growth of unskilled persons in the offices of the country. In this case, experts feel unfair and unable to achieve the right.

C: Kinship shall prevail over government agencies.

⁷⁶ Abdul Basir, Nabizadeh, Op.cit, pp. 93-94.

This feeling reinforces the spirit of vengeance and law-abiding in the process of unfair selection of individuals, and civil servants suffer from wrong motives. Instead of providing services to the people, they are more likely to think about serving themselves and realizing their personal and family interests; the weakness of work conscience is another factor of administrative crimes and violations noted in the human arena.

Work conscience is one of the essential dimensions of human conscience, which means a sense of responsibility and a total inner commitment to the tasks that he or she is responsible for. In other words, trying to do things more thoroughly and better and avoiding any tolerance and underperformance and logical use of facilities and conditions, and continuous care of tasks are the main elements of work conscience. Suppose you have the highest level of work conscience. In that case, one can imagine a society in which people in different professions try to do their jobs in the best possible way, accurately and thoroughly, following the principles of optimization and the relevant laws.

According to these materials, the commitment and conscience of work in the Administrative System of Afghanistan do not have the necessary consistency and stability. Even without exaggeration, it can be claimed that administrative servants are alien to the issue of commitment and sense of responsibility for their organizational and administrative goals because based on the indicators mentioned for work conscience by behavioral science experts such as:

1: Doing the job flawlessly. 2: To conclude things. 3: Doing things on time. 4: Work unchecked and supervised. 5: Save time and expenses. 6: Identify useful work from unhelpful for organization. 7: The organization's preference for itself and sense of belonging are not less or at all seen in the behavior of Afghanistan's administrative staff.

Of course, this does not mean that the administrative system is entirely devoid of committed and responsible individuals. However, in the investigations, the dominant atmosphere and the overall atmosphere are cited.⁷⁷

⁷⁷ Ibid, p. 93-94

3.3. Ethnic Power Structure in Afghanistan

Postmodern criminologists divide crime into two categories: A- Reductive crimes: Some crimes cause people to lose their status. As a result of these offenses, the affected person or group loses quality in its current position. In other words, the individual's situation is reduced in a way.⁷⁸ these offenses may result in property loss, such as theft, or loss of health or life, such as assault or murder. Alternatively, cause loss of dignity, such as rape. The majority of these crimes require conflict and a physical relationship between the offender and the Crime.

B- Repressive crimes: Repressive crimes occur when the affected group experiences a limit and prevents them from achieving the desired goal and job position because of gender discrimination or racism. In other words, crimes against ethnic, racial, and religious minorities trying to achieve their freedom-seeking rights and desires play an active role in society but are suppressed. Repressive crimes may include racism, gender discrimination, poverty, or restrictions arising from different political and religious views. These types of crimes may be psychological or physical. When people suffer from externally imposed factors such as poverty, gender discrimination, racism, or any other structural constraints, this structure similarly sees them as victims of crime. Victims affected by these crimes are in unequal relationships, experiencing structural constraints, and suffering the pain of denying their humanity and dignity.⁷⁹

Welfare and security, suitable living places, suitable medical facilities, and decent income should be provided for everyone. The actual crime is the violation of these rights: war, racism, gender discrimination, and acts that cause poverty are the consequences of the neoliberal system (or modernity). Therefore, the leading cause of these crimes must be sought in the modern system.⁸⁰

Therefore, it can be said that repressive crimes are crimes against welfare and basic and basic rights of human beings. Sometimes these crimes are committed as hate

⁷⁸ Milovanovic, D. (2007). Legalistic definition of crime and an alternative view. Available at: <http://anali.ius.bg.ac.rs/Annals%202006/Annals%202006%20078-086.pdf>.

⁷⁹ Milovanovic, D. (2007). Legalistic definition of crime and an alternative view. Available at: <http://anali.ius.bg.ac.rs/Annals%202006/Annals%202006%20078-086.pdf>.

⁸⁰ Van Hamm, François, Sociological Injury: A New Field, Development of the Realm of Criminology, translated by Sayed Hossein Hosseini, Encyclopedia of Criminal Science, Collection of New Articles in Criminal Science, First Edition, Miran Legal Foundation, 2012, p. 935.

crimes, in which case they are often physical. Hate crimes are violent and prejudiced crimes and occur when the perpetrator targets the victim for membership in a particular social group. Examples include ethnicity, gender, disability, language, nationality, physical appearance, religion, or sexual orientation.⁸¹

Racism, gender discrimination, and restrictions are not only a crime itself but also the cause of first-of-its-kind crimes, and in order to prevent reduced crimes, these factors must be eliminated. All persons with inherent rights are equal and free. So the leading cause of crime is the modernity system and its consequences. Any person, structure, or government that denies fundamental human rights or keeps a minority in poverty and discrimination has committed repressive crimes and has criminal responsibility.

Accordingly, postmodern criminology aims to allow the full participation of individuals in society and the legislative process, without factors such as race, ethnicity, gender, and class affecting this participation. On the one hand, this criminology has paved the way for recognizing diverse groups that gradually become marginalized within contemporary capitalist societies. On the other hand, it has made it possible to understand how criminalizing the actions of these groups will be led to their further marginalization. This view has validated the wishes and opinions of groups that have not been heard or respected. Such as indigenous groups or women and minorities.⁸²

Ethnic and religious gaps have been so influential in this country that even Islamic currents and religious intellectuals have not created a nationally inclusive party in the country because of their influence. Nevertheless, society's political culture is shaped by manifestations of ethnicity, tribe, bonding, and deep attachment of people to local and specific beliefs and values, and it is natural that parties and groups. Also, in such a culture, they will bring with them the characteristics and characteristics of such a culture.⁸³

Ethnicism and power struggles plunged Afghanistan into so much bloody civil war in the 1990s that thousands were killed in fighting between militant groups in the Kabul capital alone. Moreover, the new political structure was based on the division of

⁸¹ Streissguth, Tom (2003). Hate Crimes (Library in a Book). Facts on File, Inc.

⁸² Madfis, Eric (2014), Postmodern Criminology, http://www.academia.edu/5294360/Postmodern_Criminology_-_Madfis_2014, p3.

⁸³ Sayyid Abdul Qayyum, Sajjadi, Political Sociology of Afghanistan, Ethnicity, Religion and Government, Qom: Baqer-ol-Uloom High Education Institute, Ketab Park, 2001, p. 138.

power based on ethnic participation in Bonn, Germany. However, on the other hand, in the last decade and a half, efforts have been made to reduce ethnic sensitivities and to pave the way for multi-ethnic nationalization in Afghanistan.

However, some events have permanently reopened this gap. For example, among the last presidential elections, in which more people's votes were cast on the ethnic path, it struck ethnic differences that appear to be deepening day by day.⁸⁴

Statistics of Corruption in Afghanistan in the National Unity Government:

WORLD					
MOST CLEAN			MOST CORRUPT		
COUNTRY	RANK	SCORE	COUNTRY	RANK	SCORE
Denmark	1	87	Afghanistan	173	16
New Zealand	1	87	Equatorial Guinea	173	16
Finland	3	86	Sudan	173	16
Singapore	4	85	Venezuela	173	16
Sweden	4	85	Yemen	177	15
Switzerland	4	85	Syria	178	13
Norway	7	84	South Sudan	179	12
Netherlands	8	82	Somalia	180	9

In other words, ethnicity in Afghanistan and the definition of politics to protect ethnic interests have led to the addition of other ethnic groups from the public interests of society, and this, in a sense, is political and administrative corruption. In a pre-industrial society, in forms such as ethnicity, family, social status, wealth, in society's entry into modernity, it becomes fragile. However, experience shows that generally, especially in developing countries, after a period of apparent tension between these two areas of political power, a kind of pathological fusion and authorship is established between them, ultimately reaching the domain of modern power; this means that while modern forms of political development such as the Legislative Assembly, executive election institutions,

⁸⁴ Haroon, Najafizada, Ethnic Play and Political Hypocrisy in Afghanistan, BBC Persian website, October 27, 2016.

etc. appear to be behind this democratic appearance, they hold the same pre-industrial relations such as kinship, ethnicity, tribe, The continuation of this situation and the failure to fight it decisively can cripple the entire social, political system and stop growth and development in all its aspects or slow it down. This situation has also caused internal and chronic corruption of new political institutions. The result is a turning away from more and more distrust of the efficiency of the people, which leads to the failure of political development in a vicious cycle.⁸⁵

3.4. Political Underdevelopment and Corruption

During the emergence of new governments, sometimes corruption has been considered the cause of social infrastructure changes in some societies. Today, countries can be classified as chronic and malignant in terms of corruption. In the case of the Third World, chronic conditions and deterioration of corruption have become a standard feature for these societies. In these societies, financial and political corruption has become an internal phenomenon. According to some experts, corruption is necessary to continue the life of third world governments or the need for the growth and development of these countries.⁸⁶

Corruption, which is the basis of the country's administrative system and the administration of state affairs, is a dilemma facing many developed and developing societies and is becoming more pronounced as societies move forward.⁸⁷ Moreover, it disrupts the development process.⁸⁸ A study of the history of old civilizations shows that corruption has even been the source of some wars and the fall of governments. The history of corruption, which is as long-standing as the concept of government, is related to power and wealth (corruption and finances), so the emergence of corruption is related to how to manage public affairs.⁸⁹ and it targets public prosperity.

⁸⁵Hojjatollah, Ayoubi, Participation in Causes and Motivations, Proceedings, Tehran: Ambassador, 1998, p. 187.

⁸⁶ Ibid, p. 3.

⁸⁷ Paul, Heywood, P.D., p. 50.

⁸⁸ Ali, Rabiei, Long Live Corruption (Sociology of Corruption in Third World Governments), Tehran: Ministry of Culture and Islamic Guidance Che III, Autumn 2004, p. 1.

⁸⁹ Parviz, Namagh, Basics of Public Administration, Tehran: Arvin Publication, 1997, p. 59.

Lucien Paai sees political development as increasing the system's capacity to meet the needs and demands of the people, structural diversity, specialization of structures, and increased political participation. Paai believed that in order to achieve the desired development of a political system, it must successfully pass through a series of crises.⁹⁰ He does not take precedence and lateness in dealing with the crisis because different societies' social and political conditions are different in terms of being on the path to each of these crises. Instead, he outlines three essential features for the concept of political development: Equality: In this regard, political development is related to mass participation and public action in political activities. This partnership may be either democratic or totalitarian, but the main point is to make people active citizens. In this case, at least the appearance of public sovereignty is necessary. Moreover, the laws must be universal and are more or less out of the way of personal differences in implementation. Finally, access to political authorities should be following achievements, merits, and qualifications, not the result of appointment procedures in traditional social systems.

Capacity: This feature of political development refers to the political system's ability to give "outputs" and to the extent of its impact on society and the economy. Capacity is also accompanied by the implementation of state duties and conditions affecting this implementation. It is reluctant to specialize the government in rationalizing management and giving the world's position to society.

Gradual Change: This characteristic of political development implies the expansion and specificity of structures. Officials and employees tend to have specific and limited duties, and there is a balanced division of labor within the state. This feature also ensures the integration of structures and trends.

The phenomenon of corruption, today, in comparison between the two categories of developed and developing countries, is gripped by the second group of countries, the causes of which are the misuse of political power by government officials, mismanagement, political allocation of resources, a political and economic system based on individuals, incomplete information, weak and inefficient laws, backwardness and

⁹⁰ Abdolali, Qavam, Political Development and Administrative Transformation, Tehran: Ghomes Publication, 1992, p. 9-10.

inefficiency of technology.⁹¹ In underdeveloped countries, government officials usually ignore the corruption of public servants and political officials. The main reasons for turning a blind eye to administrative corruption are: Preferring some governments to provide opportunities for income and better opportunity by illegitimate means rather than granting legal privileges to their political supporters.

The inability of some governments to increase the salaries and benefits of their expert employees allows them to improve their situation by resorting to all kinds of administrative corruption and can continue to use their services against the system. Some of the effects of corruption in the third and underdeveloped world are as follows:

1. Administrative corruption has an ineffective effect on the economic growth and governance of third world governments and their societies.
2. The structural causes of administrative corruption in all countries are based more on the extent of the size of the state, the accounting of small savings, and the weak motives of serving public servants.
3. Administrative corruption also has a social and cultural origin, including the degree of governance of relations over the rules and manner of people's relationship with the state.
4. The more evident the causes and origins of administrative corruption, the more severe corruption will be. The more possible it is possible to fight corruption with a view to its origins in a reasonable time process.

In the third world, corruption at the first level and the level of political elites is considered natural. Individuals and movements that, especially in unstable childhood systems, take power quickly seek to seize the opportunities and rents generated for their own personal and political purposes.⁹² Because of unhealthy political competition in such countries, politicians in third-world countries somehow consider themselves owners of the state's assets, not elements that govern the country following their duties. Throughout the Third World, countries that should be rich have remained poor, even with mineral resources such as oil, diamonds, and gold. People from countries such as Angola, Nigeria,

⁹¹ Mohammad, Khezri, Research Report on causes of corruption in the country's banking system, Institute for Strategic Studies Publications, 2002, p. 211.

⁹² Ali, Rabi'i, Op.cit, p. 148.

Kazakhstan, and other countries struggle in poverty, while their corrupt officials have become Leader.⁹³ This theory seems to be a relatively efficient formula for the analysis of corruption among third world countries and governments: monopoly plus hidden power of labor, minus accountability and fascism, equated with corruption.⁹⁴ The signs of corruption appear as follows:

1. All parts of the state, subordinate and surrender to an executive agent (ruler). They are powerful and unaccountable.
2. The banking system is considered valid and cold for marauding acts.
3. It is popularly believed that for a type of service, money must be paid beyond legal limits.
4. The rule of an undemocratic or democratic system is inefficient and ineffective.
5. There is a strict control and monitoring system for the media and the press.
6. Economic growth and per capita income are low.
7. Literacy standards are low.
8. Military and police costs are high and social costs are low.
9. Debt ratios are beyond the standard limit.⁹⁵

On the contrary, if a country has less corruption, its indicators are as follows:

1. Strong, accountable and reliable state and state structure.
2. The impossibility of condensing state employees to reach administrative purposes.
3. Reassuring guarantee mechanisms in the Constitution to avoid possible abuses.
4. Accepting the phenomenon of corruption as a bitter phenomenon.
5. Prosecuting wrongdoing on the basis of a public demand.⁹⁶

⁹³ Ibid, p. 14.

⁹⁴ Ibid, p. 14

⁹⁵ Ibid, p4.

⁹⁶ Ibid, p4.

For example, based on 2008-2009 among ten countries with cities worldwide, economic factors play an essential role in assessing trends and developments in crime regarding the possible consequences of economic pressure on crime, whether in crisis or under normal economic conditions. According to the report, in 12 countries (80%) of the statistical population, there was an economic forecast for at least one specific crime. Economic developments were related to a particular crime and could be predicted.⁹⁷

Also, according to the report, in 10 countries or cities surveyed, in eight crisis-hit countries, changes in economic indicators were related to changes in crime, which can be considered indicative of the peak of predictable crime during crisis times. Violent crimes such as robbery have had the most significant impact and have doubled during periods of crisis in some areas during periods of economic pressure. In addition, in some cases, an increase in homicides and vehicle theft has also been observed. Thus, the results of these studies can be adapted to the theory of criminal motive, whereby economic pressure increases the motivation of individuals to be caught with illegal behavior.

Underdevelopment is not a crime factor, and the poorest causes and individuals are not always susceptible to the most crime. As can be seen in Central America, the safest countries are arguably the richest (Costa Rica) and the poorest (Nicaragua). However, there are several aspects of underdevelopment that are highly likely to have a high crime rate in a country.⁹⁸ This research can be confirmed that development policies and economic development ultimately affect criminal policies and help criminal policymakers select policy strategies in crime control.

3.5. Transition Period and Corruption

Many scholars believe that the transition period requires corruption. This means that all countries around the world have experienced corruption in the transition stages. In other words, there is no escape from corruption. Even some, such as Huntington, go beyond this and believe that corruption is necessary not only as inevitable but also necessary in the development process of countries. Functionalists for corruption have many benefits:

⁹⁷ United Nations office on Drugs and Crime '2012 'p 36

⁹⁸ United Nations Office on Drugs and Crime '2007 'p 12.

- Corruption can compensate for the low salaries of government professionals and employees.
- High rates of attracting people close to jobs with corrupt mechanisms can end the problem of unemployment and prevent political turmoil.
- The proceeds of corruption may be spent on investing in the country and causing economic progress.
- Corruption is a means of stylized and dampening the government's uncompromising, decisive and dry programs.
- Corruption reduces the gap between rich and poor class and eliminates the class gap.
- Corruption improves relations between employees and the public and also leads to more humane behavior of government agencies.
- Corruption accelerates many tasks and eliminates administrative and bureaucracy interruptions.
- Corruption and military reduce the average value of time costs.⁹⁹

As new groups come from all over the world during the transition period, this is also one of the inevitable outcomes of the transition period. Many capitalists use personal capital to gain new positions and resources of power and wealth. However, when they come to power, they have to return their spent capital to their coffers one way or another. This is truer in Afghan society.

There is much to say about the causes of the growth of corruption in transitional societies.¹⁰⁰ In this forum, we mention a few reasons: Change in Values: During the transition period, society is prepared to modernize and embrace new cultures and norms and accept new norms.

New norms cannot be formed suddenly but are formed in a prolonged and gradual process, hence the conflict between ancient traditions and new traditions. In such periods,

⁹⁹ Companionship of Sermon Sara, Abolfazl, Financial Corruption, Causes, Backgrounds and Strategies to Combat It, Tehran: Nonprofit Strategic Studies Institute, 2004, p. 31.

¹⁰⁰ Heywood, Paul, Corruption, Translated by Mohammad Taheri, Tehran: Institute for Strategic Studies Publications, 2002, pp. 32-38.

many old traditions are condemned; on the other hand, new norms have not been formed; the lack of established norms in this situation reveals behaviors that are not following any norm.

Creation of Resources of Power and Wealth: During the transition period, new groups from all sides, the management of the demands, plans, and behaviors of these new groups, confronts the government with significant challenges, and on the other hand, in the absence of public administration, these groups engage in corruption. The effects of corruption in transitional societies are:

- Administrative and economic corruption facilitates criminal activities such as drug dealing, money laundering and prostitution.
- Undermines democracy and optimal governs by changing formal processes.
- Corruption in elections and legislative apparatuses undermines the accounting and representation of people in policy-making.
- Corruption in the judiciary suspends the rule of law.
- Corruption in public offices leads to unequal provision of services.
- Corruption dissolves the institutional capacity of the state.
- In light of corruption, government officials are recruited or promoted regardless of functional characteristics.
- Corruption calls into question the legitimacy of the state.¹⁰¹

Since, in the transition period, new groups come from all directions, and this plurality is a direct result of the transition period and inevitable. Therefore, each of the newly arrived groups and individuals seeks to gain the benefits and creation of power sources and wealth. In this situation, there is a kind of race to seize power and wealth. For example, when the new government was created in Afghanistan, relatively broad freedom was felt for all spectrums of society, in parallel with the new government, new political, cultural, civil, economic, and ... Proliferated.

¹⁰¹ Ali, Rabi'i, Op.cit, p5

Since the new government was unable to create logical contingencies for each of them because it had just come to the fore and these groups were not institutionalized within society, many of their problems also fell on the shoulders of the state and society. Because everyone was trying to seduce the resources that were prepared for the government in some way. The issue of corruption in NGOs was itself a clear indicator of such a situation. Of course, this was not just about the NGO. Even some politicians and capitalists may initially use their capital to gain new positions and resources of power and wealth in such a situation. However, when they come to power, they must return their spent capital to their coffers in one way or another. There is no other way but corruption. In the years since, many examples of this kind have been seen and have been mediatized many times.¹⁰²

3.6. The Weakness of Democracy

The most severe negative consequence of crime is the faltering relationship between citizens and the government. Suppose we consider the most basic duty of governments to ensure the safety of citizens when the state is inefficient in fulfilling this essential task. In that case, citizens will be severely deprived of democracy. Of course, the security failure of the state is hazardous for newly democratic governments. In such governments, people often see the increase in crime as a sign that legal protections for perpetrators have overextended. Observing outlaws can even create a reminder of the past of dictatorial nostalgia. As well as increasing crime, it may create the mentality in people that is necessary.¹⁰³

Also, the increase in crime may create a mentality in the public that military force needs to be used more in policymaking to protect civil rights. This thinking makes public order preferable to civil liberties. As is common in some Central American countries, as many people in the region have not ruled out a curfew in the polls, they consider the high sense of a coup d'etat in terms of government corruption very strong.¹⁰⁴

¹⁰² Mohammad, Hedayat, Corruption, Politics and Transition Period, 8 a.m. newspaper, Sunday, May 30, 2014.

¹⁰³ United Nations Office on Drugs and Crime (2005) p 87.

¹⁰⁴ Mehrdad, Main Commons, Valiollah, Sadeghi, Journal of Legal Studies, Shiraz University, 7th, No. 3, Fall 2018, p. 92.

Moreover, high crime rates in society create an uncontrollable form among citizens. The notion that crime is uncontrollable often leads to the perception among the public that the police are incompetent, which will reduce public confidence in the government. On a more severe level, these conditions, among the public, create the impression that the police themselves are committing misdemeanors. According to survey data conducted in five Central American countries, police forces are considered a corrupt government in Guatemala, and police in Nicaragua and Panama are extremely popular.

In order to achieve essential development services, paying bribes will be necessary by avoiding difficult bureaucratic hurdles. The prohibition of military forces may lead to the creation of small secret businesses (underground) and the weakening of tax bases, resulting in the weakening of the state. These informal sectors of the economy mean tax irresistibility and shake the bond with the government and the people. In addition to high corruption undermining public confidence, it inflicts the most severe blows on democracy. In addition to undermining public confidence in democratic governance, it creates a budget deficit to help develop so that, according to a 2005 World Bank study in Latin America, at least 10 percent of GDP is swallowed annually through corruption (bribes, embezzlement, or illegitimate money, which will invert costs.¹⁰⁵

In the series of most important political events in different countries of the world, such as Indonesia, Pakistan, South Korea, and Italy in the first half of the decade, it shows that the primary source of instability in most countries is the issue of the outbreak of various segments of the population against corruption and embezzlement of the ruling class. Accordingly, it is necessary to consider anti-crime policies, especially corruption, to view their consequences on the function of political development. The government considers the fight against crime as a strategy for the survival and effectiveness of its development programs.

From Bashiriyah's point of view, we can say that we have two types of political culture: patrimonialism political culture and democratic political culture. In other words, the political culture of citizenship/state represents the patrimonialism political culture, and the participating political culture represents a democratic political culture. One of the characteristics of the political culture of citizenship/management: the devotion of

¹⁰⁵ Ibid, p. 93-94

democracy, pessimism, violence, mistrust, and toleration, and the characteristics of democratic political culture: horizontal construction of power, enchantment of power, political trust, and meritocracy can be mentioned.¹⁰⁶ The political culture of underdeveloped societies has a few characteristics that hinder the strengthening of democracy:

Political indifference: Various factors have contributed to the emergence of this trait in Afghanistan's political culture, including tribalism and the rule of appreciation.

Political distrust: Accordingly, a person in civil life does not seek to cooperate and cooperate with others, which adds to the scope of political apathy and escape from responsibility and despair. The long history of tyranny is the main cause of this phenomenon, because the root of tyranny is fear.¹⁰⁷

Lack of tolerance and violence: Lack of political tolerance among political and social groups and forces, and even among the people, is a feature of our political culture. The knockout culture, coupled with political violence, has always been part of our political culture.

Tendency to conspiracy theory: Accordingly, every official and individual, instead of scientific and objective analysis of cases and their rooting, seeks to insert a mysterious force outside the human will to investigate political developments.

Democratic political culture has the following results:

1. Increases the level of political legitimacy.
2. Transfers political power without violence.
3. Creates widespread political participation.¹⁰⁸

In describing the causes of power density, Chalabi introduces one of the most critical factors as political culture. After defining the term conceptually on a spectrum

¹⁰⁶ Hossein, Bashiriyah, Political Sociology, The Role of Social Forces in Political Life, Tehran: Ney Publication, 2001, p. 45.

¹⁰⁷ Hossein, Bashiriya, Dolat-e-Ahb, Tehran: Contemporary Thought Research Institute, 2004, p. 485.

¹⁰⁸ Gholamreza, Azimi, Rasouli, Mohammad Reza, Investigating factors affecting political inequality (with emphasis on political culture), Social Sciences Quarterly, No. 48, 2010, p. 247.

from democracy to democracy, he defines the operationalist of two types of self-democratic and democratic political cultures. The cultural and political dimensions of the democratic people in Chalabi's view is:

1. Tendency to controlled and limited authoritarianism.
2. Generalist political loyalty.
3. The existence of political trust.
4. Low political anomie.
5. A little and limited cultural gap between the elite and the masses.
6. The basic assumption of human equality is at least theoretically accepted.

In contrast to the dimensions of self-patriarchal political culture are:

7. There is a tendency towards authoritarianism.
8. Political loyalty is sectoral and local.
9. There is more or less political mistrust.
10. The cultural gap between the masses and the elite is usually high.
11. The fundamental assumption of human equality is questionable.

As the level of economic development increases and the majority improves, everyone's access to higher education and health, and the level of equality in consumption, followed by the middle class, will also increase and intensify the demand for the majority to increase political freedom and delegate political power in society and democracy. As the democratic political culture grows in society, political equality increases. The tendency toward authoritarianism has a negative and significant effect on strengthening democracy¹⁰⁹

In third-world countries, the main decision-makers act covertly behind the scenes and are not responsible for society. In general, the process of political and economic decision-making is increasingly carried out outside of democratic institutions. Moreover,

¹⁰⁹ Ibid, p. 248.

in these countries, it is always the interests of speculators that expand the market and tighten competition.¹¹⁰

In each country, the more society progresses towards democratization, and the reduced the amount of financial and political corruption. However, existing experiences and evidence show that corrupt governments routinely adopt self-depreciative and repressive procedures, causing disruptions in democratic trends. Studies also indicate that political and economic transition countries are usually among the most corrupt. This happens during the transition period when autocratic controls through economic liberalization and political de-decentralization face challenges and are being destroyed. However, democratic standards and controls and legitimate and accountable institutions have not yet replaced the former system.¹¹¹

3.7. Corruption and Political Parties

Game sharers of social issues are also various brokers working in the social construction of crime. In the literature on constructivism, these shareholders or claim-makers are the same activists in the policy-making process and criminalization in the public policy discourse, including formal and informal activists. The first group are members of the legislative, executive, and judicial branches that criminalize behaviors based on their primary legal duty, and the second group is influential groups, parties, as well as elites who act in order to protect the public interest but, in most cases, only with the concern of protecting and protecting their interests and values in the criminalization process, and by resorting to methods such as lobbying, violent actions, Propaganda and media activities, influence on public opinion, electoral and educational activities, production and dissemination of new political concepts, formulation and implementation of political system policies, and influencing the speed and direction of society's developments, are trying to realize their interests in the name and cost of the public interests of citizens by criminalizing behaviors that they see as a threat to themselves.¹¹²

¹¹⁰ Ali, Rabiei, Long Live Corruption (Sociology of Corruption in Third World Governments), Tehran: Ministry of Culture and Islamic Guidance Che III, Autumn 2004, p. 17.

¹¹¹ Ibid, p. 17

¹¹² Sepideh, Mir Majidi, Mohammad Jafar, Habibzadeh, Mohammad, Farajiha, Jalil, Omid, Analysis of criminalization process in Iran based on the theory of social reality of crime, criminal law research, 4th year, No. 14, Spring 2016, p. 151.

It can be said that voters who have distinctive qualities such as citizenship, kinship, and having a place and a voice in political party organizations have more opportunities to access central and local politicians directly or indirectly, and therefore to be included in their relationship networks. These opportunities also include appointment, employment, etc. they evaluate it in ways that facilitate their life practices. In fact, this means that the state of making a politics of favoritism in itself is approved by the voters. As a matter of fact, the most important issue for the people to put their relations in order, especially with the state, is to find someone they know. On the other hand, it is an undeniable fact that in some of its activities, which are defined as corruption today, it ensures the survival of especially large numbers of poor masses.¹¹³

In underdeveloped countries, the dispute for power is more minor in party campaigns, and these disputes are accompanied mainly by elimination and military confrontations or violence. However, third-world countries, especially those in transit, are also forced to join. Of course, it should be noted that the dimension and size of a political party do not affect the extent of its contamination with corruption. At times, a small party may use suspicious methods to compensate for the shortage of members and, consequently, the lack of financial resources.

However, the big parties have a vast and costly apparatus, and naturally, it is not always easy to finance this device through legal ways. Political activity in the Third World is based on a semiconducting and formal democracy, and political competition is more unrealistic and shaped. Also, fearing that the people will not be welcomed in the polls does not mean much to the parties. In such governments, parties tend to choose people who fill their bags with money through illegitimate transactions.¹¹⁴

In relatively closed countries with family and family political systems, first-level corruption in these constructions is usually legally divided and carried out. Transitional political systems, which typically include the implementation of development programs in this "closed corruption," clash with specific patterns of corruption. The interpretation

¹¹³Şarlak Zeynep, Bali Bulent ,Turkish Journal of Business Ethics, November 2008, Volume 1, Issue 2, s. pp. 27-37

¹¹⁴ Ali, Rabi'i, Op.cit, p. 17.

of countries is not accurate, and at both levels, corruption is going on among employees and elites.¹¹⁵

3.8. Long and Complicated Administrative Process

For bureaucracy, different and sometimes different definitions are provided by management and political scientists, here are some of these definitions briefly: Bureaucracy sometimes means redundant formalities, i.e. paperwork and additional regulations, sometimes meaning the administrative apparatus, i.e. all the tools and facilities of the central and local government, and sometimes a certain form of organization that has certain characteristics such as the hierarchy of authority and the system of regulation. Bureaucracy is used in a different sense, including: sensible organization, public administration, organization, and modern society.¹¹⁶

Weber was particularly afraid of what they call an iron cage. It is a region where people are captured by paperwork that ignores their human basis, like cases where crime victims are ignored. Alternatively, criminal justice officers do not treat them properly. Furthermore, the irrationality, the transaction of charges, the fiscal policies of criminal justice, the conviction, and the efforts made in the control of the criminal justice officers will be discussed.¹¹⁷

Weber considers the bureaucratic organization to be a system based on the rational-legal authority that aims at efficiency, eliminating party play, reducing the protection of relatives, bribery, corruption, observing principles in administrative processes, and observing the principle of meritocracy in the organization, in which people's commitment to the organization in general and towards the job, not the employed and most of the organization's officials can be changed.¹¹⁸

The Ideal Bureaucracy Organization is an organization that has five principles: the first principle, observance of the principle of compliance with the division of expertise in the employment of employees, the second, the creation of administrative hierarchies,

¹¹⁵ Ibid, p. 19

¹¹⁶ Gol, G.E., Theories and Management Process, Translated by Sohrab Khalili Shorini, Tehran, Samt, 2001, p. 34.

¹¹⁷ Hossein, Gholami, Yousef, Babaei, McDonald's of Criminal Justice, Journal of Justice Law, No. 70, Summer 2018, p. 165.

¹¹⁸ Masoud, Chalabi, Sociology of Order, Tehran: Ney Publication, 1996, p. 71.

the third, the formulation of sets of rules, regulations and organizational regulations in the organization of bureaucracy; the Fourth, observing the principles and formal relations in administrative processes and The Fifth, hiring specialist staff based on the principle of competence, associate and technical competence. What we see in organizations today in line with its functions is too much emphasis on strict compliance with the rules and excessive inflexibility in some administrative laws that in some cases disrupt the process and observance of the same regulations that were imposed to increase the efficiency of the work, has now led to the reduction of efficiency and motivation for the work of employees. Paperwork, sometimes, is an extra and only time-taking and onshore rules that employees often shrug under to avoid responsibility and refer it to each other or us above.

In many cases, in referring to the offices, we witness the customer's wandering and complaints about the employees' work, the process, and sometimes the administrative regulations, or we were involved with it ourselves. Also, in some cases, hiring people who do not see a proportionality between their profession and expertise, but because of the legal administrative structure — which in many cases is considered and implemented by the executives and us above — does not leave any objection.¹¹⁹

Administrative bureaucracy in Afghanistan has caused two tangible and objective losses to the people and government of Afghanistan:

1. The complexity of administrative processes and processes creates a gap between the "people" and the "government," which we are witnessing now. In this regard, people's sense of trust in the government and administration is denied. One of the consequences of "disrupting the order of people's sense of trust in the government" is lowering people's cooperation with the government. On the other hand, the level of provision of services, facilities, and capacities is going down, which we see the results of in the current construction of Afghanistan.
2. Wandering clients of Afghanistan's offices: The slowness of administrative affairs has caused people to wander. The wandering that the referrer for a signature on the sheet must

¹¹⁹ Esmaeil, Balali, Akram, Mohammadi, Impact of organizational factors on work ethics among employees of government departments, *Journal of Applied Sociology*, Volume 24, No. 2, summer 2013, p. 149.

refer to different places and places. The worst-case scenario is when the referrer finds out if the "signatory officer" has gone on leave. In addition, the visitor must die on consecutive days of repeated visits until the "signer" returns from the trip.

3. Afghan agencies are similar to the route in which numerous checkpoints are located, where passengers pull money out of their pockets at the tail of each attempted stop. This is certainly a blatant insult to the noble people of Afghanistan.

According to sources and sources of studies, the bureaucracy has been used as "anti-administrative and anti-innovation in the organization, which tends to lack flexibility and destroy the sense of character, "Pundits call this type of administrative system a "system of administrative governance" in which "control is in the hands of administrative officers and their power endangers the freedom of ordinary people."

What is certain is that under the government system of Afghanistan's administrative officers, a "signatory" agent can lose or dispose of the case or two of the referrers or tear them down and throw them in the trash; otherwise, there is no one to hurt the visitor. A visitor who has "his hand-dug out of the sky and his feet from the ground."¹²⁰ The long and complicated process of work and the construction of clients to numerous branches and references and getting many unnecessary signatures in the petition of documents and documents and unnecessary writings are the grounds for many instances of corruption. For example, the performance of the old, the citizenship ID card, the passport, the license of the course of the petition, the number of pellets, the electrical booklets, the purchase and sale collateral, and other transactions are so long and complicated that clients prefer to pay a high amount by the few. For example, to obtain the booklets of electricity and products, clients are forced to refer to at least ten references and stream their petitions with more than 20 warrants and signatures. This process has paved the way for the black market, courage, and other types of corruption.

3.9. Governance of Relationships over the Rules

Unhealthy recruitment and selection are mostly made on the governance of relationships over standards, the adverse consequences of which are obvious and evident

¹²⁰ Ali, Payam, Complexity or Bureaucracy, Flaw in Afghanistan's Administrative System, 8 am newspaper, 25 Oct 2017.

in all areas. As a result of nearly three decades of war, crisis, and the lack of responsibility and governance of the situation, most persons without scientific qualifications, commitment, and expertise in government agencies have been moved to different levels; the main factor in such recruitment is as well:

- Political and regulatory, ethnic and regional relations, family and taking bribes in stipends and continuing to pay bribes and in recruitment and conversions.
- Politically, incompetent individuals begin to work to prefer their party and group objectives over national interests. All their performance focuses on meeting their political and party objectives, using their government resources and positions, and never paying attention to advancing their responsibilities for the benefit of the Afghan people, Those employees who support the centers. Power outside the framework of the government considers their decision. It will make it superior to the law. They are trying to take advantage of all the situations that have been achieved, the great extent of the exploitation of unauthorized in their favor, their respective support and groups, which has promoted a culture of corruption in public administration.
- Ethnically and regionally, it has been seen in most cases that in government offices individuals are transformed and promoted based on established ethnic and regional relations, which creates an unhealthy social and working environment.
- In terms of personal and family relationships, it has been seen that the stipends of important and key positions are from close friends and relatives of the U.S., especially purchase, administrative, employment and other positions in which the possibility of corruption is observed.
- In addition to mentioning the above factors, lucrative posts are placed in volunteering and volunteer auctioneers win. The unpleasant effects of governing relations on standards are not exclusive to police, and courts, but are also at the forefront of corruption in all other government agencies. For this reason, criminal detection agencies and government intelligence rarely trap criminals.

3.10. Influential Groups, Powerful and Corruption

In 1908, Arthur Bentley published a book entitled *The Process of Government*. The role of its influence groups is addressed not in institutional and structural statics but

as a political process. In this book, he sees political decisions as nothing but the result of the interactions between the influential groups and the relationship between them.¹²¹ Like political parties, influential groups are a reality dating far beyond the dating of new political parties. These phenomena appear in the eyes of some natural, legitimate, and appropriate elements for the course of society's affairs. In contrast, others are nothing but factors that deviate from the principles of democracy. In third-world countries, due to social dissociations and the non-institutionalized and uninsured context of social organizations, the flow of affairs in them is more invisible and intangible.¹²²

Many researchers have pointed to the positive functions of pressure groups. Of course, these experts have not taken away the adverse effects that are rationally arising from the performance of these groups. For example, The discussion and political bargaining scene may be transferred abroad from legitimate and legal centers such as parliament, with which group interests take priority over the public interest. In other words, these groups in these societies often have a deterrent and sabotage aspect.¹²³ Pressure groups are intermediaries by which ordinary interest holders try to influence the course of public affairs—in other words, gathering people with common goals who seek to achieve their goals through political action influences public policy.¹²⁴ The main characteristics of pressure groups or influence groups, the scope of action or the dimensions of their functioning in the political system are:

Personal Gain: Personal gain is the root cause of the development of pressure groups. People with common interests come together to form a group that fights for their own interests.

Hidden Political Figure: Pressure groups don't want to openly show their political face. Sometimes they are even ashamed to enter the political scene. The pressure group's policies represent nothing less than the complete politicization of the group and more than its non-politicization.

¹²¹ Ahmad, Naqibzadeh, Hidden Pests in the Democracy System, Political and Economic Information, No. 32. 1989, p. 13.

¹²² Ibid, p. 12.

¹²³ Ibid, p. 14.

¹²⁴ Parviz, Alavi, Political Communications (Communication, Development and Political Participation), Tehran: Novin Science Publications, 2007, p. 3.

Incorrupt countries, chronically, have various meaningful gifts, from inviting to dinner and traveling and taking holidays to gifts of various importance. Creating qualities and friendships with rulers at frequent public banquets gives them a kind of influence that sometimes results, but no one's honor is questioned.¹²⁵ In short, it can be said that strongmen infiltrate Afghanistan's economy and politics in the following ways, fueling the spread of corruption: Influential people have been involved in a variety of economic activities, both legal and illegal. Nevertheless, they have diversified their network and have been involved in various businesses, undermining the competition.

The Monopoly of Markets: The findings show that if an influential person enters one of the businesses, small businesses either voluntarily exit the market or are forced to quit using force. It is common to imagine that competing with an influential person is a misdeed among business people with small and medium-sized businesses. Monopoly also means the allocation of markets.

The market in Afghanistan is governed by limited elements of strongmen, which can be said that the oligopoly market (plural monopoly) is common in this country; the Oligopoly market is a system in which many high-end vendors and producers dominate the entire market.

Limited Competition: Competition in the production of objects or services is limited, making those who excel above the market have great power in determining the price.

The Use of Political Influence in Order to Protect Economic Interests: Influential individuals use their political influence, including their government duties, to obtain contracts, to own export and import businesses, to seize land, to create places, and other activities like this. Military abilities and political influence are the main factors of this group in corruption and politics. Access to the services of armed men, influential individuals, and their political influence break the backbone of economic activity. The military capability of the card-winning individuals was first and facilitates the handling of political power, the acquisition of government chokes, and the agitating concerns about the administration of projects in insecure areas have led the encapsulation agencies and

¹²⁵ Najiba, Saeed, Sankh Badie power in local delegations, Philo Sociology website, 2012.

international security forces to appeal to the strongmen about their standards regarding the provision of contracts.

Finally, the performance of these strong and militia groups will weaken the process of state-building and nation-building and slow the country's development and spread corruption.

3.11. The Effect of Non-Transparency in Administrative Rules and Regulations and Monopolization of Licenses

In addition to incorrect legislative policy at the general level, in the narrower sectors, i.e., in the departments themselves, the lack of transparency in the rules and administrative enforcement, in the bills of duty, in the procedures and regulations related to the departments themselves, regulations and issuance of various licenses, provide a suitable platform for committing administrative corruption. Because these types of administrative regulations and licensing, on the one hand, give a kind of monopoly power to the authorities and managers of the government, and on the other hand, bureaucracy and prolonging administrative enforcement, which may cause corrupt individuals to take bribes from individuals and entities that need government licenses and services. Long administrative enforcement and regulations that are often not transparent are also unavailable to all people, providing the grounds for many contacts between clients and civil servants. Consequently, individuals are forced to spend much time. This creates a situation where individuals offer money as bribes to save time.¹²⁶

This situation in Afghanistan seems to be one of the leading causes of administrative corruption. The lack of clear regulations, even the lack of practical procedures, leads to the wandering of clients. This situation sometimes inadvertently provides people to wander, and sometimes the officers intend to take advantage of the situation.

¹²⁶Ibid, p. 116.

3.12. The Effect of Factors Related to Lack of Judicial Independence

Lack of judicial independence, or its weakness or lack of compliance, can be a facilitator of crime and corruption in any society. Lack of judicial independence increases crime and the emergence of judicial corruption. Judicial corruption has a mutual impact on crime and the spread of corruption in other public sectors, especially at political and decision-making levels. This means that different political factors can affect the independence of the judiciary, which causes the prevalence of crime and corruption in the judiciary. In contrast, judicial corruption facilitates the opportunity to commit corruption in other parts of the government, especially in the upper echelons of government.

Transparency International published a 2007 global corruption report on the extent of corruption in countries around the world. In the report, Transparency International, with research conducted in 62 countries, found that despite international efforts to ensure and maintain judicial independence, judges and court officials across the world continue to face pressure to vote in favor of political and economic powers. In Russia and Argentina, for example, political powers have increased their influence on judicial matters. Flexible judicial organs provide some form of legal protection for influential people, the report said. These powerful have questionable or illegal methods, including embezzlement, appointments of relatives to critical administrative and public office jobs, privatization of public institutions, or political decisions met with resistance and legislative power or the media.¹²⁷

Also, in 2018, Transparency Afghanistan published a report conducted with field investigations. The people mentioned corrupt institutions; most of the people stated the percentage of corruption in the courts of 14 percent, the Ministry of Education 10 percent, and the Attorney General's Office 9 percent. These statistics show that judicial authorities in Afghanistan are impregnated with corruption.¹²⁸ In a 2018 report on corruption in Afghanistan, the United Nations says that in the past year, despite the efforts of the government and the judicial sector, the Afghan parliament has done nothing to combat corruption. "Corruption in Afghanistan is massive, inhumane, and shameless," the

¹²⁷ Transparency International, 2007 Global Corruption Report, translated by Arash Farhoudi, Islamic Republic of Iran, Judiciary, Inspector General's Organization, p. 3 and 4.

¹²⁸ National Survey on Corruption, Afghan Perceptions and Experiences of Corruption, Transparency Watch Afghanistan, 2018, p. 2.

UNAMA report said. The volume of corruption and the comfort of those who commit it has surprised even those who have the most realistic view of the challenges in postwar state-building."¹²⁹

CHAPTER FOUR

Economic and Legal Factors of Corruption

The profound negative impact of financial corruption on economic growth and development has a significant negative effect. Reducing economic efficiency, improper allocation of resources, and inappropriate distribution of incomes, along with reducing investment incentives in the long term, will negatively affect the country's economic growth; as a result, the economic consequences of the prevalence of financial corruption in countries can include the anti-growth and development of financial corruption, the creation and spread of poverty and its effects and consequences, as well as the change of economic culture. The negative consequences of corruption in unfavorable economic and social conditions can be practical both socially and individually.

The drafting and adoption of the law as a legal solution is necessary, and must realize that although laws can build legal frameworks against corruption, this is never a sufficient condition in itself and can only represent one action. If only passing laws were enough to fight corruption, corruption could easily be eradicated, while the reality is not. Therefore, the effectiveness of laws in the fight against corruption requires two conditions: the quality of the laws, and the second is to the supervision of their

¹²⁹ The United Nations calls the Afghan parliament part of the corruption problem, BBC Persian website, May 25, 2018.

implementation. In this chapter, we first discuss the economic factors of corruption, and the following are the legal factors of corruption in Afghanistan:

4.1. Economic Factors

Corruption has many economic factors. Today, in Afghanistan's offices, partisanship and bribery have become a culture, and individuals do not feel bad about paying bribes or taking them. Impunity before the law for some economic corruptors has left law authorities unmotivated to fight corruption and seek to justify their illegal acts. The following are the economic factors of corruption:

4.1.1. Poverty and Corruption

The most general economic variable that causes corruption is poverty. Poverty in developing countries creates a suitable arena for bribery. A small minority of people quickly get rich by illegal methods and non-manufacturing activities, while most are plunged into poverty and misery. Civil servants are the first victims. Because inflation lowers their purchasing power, and the government is unable to raise salaries. This primarily illustrates why the core of corruption lies in government offices.¹³⁰ While not confirming the existence of a direct relationship between poverty and deviations, researchers verify a correlation between them. Hence, as one of the social issues, poverty is effective in the occurrence of variations and increased corruption.¹³¹

In general, poverty is the cause of crime, theft, prostitution and many crookedness in society. Some researchers also confirm this view and consider poverty and economic disability as a direct cause of deviance and see correlation between them. From some researches on the relationship between the rate of crimes against property between 1940 and 1960 and between the percentage of households whose incomes are lower than the average of society, it was concluded that the relationship between poverty and deviations is direct relationships of Loftin and Hill research, which are contributed to poverty

¹³⁰ Milomiadana, Rachel, "Corruption and Familiarity", UNESCO Payam Monthly, No. 113, 1996, p. 24.

¹³¹ Esfandiari, Isma'il, "Qar and Social Deviations", Background or Motivation?, Quarterly Journal of Women's Book, No. 21, 2010, p. 21.

indicators such as child mortality, inappropriate education, etc. This confirmed a strong correlation between this measure and the U.S. homicide rate.¹³²

In examining the relationship between corruption and poverty, two models are mentioned in the literature. The first is the business model, the second is the governance model. According to the business model, the increase in corruption first affects the factors of economic growth, decreases economic growth, increases injustice in the distribution of income and increases poverty. According to the governance model, the increase in corruption first affects governance factors, reducing governance capacity and increasing poverty. Governance: It is defined as the traditions and institutions practiced in a country. This includes 1 the process chosen and followed by the government, 2 the capacity of the government to effectively implement the policies, 3 the state of the institutions that govern economic and social interaction with the concern of the citizen.¹³³ Therefore, poverty causes corruption, and then corruption feeds poverty again as it prevents the right management and stops the increase in welfare. This vicious cycle thus continues.

Also, researches on the relationship between unemployment and crime confirm the same findings. For example, in a study, it was proved that a 1% increase in the unemployment rate resulted in a 5.7% increase in murder. However, due to the assumption that unemployment is the cause of poverty and poverty is the cause of crime, it is concluded that there is a positive relationship between unemployment and poverty and crime. More than 54 percent of Afghans were below the poverty line in 2016, a 16 percent increase compared to the previous year, the Central Bureau of Statistics said. More than half of Afghanistan's population earns less than 2,600 AFN (less than \$30) a month. Unemployment has also risen from 22 percent to 24 percent.

Afghanistan's Economy Minister Mustafa Mastoor stressed that insecurity, political instability, the controversy of the 2014 presidential elections, and the reduction in investment were among the main reasons for the situation. He also added that the slowdown in economic growth, the imbalance between economic growth and the country's population, low domestic production growth, and Afghanistan's reliability on

¹³² Weld, George, and others: *Theoretical Criminology*, Ali Shojaei, Samt, Tehran: 2001, p. 157.

¹³³ BERKSOY Turgay, *Yolsuzluk Kavramına Genel Bir Bakış: Problemler Ve Çözüm Önerileri*, Journal of Awareness Volume:2 Issue:1, 2017, p.5-6

imports are among the main reasons for this situation.¹³⁴ Some theories at the micro-level have dealt with the relationship between corruption and poverty. This kind of analysis is far from the usual complexity that can be accessed to an immediate result simply by using some tools, including available statistics. For example, with a few primary questions about the economic and financial situation of criminals and criminals, it is observed that most of them are from the poor and disadvantaged class, and using several tables shows that the frequency of crookedness among the poor is higher than other segments of society.¹³⁵

At the macro level, poverty and social deviations are considered disabled and are placed in a causal and disabled cycle. Based on these explanations, it is clear that there is a problem at the level of institutions, organizations, social relations, and structural characteristics of the society and has caused a problem in the society. Durkheim believes that when extreme economic fluctuations plague all biological dimensions, social regulation becomes loose, and the extent of law-abiding in society peaks. According to Durkheim, the extreme economic fluctuations that lead to the sudden collection of wealth or loss have a more decisive effect and, in terms of time for a more extended period, reduce the process of social conformity and obedience to laws and custom as social forces, because it causes a sudden change in social values and people a state of confusion.¹³⁶

So that severe economic fluctuations and economic anomalies increase the class gap. In this case, most people in the society are unable to meet their needs and fall into the trap of poverty and try not to move towards the goals of society using different means, resulting in a variety of law-abiding and outlaws. In Durkheim's view, anomalies mean the lack of clear criteria for guiding behavior in a particular area of social life. In this situation, the person feels a loss of orientation and causes him to commit suicide.

¹³⁴ More than half of Afghanistan's population lives below the poverty line, BBC Persian website, May 6, 2018.

¹³⁵ Anthony, Giddens, *Sociology*, Manouchehr Sabouri, Tehran: Ney Publications, Che V, 1999, p. 280.

¹³⁶ Houshang, Momeni, *Management Perspectives*, Tehran: Seteh Sepehr, 2008, p. 32.

Robert Merton's Theory

Merton sees the contrast between accepted norms and reality as a factor in crookedness. For example, in most societies, "making money" and "making progress" are accepted values, and appropriate hard work is needed to achieve them. Therefore, if some people are in a situation where they have limited opportunities for progress, they will be put a lot of pressure on them to succeed.

Inevitably, they resort to any means, whether legitimate or illegitimate and show numerous reactions that Merton has divided into five groups, four of which are considered deviant and obscene behavior.¹³⁷

In the structural theory of opportunity, Robert Merton offers persuasive sociological explanations about the relationship between poverty and the law of evasion. A society that emphasizes material success and considers the number of assets to be a measure of people's success, wealth is recognized as a cultural and social goal, he argued, and most people accept that the criteria of wealth and materialism decisively measure success. Since a small stratum in society has extensive access to financial facilities and objectives, the broader stratum has little access to income-generating methods. They agree and favorably meet the criteria for measuring success. Therefore, for people (the poor), social tools and goals do not match. This group considers the target desirable but cannot access it. In Merton's view, poor people try to adapt socially in different ways. Their efforts in choosing ways of adapting to social purpose may be available to a range of different behaviors, such as providing new facilities for themselves that are not accepted by society or turning to illegal behaviors for earning money and wealth. In general, in Merton's view, poverty spreads in society when society does not equally distribute the tools and possibilities of wealth generation. The talents and abilities of members of society for legitimate endeavors are not nurtured equally.

¹³⁷ Robertson, Ian, *An Income on Society*, translated by Mohammad Hossein Behrovan, Ch 1, Mashhad: Astan Quds, 1993, p. 79.

Therefore, in these situations, the poor should be expected to carry out more illegal behaviors to meet their demands and meet their essential needs,¹³⁸ which is undoubtedly corruption, the most obvious way.

Conflict Theory

In the conflict theory, the law-abiding behavior is shaped by a struggle between the upper classes of society who own the means of production and those in the lower class who lack the means of production. In this theory, Karl Marx believes that most of the delinquency and outlaw behaviors are carried out by the lower classes, not because of the psychological tendency and causes of the poor and the lower classes, but because of the limitations imposed on the lower classes and the poor through the dominant class of power tools and institutions. According to this theory, the existence of widespread conflicts in society and the classification of human beings causes people in the lower class to become alienated and from alienation, which means the feeling of losing control over a social life, It provides the possibility of enforcing the evasive law which is algebraically carried out.

In Marx's view, in such a process, poor people who become alienated reach a sense of emptiness, powerlessness, self-loathing, mistrust, and violence, resulting in such a situation causing de-ethics and disregard for the normative values of society. To the extent that people in the lower and poor class deny the fundamental values of society, social norms, and established standards of behavior.¹³⁹ Economic factors play an essential role in corruption. The most important economic factor in corruption is poverty; along with other factors, it plays its role, in which case there is a kind of correlation between poverty and corruption.¹⁴⁰ the theory that poverty, along with other factors, impacts the occurrence of corruption indicates the theory of combining factors in crime and deviations.

Giddens pointed out that objective factors, social and economic conditions such as poverty, are the predisposing factors for the occurrence and prevalence of social

¹³⁸ Mohammad, Abdollahi, Barriers to Law-Abiding in Iran, Journal of General Culture, No. 20-21, 1999, p. 127.

¹³⁹ Mohammad Reza, Shahabi, Moslehi, Saleh, The Relationship between Law-Abiding and Law-Abiding, Tebyan Website, 2011.

¹⁴⁰ Weld, George, and others, Op.cit, p. 158.

deviations. However, the more significant share is related to individual will and choice.¹⁴¹ In "The End of Order," Francis Fukuyama interferes with the "great collapse" of human capital and causes collapse to factors such as poverty, changing cultural values, changing technology, deterioration of religion, attributes. He believes that it is not possible to explain the contribution of each of the factors accurately and that the available evidence, on the one hand, is not such that causal relations are expressed in a way that all observers are satisfied. On the other hand, only one component cannot be considered sufficient, and the rest cannot be ignored.¹⁴² It is derived from the totality of the said materials that have emerged in Afghanistan due to these factors, particularly the cumbersome laws, the low salaries of public servants, injustice in the distribution of wealth and poverty, corruption.

4.1.2. Recession

All the characteristics of this period are against the popular period. The volume of production and trade has decreased, especially in durable goods; even in some of them, the volume of production is usually less than the volume of consumption. Lack of employment leads to lower farm prices and high labor efficiency. Interest rates fall unless the risk is high. Other costs tend to decrease and will be in line with the sale price. Afghanistan's economy in 2013-2016 fell at its worst since 2002, down 1.1 percent, compared to 9.6 percent in 2012. Even many economic analysts warned that Afghanistan's economy is in recession and that the situation is hazardous. The false economic growth of the country after 2001, the reduction of international aid from \$15 billion to \$8 billion, the outpouring of substantial logistical money of foreign forces from the market, intensifying insecurity, reducing rainfall, and consequently reducing agricultural products, etc. One factor was the sharp decline in Afghanistan's economic growth.¹⁴³

Amid hopes, the government's economic-oriented foreign policy paid a boost to 2.2 percent in 2016. It attracted 1.2 billion investments in energy, water management, manufacturing industries, export growth, services, etc. Part of the activities, achievements, and performance results in 2016 was to shake the pulse of the Afghan

¹⁴¹ Anthony, Giddens, Sociology, Manouchehr Sabouri, Ch5, Tehran: Ney Publications, 1999, p. 145.

¹⁴² Francis, Fukuyama, End of Order: Social Capital and Its Preservation, Translated by Gholam Abbas Tavassoli, Tehran: Iranian Society Publication, 2000, p. 4.

¹⁴³ Zia, Danish, Afghanistan's Economy for the Past Three Years, Pajhwok Afghan News Website, 2017.

economy. One of the causes of the recession in Afghanistan is insecurity and occasional theft of people's markets and property and is a bribe. Ab Ayas, who has lived in their geography for the last decades of the government's life, presents an illustrative picture of the economic system's damage. According to him, the robbery of markets was carried out by significant gangs of riders and pedestrians daily. They plundered goods from markets and killed guards without being prosecuted by the government. In the shadow of the government's failure to deal with this issue, theft increased in non-Mamluk society. Groups of approximately 100 people robbed shops on foot and riding with bows and spears by attacking Cairo markets.¹⁴⁴

One of the main reasons for the leadership's failure is corruption in high-level police appointments and promotion, supported by the monopoly of institutions by corrupt political elites. This is one of the significant challenges that has led to increased insecurity, corruption, and inadequate incentives in the security forces. Divided leadership and poor relations between securities Institutions and the people are other significant obstacles in the security sector to keep citizens safe and secure. Research by civil society organizations on the police shows widespread corruption of small amounts in the traffic police, including Kabul traffic, passport and ID card offices, and extortion on highways. Two-thirds of the 377 police pint checks on highways have forced Truck drivers to pay bribes, a field study has found. Such violations of the social contract between citizens and the government have undermined citizens' confidence in police services. The increased number of kidnappings, robberies, assaults on individuals, shooters in Kabul and major cities is hugely worrying and requires comprehensive security reforms.¹⁴⁵

4.1.3. Economic Underdevelopment and Corruption

Economic underdevelopment is one of the most important causes of corruption. In other words, corruption leads to underdevelopment, and underdevelopment fuels corruption. The results show that economic development indicators such as GDP growth,

¹⁴⁴ Nurollah, Karimian, Shabani, Amalyev, Weakness and Fall of Mamlik Government, Economic Reasons and Backgrounds, Scientific-Research Quarterly journal of Islamic History, 6th year, No. 22, Summer 2016, p. 97.

¹⁴⁵ Afghan civil society officials on the occasion of the meeting of senior officials, Transparency Watch Afghanistan website, 5 October 2017.

per capita production and economic liberalization, regulatory quality index, size of the underground economy, social development index, and civic participation are essential variables affecting financial corruption. According to the results, improving socioeconomic development indicators, citizenship participation, and regulatory quality index have improved the financial corruption control index (reducing financial corruption) among selected countries while increasing the size of the underground economy has increased the index of financial corruption in selected countries.¹⁴⁶

Corruption is a complex, multidimensional phenomenon with multiple causes and effects that has different roles and manifestations in different conditions. Considering the importance of this issue in different countries, extensive studies have been conducted to identify and explain the causes of this problem. Underdevelopment and corruption, like a vicious cycle, have continually strengthened each other and made political and economic corruption a part of these governments' characteristics. Undoubtedly, this vicious cycle has constantly been repeated in Afghanistan, and underdevelopment has led to the spread of corruption, and corruption itself has been an essential factor in underdevelopment. This widespread corruption in some Third World countries, especially Afghanistan, is as follows: Corruption has an inverse effect on economic growth and robustness of third world governments and their societies. The structural causes of corruption in all countries are mainly based on the extent of government size, low savings accounting, and poor incentives for serving public servants.

Corruption also has a social and cultural origin, including the extent of the rule of relations over the rules and the way people communicate with the government and so on. The more obvious the causes and origins of corruption, the more severe corruption will be, and the more difficult it is to fight corruption with a view to its origins in a reasonable time process. In the third world, corruption at the first level and the level of political elites is considered natural. Individuals and movements, particularly in unstable coup d'état systems, are quickly looking to take advantage of the opportunities and rents that have arisen for their own personal and political purposes.

¹⁴⁶ Farhad, Rahbar, Fazlollah, Zarzavand, Recognition of the Complications of Financial Corruption, Nature, Species, Consequences and Empirical Teachings, Tehran: Achad Daneshi, Faculty of Economics, Jahad Publishing Institute, 2002, p. 8.

4.1.4. Decreasing People's Incomes and Purchasing Power

Poverty is one of the most important causes of the formation of financial corruption, which is also the cause. On the other hand, it is also the effect of financial corruption in society. The growing inflation and the constant downward trend of people's purchasing power, and growing unemployment encourage people to earn easy incomes and corrupt activities. The result is that the monopoly government and the rented and single-product economy, along with factors such as low salary levels, inflation, price index increases, and a decrease in the purchasing power of the people, are driving society towards corrupt activities. A reduction in government revenues causes this effect. This reduction in capability makes the government incapable of implementing construction, essential, and infrastructure projects and advancing growth and development programs. The incorrect pattern of income causes the spread of inequalities and severe class divisions and will prevent the full realization of social justice in the long run. It is here that the poor and low-income classes will have minor benefits from social welfare, have no place in the distribution of incomes, and government investments will not benefit the group.¹⁴⁷

Corruption causes the unfair distribution of income and exacerbates the gap between rich and poor. The most harmful corruption is suffered by the disadvantaged and vulnerable classes of society. Corruption in Afghanistan has led to bribery, the usurpation of public assets and people with the help of bribes, the growth of the mafia economy and the drug trade has narrowed the realm of life for a large number of people, as bribery causes economic inefficiency and disrupts economic activities and drives resources and talents towards illegal activities. It also undermines the country's ability to increase legal income and finally reduces the ability of society to provide and obtain essential materials of life and hurts the country's development and development process.¹⁴⁸

¹⁴⁷ Hassan, Dadgar, Economic Approach to The Prevalence of Financial Corruption in The Country, Islamic Economics Journal, No. 11, Autumn 2003, p. 106.

¹⁴⁸ Asma, Jamali, A Look at the Causes and Economic Consequences of Corruption in Afghanistan, 8 a.m. newspaper, Wednesday, November 14, 2018.

4.1.5. Lack of Economic and Social Justice

Economic justice means the protection of economic rights in the field of economic behaviors and relations. This, as an economic goal, is fully realized when everyone in society attains their right to the wealth and incomes of society. Different perspectives have provided many meanings for the right based on different foundations. Some of them have stated that right means favor and privilege. Most of them have defined the right to imply the meaning of favor and privilege, i.e., implies an obligation, implies the meaning of favor and privilege. On the other hand, rights and obligations are each other's doppelgangers. Wherever a right is spoken to human beings, there is also a duty for them. From the point of view of Islam, the origin of the right for human beings is two things: work and need. All the blessings of the world are created for man. In other words, the ultimate reason for the creation of the blessings of the world is the enjoyment of human beings from them. Therefore, all human beings are entitled to the blessings of the possible universe. Based on the amount of work and effort, this right is realized. Also, for needy people but cannot work, their needs make their rights about blessings real, and the government and the wealthy must meet their needs at a conventional level.

The concept of the word justice is different from the concept of equality. However, the critical issue is that all human beings should have equal conditions in enjoying god's blessings. Whenever people use opportunities that others are deprived of in benefiting from the natural God-given facilities of society, it will be great oppression. However, after dividing opportunities equally, if a group benefits more from blessings because of more extraordinary talent and effort, this is not against justice.¹⁴⁹

Theoretically, social justice has been in the focus of many theorists, and the study of this issue has evolved gradually in the form of social theories. Until the mid-19th century, philosophers' conception of justice was more observant of human actions. However, since the mid-19th century, John Stuart Mill first proposed social justice in the modern sense. In the 20th century, with Rawls's Theory of Justice (1950), there was a revolution in attitudes toward justice in political philosophy. Rawls brought the issue of justice from ideology and socialist movements into the spheres of capitalism and liberalism. Rawls believes that justice is the highest virtue and good that social institutions

¹⁴⁹ Ahmad Ali, Yousefi, Economic Justice, Journal of Islamic Economics, 4th Year, No. 17, 2005.

can create. In the theory of "justice as fairness," he tries to express a family of fundamental values for justice that are uniquely related to institutions' political and social structure. In short, Rawls believes that no one should gain less than what they gain in the equal distribution system of essential goods. When social coordination promotes the overall advancement of society, the resulting inequalities should benefit all those whose conditions have improved more than others in the process.¹⁵⁰

Let us look back at Afghanistan's past. We will find that the phenomenon of economic and financial corruption has always plagued governments throughout history and prevented them from achieving important goals such as equitable distribution of income and economic opportunities, establishing social justice, increasing public welfare, creating a favorable environment for the growth of moral virtues, eliminating monopolies, sharing the public in determining their destiny, eliminating inappropriate discrimination and a healthy system. Just as economic health in society is due to justice, injustice and oppression are the most important factors of economic corruption. Therefore, the roots of economic corruption should be found in the injustice and oppression of people in society or society itself. A society whose subjects do not confine themselves to the justice framework and act contrary to the standards of justice suffers from economic corruption.

Economic corruption, which is opposed to financial health, means that thought and behavior take the healthy flow of wealth out of its natural path and cause disruption and defects in this process. Suppose the correct economic behavior is that everyone in any situation can benefit from God-given endowments and wealth. In that case, economic corruption is a behavior that deprives most or some human beings of benefit.¹⁵¹

4.1.6. Wage Imbalances among Government Employees

In order to turn uninformed human beings into conscious human beings and small-feeling humans into creative people, jobs must be left to them that can respond positively to their inherent needs and feel essential through them. Therefore, good and meaningful and rich jobs are the most important ways to create self-esteem and a sense of importance

¹⁵⁰ Mehdi, Mohammadi, Rafiee, Hassan, Perception of Corruption and Sense of Social Justice, Social Journal of Iran, 7th Year, No. 1, Spring and Summer 2016, p. 130.

¹⁵¹ Abdolreza, Mirian, The Root causes of economic corruption in society from the perspective of the Koran, justice, the foundation of economic health, Raskhoon website, Saturday, December 3, 2011.

that leads to the growth and progress of human resources. Of course, one job may be exciting and rich for one person, but not for another. Therefore, it is necessary first to examine the capabilities, needs, and interests of human resources, then consider a suitable job so that by doing so, the mentioned objectives are achieved. The quantity and quality of the workforce and its costs are among the issues that must always be controlled and reviewed to maintain the quality of the workforce that is following their interests by paying a reasonable salary.¹⁵²

On the other hand, quality can be defined as doing the work correctly and continuously in all classes of an organization, which means meeting or meeting the demands of the system according to the standard and "quality of work-life," represents a kind of organizational culture and management method based on which employees feel ownership, self-government, responsibility, and self-esteem. Thus, the objective definition of the quality of work-life is a set of actual working conditions in an organization such as organizational commitment, teamwork spirit, job satisfaction, compensation of services.

According to Maureen, one of the main obstacles to the success of quality work-life programs is the financial growth system. Organizations that emphasize the quality of work-life of their employees have more organizational effectiveness. However, the boredom of work resulting from justice-seeking due to financial and administrative corruption causes job dissatisfaction, employee productivity, and more participation. It increases stress, turnover, and absence, and in many cases, integrates the organization's people with the mentioned corruption. This leads to a meaningless and satisfying task.¹⁵³ The quality of life of employees is raised in two parts: low and high level of work quality of work-life, which based on low-level needs, includes life-based on meeting health, security, and economic needs, and in this regard, a model should be considered that can be claimed that the quality of work-life (or two high and low-level components) has a positive relationship with job satisfaction and with increasing economic level and frowning it, increase in proportional salary. With job conditions, job satisfaction increases, and employees' quality of life increases—subsequently, corruption and

¹⁵² Ali Reza, Qaherdoost, Hamid Reza, Yazdani, Study of how salary affects the reduction of corruption and financial corruption, *Human Resources Studies Quarterly*, Year 5, Issue 15, Spring 2015, p. 93.

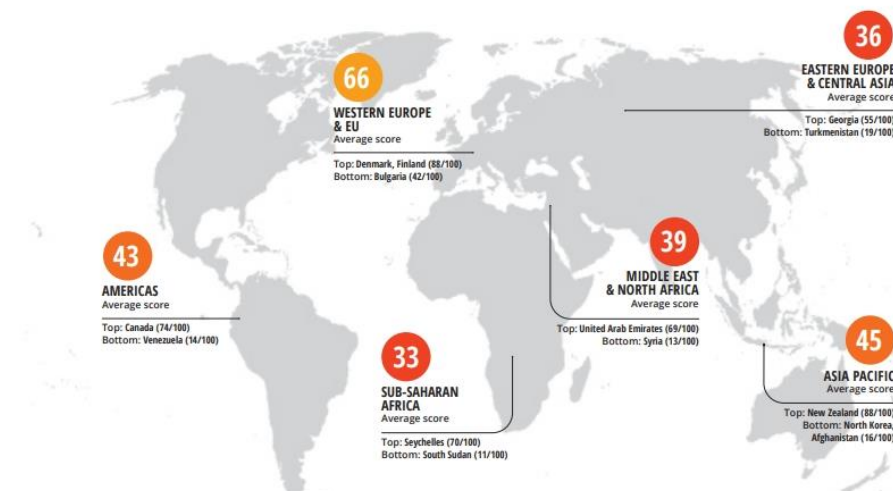
¹⁵³ Ibid, p. 93.

financial corruption decrease. The result is that there is a relationship between salary and corruption, and financial corruption. Finally, it is proved that there is a relationship between factors involved in employees' quality of life, including the salary of employees in the organization with administrative and financial corruption.¹⁵⁴

Transnational or Transparency International regularly publishes a report with three indicators on financial corruption. The most important indicator in this report is the feeling and perception of financial corruption. The index measures perceptions of financial corruption among public servants and politicians in their respective countries and grades those governments. The Feeling and Perceptions of Financial Corruption Index, which covers 13 investigations, is produced by an independent international body. These researches are conducted by the opinions of business people and analysts from specific countries concerned.¹⁵⁵

RESULTS BY REGION

Average regional scores, with top and bottom performers in each region.



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According to the report, Afghanistan, with 16 points, is among the last 8 countries have the lowest scores.

¹⁵⁴ Ibid, p. 94.

¹⁵⁵ Transparency International, Corruption Perceptions Index 2021
https://images.transparencycdn.org/images/CPI2021_Report_EN-web.pdf

¹⁵⁶ Ibid, p.11.

Transparency International investigates financial corruption on average in 180 countries. Financial embezzlement of managers and other economic activists, the existence of bribes in administrative and governmental agencies, the health of regulatory apparatus in terms of bribery of employees and managers, financial corruption among public officials, etc., are among the indicators that have been considered in setting transparency international annual reports. They are headed by countries where the level of feeling and perception of financial corruption is exceptionally negligible, explaining that there is no public referendum in transparency international's report.¹⁵⁷

Low wage levels due to the inappropriate economic structure can be considered influential in committing crimes and corruption. According to the economic analysis of criminology, crime often occurs in cases where the expected income of committing a crime is higher than wages in the official labor market. Therefore, the most critical factors affecting crime are the minimum salary system provided in the official labor market, which the government and businesses should, in addition to trying to eliminate unemployment and create employment, seek to provide a wage proportionate to the activities performed by the employees in order to contribute to the reduction of crime by providing livelihoods for individuals and families.¹⁵⁸

Low wages in the administrative structure of third world countries, especially Afghanistan, are one of the causes of financial corruption. In addition, the low intakes of government employees in the Third World create a situation where, at best, public sector employees are considered a step forward to launch their future activities in the private sector. Also, in third world countries, whenever reforms have been made to the administrative system and the wage system, some of the levels of rampage corruption have been reduced at low offices.

Low per capita income, unsympathetic and inflationary economies, chronic expensiveness, and poor salaries of employees, along with bribery, have turned corruption

¹⁵⁷ Spring 2015, p. 95.

¹⁵⁸ Younes, Boroumand, Crime Analysis from an Economic Perspective, Applied game theory, 3rd International Conference on New Research in Management, Economics and Humanities, p. 14.

into a common practice in third world countries. In general, reducing government payments increases the likelihood of crime and corruption.¹⁵⁹

Contrary to classical economic criminology theories, it is believed that more than poverty affects crime, unequal income, and low wages affect delinquency. In Central America, for example, despite countries in this region not wealthy, crime studies show that the distribution of wealth in a society is more important than natural poverty in predicting the rate of violence.

It has been argued that absolute income inequality raises delinquents who, seeing these inequalities, justify theft for wealth and spread meaningful violence for their actions, as well, according to The Findings of Fujan Ziebelber. Al, income inequality and low wages in Latin and Central America are the main drivers of violent crime. They are associated with higher rates of intentional homicide and robbery. Changes in the way income is distributed rather than changes in absolute poverty levels are linked to changes in the rate of violent crimes.¹⁶⁰

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¹⁵⁹ Ali, Rabi'i, Op.cit, p. 5.

¹⁶⁰ Mehrdad, Rayejian Asli, Valiollah, Sadeghi, Journal of Legal Studies, Shiraz University, 7th Period, No. 3, Fall 2018, p. 98.

¹⁶¹ Younes, Boroumand, Crime Analysis from an Economic Perspective, Applied game theory, 3rd International Conference on New Research in Management, Economics and Humanities, p. 14.

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Low per capita income, unsympathetic and inflationary economies, chronic expensiveness, and poor salaries of employees, along with bribery, have turned corruption into a common practice in third world countries. In general, reducing government payments increases the likelihood of crime and corruption.¹⁶²

Officials at the Afghan Ministry of Finance said that so far, there has been a vast and unfair difference in salaries of high-ranking officials and low-ranking government officials. Currently, the lowest rank of public servants in Afghanistan is the best eight. The lowest salary of an employee in the post is 5,000 AFN (about \$70). At the same time, the salaries of some high-ranking government officials exceed \$4,000. A spokesman for the Ministry of Finance said that several low-ranking employees could not afford their regular living expenses on low salaries. They are paid high salaries against high-ranking officials. This situation has left low-ranking employees uneasy about their work. In addition to the unfair difference in salaries in Afghanistan, ensuring the continued presence of specialist staff in government institutions is another goal of raising salaries. The Afghan government began tentatively paying employees' salaries over the phone.¹⁶³

Sham Roozkhan Masjedi says the out-of-establishment salary for specialist staff is expected to be gradually eliminated, so the government does not want to lose these specialist employees. That is why their salaries also increase. According to the Plan to Increase salaries of public servants, for example, in the Ministry of Finance, the salaries of employees who are 5,000 AFN will be increased to 11,000 AFN (about \$140), the lowest salary of a fourth post employee, currently 11,000 AFN, to 20,000 AFN (the US \$290), and the salary of a third post employee, which is about AFN 15,000, to 40,000 AFN (about \$600). The ministry spokesman added that in contrast, the salaries of high-ranking officials, which is a high figure, will be reduced. According to Sham Rosekhan

¹⁶² Ali, Rabi'i, Op.cit, p. 5.

¹⁶³ The Afghan cabinet approved a plan to increase the salaries of public servants, BBC Persian website, 19 December 2018.

Masjidi, currently, the salary of 20 percent of high-ranking government officials is equal to the salaries of 80 percent of low-ranking employees.¹⁶⁴

4.1.7. Lack of Transparency and Auditing

They consider that auditing has different types and types, and each is based on specific claims and activities. Therefore, its definitions correspond to the same approaches and orientations of the activities of the relevant institutions. In the meantime, the definition stated in the Statement of Fundamental Concepts of Audit has a comprehensiveness and inclusiveness of all its types. The audit statement defined as: Auditing is a deliberate process for impartially collecting and evaluating evidence about claims related to activities and economic events to determine the extent of compliance of these claims with predetermined criteria and report the results to stakeholders. According to this definition, an audit should be conducted based on proper planning, including "collection" and "impartial assessment" of evidence. In an administrative audit, evidence about claims about financial performance, for example, of how dedicated funds or the department's economic activities should be spent, should be collected. In particular, in recent years, in many regions and provinces of Afghanistan, personal budgets are returned to the center without being spent when necessary, and those that appear to be spending, there is no monitoring and auditing of them as to where and in what case it has been spent.¹⁶⁵

Aside from the financial audits that are of great importance, the other issue is the lack of operational audits in the Afghan administrative system. In the operational audit, performance evaluation and performance effectiveness of an institution and organization are measured. Attitudes are measured to what extent the efficiency and effectiveness of the organization about the specified goals have been successful and efficient so that based on the results of this evaluation, improvement opportunities and corrective suggestions for improving and productivity of the current operations of the organization are presented, therefore, in addition to the lack of an auditing body B. Side and decisive as regulatory

¹⁶⁴ Ibid.

¹⁶⁵ Abdul Basir, Nabizadeh, Op.cit, p. 109.

and control leverage, lack of financial transparency is another important factor in the incidence and spread of administrative crimes and violations in Afghanistan.¹⁶⁶

4.1.8. The Role of External Factors on the Spread of Corruption

Foreign investments are seen as increasing in the poorest countries, and these investments are likely also to increase national income and production but have rarely been beneficial to ordinary people.

The "top-down intrusion" theory is not true of the Third World. Only the affluent little in the nation receiving foreign capital, i.e., those who directly benefit from lucrative contracts, bribes, and fees, welcome foreign investments. Investments do not simply enter the economic system of a developing country but are concentrated in a series of special activities beneficial to foreign investors and minus those serving the interests of investors, such as authoritarian rulers and their corrupt representatives. The majority of people are outside these arrangements and are even affected by these indiscriminate investments.¹⁶⁷

Foreign aid and foreign loans may have a humanitarian appearance, but they do not achieve income and wealth distribution equality. Efforts to increase public revenues and improve their working conditions increase labor costs and reduce profits. Aid from rich nations and loans are not forgiven by wealthy banks, mainly if they are used to compete with the financial interests of donor countries. The way these funds are spent will lead to exacerbation of economic inequalities rather than reductions.

Corruption has also increased in most third-world countries due to the weakness of the rule of law and the lack of a transparent regulatory mechanism. The same is true of Afghanistan. Afghanistan is one of the most corrupt countries in the world. If we study the growing trend of corruption, the most critical factor that has increased corruption in the country is the increase in aid from the international community. According to World Bank findings, indicators of good governance (anti-corruption, the rule of law, political stability, quality legal framework, effectiveness, and accountability in government) after

¹⁶⁶ Ibid, p. 110.

¹⁶⁷ Saeedeh, Lotfian, Security Consequences of Economic-Political Corruption in Developing Countries, Journal of Faculty of Law and Political Science, No. 71, Spring 2006, p. 195.

2004 show a worse situation.¹⁶⁸ Especially if we only look at the corruption index, after 2004, with the increase in aid from the international community, corruption has also grown dramatically. In 2009 alone, nearly 52 percent of Afghans paid bribes. According to the statistics provided, the total amount paid is more than \$2.5 billion, nearly 23 percent of the country's total GDP. Between 2007 and 2009 alone, corruption doubled, accounting for \$156 per Afghani per year.¹⁶⁹ Corrupt Afghan government officials have pitied one part of the foreign aid, and much of it has been looted by foreign NGOs. Almost all studies on foreign aid in Afghanistan consider foreign aid a significant cause of corruption in the country. Corruption caused by foreign aid in the country is not only a problem facing economic development, but also a serious challenge to good governance, stability, democracy and human rights. On the other hand, corruption has Created many incentives to join the informal economy and limited the government's capacity to collect taxes and the government's ability to provide better services and good governance.¹⁷⁰

The U.S. Special Office for Afghanistan Reconstruction (SIGAR) issued a report on March 19, 2019, saying that the way the aid was provided to Afghanistan further complicated the coordination between various U.S. government agencies, and the tacit tolerance of corruption in Afghanistan and the U.S. unintentional support for corrupt Afghan government officials led Afghans to support less private sector development programs. According to the report, which focuses on developing Afghanistan's private sector and economic growth, the U.S. government has not understood the relationship between corrupt individuals and influential people in Afghan society. SIGAR added that Afghanistan's economic growth in the first years after the fall of the Taliban was primarily due to the launch of reconstruction programs and the high amount of money consumed by foreign countries. Therefore the rate of this economic growth did not last. According to World Bank statistics, Afghanistan's economic growth has been fluctuating since 2003. For example, Afghanistan's economic growth reached 21 percent in 2009, compared to 2.3 percent in 2016.¹⁷¹

¹⁶⁸ Reza, Farzam, International Community Assistance: Development, Corruption, Conflict and Economic Dependence in Afghanistan, 8 am newspaper, Tuesday, 24Th of 2014.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Sigar: U.S. donations led to encouraging corruption in Afghanistan, Voice of America website, 21-21, and 2018.

In Afghanistan, many ministries and executive agencies contract directly with foreign and domestic companies due to the nature of their work. The purchase of basic goods and supplies, in large quantities, is controlled by government officials and this can be used as a means of committing corruption. Collusion between the buyer and the seller in different ways to receive commission and bribes is also done using this tool.

Some companies try to bribe and use other illegal means to get those facilities. Ignoring the spirit and the preliminaries and regulations cause severe social harm to society. In many countries, in tax laws or import permits, there is a wide range of powers for the adoption authorities. They have the exclusive power to recognize the necessity or vitality of an investment or import of a commodity and act as a sole source for granting such licenses. The greater the possibility of it being in their interests. Use more. Although the lack of authority to act itself causes excessive inflexibility of laws and regulations and prevents the proper functioning of a particular Economy or organization, the high number of laws and regulations often provides a conducive basis for corruption.¹⁷²

In his book "A Picture of Reforming the Administration and Fighting Corruption," the Islamic State of Afghanistan's Supreme Court considers government agencies' legal and administrative process to be one of the most important causes of corruption. The existence of inconsistent performances in government offices is one of the chronic problems. The court was aware of this problem from the beginning and even before the strategy against corruption was devised. The existence of improper performances was one of the most important causes of corruption.¹⁷³

In addition, foreign military interventions and foreign military presence that have been going on for years in Afghanistan provide its own informal economy and corruption. According to a report presented in the US House of Representatives, The main contract supporting the US supply chain in Afghanistan is called Host Nation Trucking, a \$2.16 billion contract share between eight Afghan, US and Middle Eastern companies. The HNT contract allows the United States to dedicate more of its troops to other military

¹⁷² Shaghayegh, Shahri, Analysis of Economic Factors Affecting the Phenomenon of Financial Corruption, Virtual Society of Jurists website, 15/12/192.

¹⁷³ Abdolmalek, Kamawi, a picture of reforming and administering and fighting corruption in the judiciary, Court of Justice C. 1. 1, 2010, p. 29.

operational priorities rather than logistics. But outsourcing the supply chain in Afghanistan to contractors has also had significant unintended consequences. The HNT contract increases corruption, extortion and creation of new warlords because of bribing warlords to protect supply line.¹⁷⁴

4.1.9. Free Market Economic System and Corruption

The structure of society's economic system is in direct interaction with corruption. Among the most important economic variables related to corruption are: class gap, distribution of incomes, sources of income, tax rates, inflation rates, the government's financial ability to provide its employees, and finally, sources of government revenue (single-product or not). The recent case leads to a bias of resources and facilities towards one sector, resulting in injustice in other sectors that paves the way for corruption. Meanwhile, in the same income-generating sector, corruption grows differently due to the vastness of financial and non-financial power. However, the most general economic variable that causes corruption is poverty.¹⁷⁵ The economic system in Afghanistan is an essential factor in the field of corruption. Because this system has provoked a class gap and has failed to distribute public wealth fairly, and the government's capacity to pay employees and meet their basic needs is deficient. All this has created a sense of injustice in society, especially among public servants, and has eventually intensified corruption. Afghanistan's constitution considers the market economy as the country's economic system and system and calls for the advancement and progress of the country's economic affairs accordingly. The political events and economic performances of the past decade of Afghanistan indicate that the market economy policy has never been able to have positive performance in practical, re-opening, and positive performance about the country's crisis.¹⁷⁶

¹⁷⁴Tierney, Rep. John F., Extortion and Corruption Along the U.S. Supply Chain in Afghanistan, 2010, p.15

¹⁷⁵ Mohsen, Farhadinejad, Comparative Study of Corruption in Developed and Developing Countries, Quarterly Journal of Administrative Transformation, Volume 7, No. 45, p. 446.

¹⁷⁶ Mir Mohammad Yaqub, Mashouf, Efficiency of Market Economy in Afghanistan, 8 am newspaper website, September 4, 2012.

4.2. Legal Factors

Corruption describes any legal practice that does not have any legal effect due to non-compliance with the law. In this case, non-compliance is when a government officer or anyone else violates their legal authority. When one exceeds his or her legal authority, legally and legally, his action is corrupt and ineffective. Therefore, such an act must be returned to the former state, i.e., if a verdict has been made or a financial statement has been taken from someone unjustly and against the law, it should be withdrawn, and the sentence will be abolished. In a word, it can be said that corruption in the legal view is the same as army, embezzlement, sabotage, and procrastination in client affairs by government agents.

4.2.1. Quality of Rules and Regulations

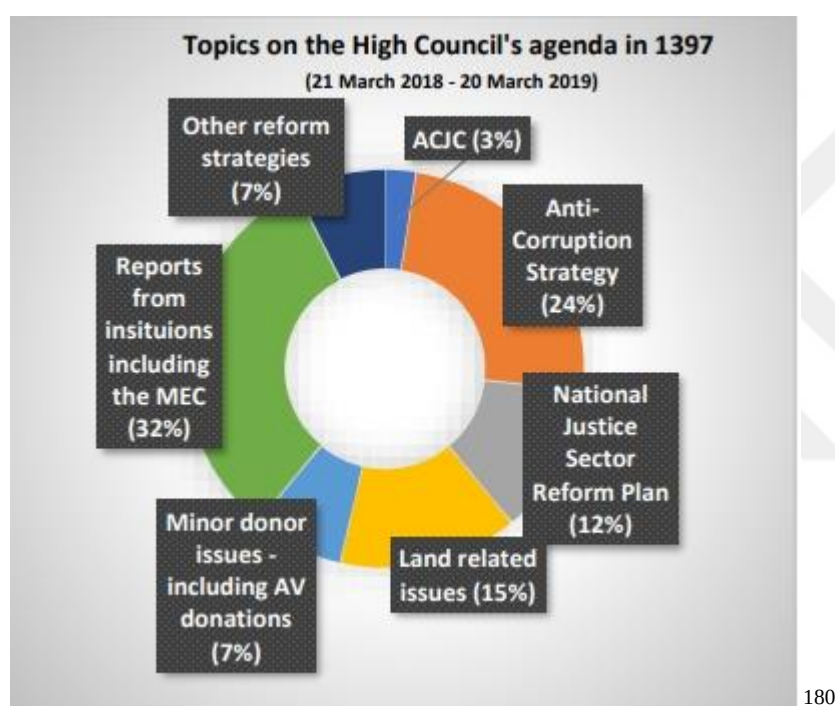
This indicator means the government's ability to formulate and implement policies, laws, and regulations. In principle, the quality of approved laws and regulations, as the main foundations of official institutions, plays an essential role in economic and political development and reforms. The better the existing laws and regulations, the better the governance will be. The difference between the new Afghan constitution and the past is evident. The most important difference is related to democratic foundations and principles. In previous Afghan constitutions, the principle of "freedom of opinion," "freedom of expression," and freedom of political assembly can be seen less. Furthermore, in none of those mentioned above constitutions, political, ethnic pluralism, Islamic religions, and especially Shi'a religion were recognized.¹⁷⁷

The Constitution of Afghanistan is one of the most modern constitutions among the countries of the world; on the one hand, attention has been paid to the historical, current, and future values and demands of the People of Afghanistan, as well as the social and cultural realities of the society. On the other hand, the values of the modern world and the necessities of a desirable democratic and acceptable society for today's world; therefore, it can be said that this constitution is one of the historical achievements of the People of Afghanistan.¹⁷⁸

¹⁷⁷ Annual Report on Development Goals ... Ibid, p. 24.

¹⁷⁸ http://www.dailyafghanistan.com/opinion_detail.php?post_id=122598

The High Council for the Rule of Law and Anti-Corruption was established by presidential decree on August 17, 2016. It is one of eight development councils listed in the Afghan National Framework for Peace and Development (ANPDF) two National Priority Programs, the National Justice and Justice Sector Reform Plan (NJSRP) and the Effective Governance Program.¹⁷⁹ Unlike other development councils, the High Council has also been codified in the Anti-Corruption Law, which provides that the main objectives of the High Council are to fight against corruption and to establish coordination between the organizations concerned under the management of the President.



Transitional countries, such as our country, have bilateral disease in this area: failure of laws and regulations and non-compliance with the facts, non-compliance with the existing laws, on the one hand, policy-making of the administrative system, and dominance of different layers of relations on the rules with the help of some other factors by others, suitable grounds for Individual and organizational abuse and various types of lawbreaking in the administrative patient system. The country has provided.¹⁸¹

¹⁷⁹ UNAMA, Afghanistan's fight against corruption, groundwork for Peace and Prosperity, May 2019, p.12.

¹⁸⁰ Ibid, p.12

¹⁸¹ Abdul Basir, Nabizada, Afghanistan- Administrative Crimes and Violations, Factors and Solutions, Journal of Law Research, First Year, Summer 2011, p. 2016.

From ministers to ordinary citizens in Afghanistan, they ask the law if it serves their interests or justifies inappropriate behavior and actions and is contrary to their public interests and interests. However, what has become a principle in the Administrative System of Afghanistan today and most of all in the spread of violations and crimes of administrative staff is to prevent the implementation of laws, regulations, judicial rulings, and government affairs.

4.2.2. Ambiguity of the Law

In the simplest definition, the law is a framework adopted with an apparent formality that defines the inner relationships of human beings with each other and governments and peoples in a national body. Lack of transparency of laws, which may be due to incompatibility and inconsistencies in the valuables and culture governing society or non-compliance with law-abiding principles, causes many administrative anomalies and irregularities in the society. Whether it has undergone various and perhaps incongruous interpretations and plays on the beat of the inefficiency of the executive and legal system of the country with as much power as possible, in this regard, the country's procurement law developed and presented by the Ministry of Finance is a clear example of these heterogeneities. One of the significant uncertainties and inadequacies in the Afghan legal system is the lack of separation between labor law and administrative law. Afghanistan's labor law, which is designed to systematically state labor, many of its articles also describe the duties and practices of administrative staff, which may confuse employees and those responsible for formulating internal regulations of the administration whether to regulate administrative regulations based on labor law or administrative regulations. In any case, this overlap and lack of transparency in segregation causes conflicting behavior in administrative staff and paves the way for administrative crimes and violations, under the pretext of unequivocalness of the law on how public servants act because each labor law and administrative law demands its criteria, administrative law has a direct relationship with the administrative system and somehow with the government, the political system, and ultimately related to regulation—the relationship between the nation and the state.¹⁸²

¹⁸² Ibid, p. 87-88.

4.2.3. Conflict of Laws

Another factor in the increase and spread of administrative crimes and violations in Afghanistan is heterogeneity and conflict of laws. If we look carefully, we will understand that the political and legal system described in The Constitution is incompatible with ordinary laws. In contrast, the principle is following customary laws with the Constitution. Other country laws do not easily cover the military that the existing constitution seeks to implement. Furthermore, the social and cultural conditions and changes of the society require that the laws also keep pace with these developments and not neglect the conditions and conditions governing society. Unfortunately, this gap and disharmony between social change and the legislative process have led to the emergence of a heterogeneous legal framework based on customary laws with the former constitution and does not exist with the existing constitution. According to some members of the executive body of the country, one of the leading causes of inefficiency of the administrative system and administrative violations in Afghanistan is the non-compliance of administrative regulations with the culture governing Afghan society and the restoration of the relevant laws because many of the executive regulations of ministries and government agencies are a kind of exploitation of the laws of the country in which the supreme authority has lived. In contrast, the basic principle In compliance with the country's laws is an infringement principle.¹⁸³

4.2.4. Non-observance and Implementation of the Law

Whether Afghanistan has or has not had laws in the distant or near past, whose weaknesses and problems have been, or where it was, and what is going on in today's Afghanistan is disturbing and painful. The violence and strife of the past few decades have brought citizens such that despite the belief in the importance, necessity, and role of the law in the country's development, it seems that for centuries there has been no sign of anything in Afghan society. The law is an imported phenomenon and an unholy and strange phenomenon with the prevailing culture and traditions in this country. Some people also behave in the meantime, as if the law is a recreational matter. If they want

¹⁸³ Ibid, p. 88-89.

and have an appetite, they go to it and otherwise forget about the wind and bury them in the dark rooms of their minds.

In Today's Afghanistan, from the Minister to the most ordinary citizens, they call on the law if it unilaterally protects their interests or justifies their inappropriate behavior and actions against the public interest. However, what has become a principle in the Administrative System of Afghanistan today, and most of all in the spread of violations and crimes of administrative staff, is to prevent the implementation of laws, regulations, judicial rulings, and government orders. However, what motives and factors this issue is, therefore, in a general assessment, several answers can be considered for which some of them are mentioned. 1. Preventing the implementation of laws, disability of political actions and reactions in the country, 2. Failure to enforce laws, neglecting the laws, and not complying with the requirements and beliefs of the people, 3. Failure to enforce laws, the effect of corruption of the administrative complex resulting from disregard for civil servants, 4. Failure to enforce the laws, the effect of the incompetence of government officials, and their lack of familiarity with legal duties; People's familiarity with the regulations and duties of government agencies and officials, 6. Failure to enforce laws and regulations, the effect of conflict of laws and their dispersion.¹⁸⁴

4.2.5. Weakness and Inefficiency of Laws and Regulations

It may be said that the most critical tools of financial and economic corruption are the misuse of existing inappropriate laws, the lack of laws and regulations in some cases, and the lack of clarity and clarity of many laws and regulations. These include various licensing regulations, scope regulations, regulations that place a tremendous economic value on them, and regulations that exclude many expenses and credits, including the General Calculation Act. Due to their work, many ministries and executive agencies directly contract with foreign and domestic companies. The purchase of essential goods and supplies, in large volumes, is under the control of government officials, and this can be used as a means of investigating corruption. Collusion between buyer and seller is done in different ways to receive pursuant and bribery using this tool.

¹⁸⁴ Ibid, p. 89-90.

Some companies try to bribe and use other illegal means to enjoy those facilities. Ignoring the spirit and the preliminaries and regulations cause severe social damage to society. In many countries, in the field of tax laws or import permits, broad authorities have broad authorities, and they have the exclusive power to be necessary or recognize the vitality of an investment or import of a commodity and act as a complete source for granting such licenses, the greater the possibility of them benefiting from it. Use more. Although lack of authority to act itself causes excessive flexibility of laws and regulations and prevents the proper functioning of a particular economy or organization, the high number of laws and regulations often provides a conducive ground for corruption. In the UN investigation into corruption in Afghanistan, the most common reason for corruption is to reduce the time of administrative activity by those who have bribed. This indicates that administrative laws make the time to do a job very long and long-term, increasing the incentive to pay bribes to clients. Organizational inflation is one of the most critical factors of administrative corruption. There are many secret and public unemployment's in the offices. Ministries and relevant bodies in their organizational structure have not demanded the theories and proposals of their second and third units or leave any time to them. Most ministries and the first units have made four presidents from forming a presidency. For example, in the past, administrative departments consisting of transport, maintenance, and financial staff departments performed suitable and more effective tasks with a proper organization pyramid and healthy leadership. Today, the management of the history of transport, maintenance, finance, and planning have been raised to the level of the presidency, which has no provisions and effectiveness except inflating the organization.

The long and complicated process of work and the construction of clients to numerous she bats and references and getting many unnecessary signatures in the petition of documents and documents and unnecessary writings are the grounds for many instances of corruption. For example, the execution of older people, citizenship ID cards, passports, licenses for the course of petitions, bachelor's degrees, pellet numbers, electricity booklets, shopping, and other transactions are so long and complicated that clients prefer to pay a high amount by the few. For example, to obtain the booklets of electricity and products, clients are forced to refer to at least ten references and stream their petitions with more than 20 warrants and signatures. This process has paved the way for the black

market, courage, and other types of corruption. In his book "A Picture of Reforming the Administration and Fighting Corruption," the Islamic State of Afghanistan's Supreme Court considers government agencies' legal and administrative process to be one of the most important causes of corruption. The existence of inconsistent performances in government offices is one of the chronic problems. The court was aware of this problem from the beginning and even before the strategy against corruption was devised. The existence of improper performances was one of the most important causes of corruption.

4.2.6. Long Administrative Process

One of the legal causes of corruption in Afghanistan is the exhaustion of some laws and inefficiency and prolongation of its procedures. Some researchers believe that clumsy public sector regulations result from a deliberate strategy by bureaucrats to increase the willingness of clients to pay bribes. The results of studies in different countries, especially developing or passing countries, show that a significant amount of time is spent by managers of institutes and companies on paperwork and futile relationships, which can be reduced through bribery. Any illegal economic activity requires administrative and executive affairs and political support that can only be provided illegally and often through corruption-infested relationships. Therefore, it may be claimed that underground economic activities lead to financial corruption.

The increase in urbanity has also led to an increase in administrative bureaucracy in Afghanistan in recent years. Many administrative services of government agencies are provided to urban people, so increasing urban planning will lead to an increase in demand for administrative services. In this way, employees can time the paperwork by stonewalling and pave the way for extortion and bribery from clients. On the other hand, the increase in urbanization has led to the growth of the private sector, and since the private sector needs the government to facilitate the sale of goods and to have different services, thereby providing the ground for payment by the private sector for the sale of the products of the public sector itself. On the other hand, administrative laws in Afghanistan are cumbersome and take up much time. Therefore, the increase in urbanism has increased the bribe in tax payments, bribes for employment, bribes for employment contracts, and bribes to obtain licenses for economic activities specific to urban areas. Increasing administrative bureaucracy and clients' demand for expediting affairs and

increasing the demand of the private sector to sell their goods will increase the demand for paying bribes and consequently increase the number of bribes. In this way, the corrupt employee can achieve more benefits each time the crime is committed. This would mean an increase in the number of embezzlement cases.

4.3. The Impact of Improper Legislative Policy on Corruption

The basis of studies in the realm of legislative politics is the review of criticism and the most critical stage of the criminal cycle, i.e., the valuation stage of the legislature, including the provision and formulation of legal regulations regarding the determination of crimes and violations and the existing responses and the limits of the powers of criminal and executive bodies. The legislative policy reflects the views and methods of the legislator in controlling crimes and violations.¹⁸⁵ Lack of existence of laws and regulations in some cases, conflicts in some laws and regulations, clear and transparent of many laws and regulations, vacuum in other types of laws, lack of clear definitions and interpretations of laws, and discrimination in the implementation of penal laws are among the factors that arise as a result of the policy of legislation and the committing of crime and corruption, such laws that should be prevented. Increase crime and corruption, but they are the cause of corruption.¹⁸⁶

For example, rules and regulations that prolong the implementation of work in organizations and agencies will further pave the way for corruption. These Laws both create demands for corruption and provide incentives for the supply of corruption, meaning that people want to get rid of such long-running acts as soon as possible. In the presence of the office staff, this situation tends to ask the clients for responsiveness. In contrast, employees can prevent or prolong the performances by citing these regulations, which creates a willingness for clients to pay bribes.

First case: Article (154) of the Constitution stipulates: "The assets of the President, vice presidents, ministers, members of the Supreme Court and the Attorney General's Office before and after the period of service are recorded, processed and published by an

¹⁸⁵ Mansoor, Dehnamaki, Legislative Criminal Policy of the Islamic Republic of Iran for Press Crimes, Quarterly Journal of Open Legal Investigation, Valley 10, No. 35 Spring 2017, p. 90.

¹⁸⁶ Hossein, Jedi, Roots of Corruption and Anti-Corruption Practices, Political Economic Journal, No. 281-282, 2010, p. 124.

organ determined by law. "The above article requires the President, his deputies, ministers, members of the Supreme Court, and the Attorney General to register their assets before and after the period of service in the relevant agencies. This is because they do not touch corruption through their duty. This article does not include the legislator himself and does not require it to register assets. Therefore, no matter how much wealth and wealth the parliamentary lawyer collects, there is no obligation to register them in the administration of the government. This law is an unreasonable law to fight corruption. However, it is the basis for committing corruption crimes for the legislator of parliament and protects him against corruption allegations. For this reason, when the 2008 Anti-Corruption Strategy Oversight Act, which envisages the registration of the assets of high-ranking government officials, including members of parliament, began to register the assets of these officials, members of parliament opposed the law. They refused to register their assets, even opposing the passage of any law that obliged them to do so. Therefore, with the authority of parliament, it is effortless to tie the hands of the judiciary and the government and provide an exemption for corrupt individuals, exemption from registration of assets, exemption from prosecution of illegal assets and proceeds of corruption, tax evasion, and other crimes.¹⁸⁷

4.4. Judicial Immunity of Powerful Individuals

"A few years ago, I said that corruption has become so strong that even our Shariati courts and judges and those sitting in the Shariah bench do not take a job without arrogance and take it against dollars; they do not get Afghans," "Many judges were angry with me. "Said Professor Sabghatullah Mujadadi, celebrating The International Day against Corruption at Amani School in Kabul.¹⁸⁸ Every military needs a system of control and oversight to work correctly. In such a way that at any moment, the necessary information about the way each component works and consequently how the whole system works and provides it to the senior officials. Weakness in this system and inefficiency of the custodians of this sector can confuse the whole system. For example,

¹⁸⁷ Abdul Basir, Sheikh Ahmadi, Op.cit, p. 115.

¹⁸⁸ Statement by Professor Sabghatullah Mujadadi celebrating The International Day against Corruption at Amani School in Kabul. 19/06/2011

when a system fails to differentiate between a diligent employee and an employee and acts quickly in time for encouragement and punishment, it will also lead to indifference.

On the other hand, when an employee observes that he or she is hiding from the regulatory eye of the system, he or she may be inclined to do their affairs through unconventional channels and turn to all kinds of corruption.¹⁸¹ In Afghanistan, due to weak judicial organs, effective monitoring mechanisms are minimal, and the lack of prosecution of perpetrators of corruption has led to the spread of corruption.¹⁸⁹ When given to the authorities, reports of abuse by officers are often left without prosecution, and either effective treatment is available so far. Moreover, fear of reprisals and threats from the powerful also disrupts opportunities. Consequently, the unanswered complaints and the existence of threats make it possible for Afghans not to complain and raise their voices in most cases publicly.

The government's indecisiveness in pursuing high-ranking government officials accused by various judicial institutions has led them to live freely at home and abroad. Several former Afghan cabinet officials and police chiefs have been charged with various crimes by judicial institutions in the past few years. Among them are Sediq Chekri, former Minister of Hajj and Endowments, Abdul Qadir Fitrat, former head of Da Afghanistan Bank, Nader Atash, former head of Kabul Airfield, Yousef Arjal, Hakim Shojaee, Kamin Gul, and Amir Gul, police chiefs, and several other officials.¹⁹⁰ In the text of the strategy and procedures for reforming the administration and the fight against corruption, it has been seen that several local elders and influential people have come to the Center as a result of the demands and insistence of some lawyers to convert or retain some officials (such as governors, district governors, and police chiefs). When the Center's authorities study the causes and causes of these movements, it is often the personal and profitable purposes in which it discredits the elected representatives of the people and even the elders and influential people of the place. It would not be unnecessary if it were said that some government officials, with their repeated and constant visits, have created the time

¹⁸⁹ Abolghasem, Modudi, *Sociological Analysis of the Causes and How to Fight Corruption and Ways to Combat It*, Solidarity, 2002, p. 8.

¹⁹⁰ Fariba, Vahidi, *Why Afghanistan came first on the list of corrupt countries*, Radio Azadi website, 2015: www.da.azadiradio.org

of the Owners' lawyers, trying to attract supporters by any means possible, which is also seriously doubtful.

In many cases, there has been criticism that these corrupt government officials will be re-appointed with the same group when they are removed from one institution shortly afterward. This is not only the Wolesi Jirga Judicial Commission, which accuses the government of failing to pursue cases of former high-ranking government officials, but several experts have the same opinion. According to these analysts, since the government has in many cases been a partner of high-ranking corruptors, it does not want their cases to be investigated.

Jawed Kohistani, a political analyst, said that because of the fair investigation of such cases, a national body is entirely neutral and free from corruption: "Those in Afghanistan's political power are potent institutions in the security, justice and judicial organs that directly support various terrorist and kidnapping networks. This political system cannot bring the Afghan people to justice because most of the law violations are carried out by these officials."¹⁹¹

Transparency Watch Afghanistan said strongmen in Afghanistan control the country's economy and have a significant stake in the price of commercial goods by monopolizing trade. The study said: "On the one hand, the government has provided a suitable environment for strongmen to use their military and political power to protect their economic interests, and on the other hand, due to the security situation, international forces and donor organizations have ignored their volunteer criteria, which has led to the strengthening of the strongmen, as they have benefited more from development contracts. *"The institutionalization of the culture of impunity for criminals who have political support and whose trials have long been arranged for them and reliable documents against them are other serious problems in the fight against corruption."* Dr. Ludin writes about the institutionalization of the culture of impunity: the institutionalization of the culture of impunity for criminals with political support and their not being tried, even though they have long been arranged and reliable documents against them, are other severe problems in the fight against corruption. We know that today, taking courage in government offices has become a culture. In many offices, even doing small and small

¹⁹¹ Ibid.

things without paying the amounts of courage is impossible, not in Afghani money, but dollars... Misuse of public assets for personal gain, acquisition of illegitimate assets through illegal extraction of property, and lack of access to individuals due to consideration of self-eating, regionalism, and ethnocentrism are among the issues that our society is currently suffering.

The institutionalization of the culture of impunity for criminals who have political support and are not being tried, even though they have long been arranged and reliable documents against them, are other severe problems in the fight against corruption... Corruption in large-scale contracts, in which foreigners are also directly involved, is not something that can be ignored. The misuse of large-scale contracts has taken place over the past few years to such an extent that it can even be said that much of the aid flowing into Afghanistan has been made possible. The sum of these factors makes the rich, richer, the poor, Poorest the most influential, the more influential, and finally, the poor, the more deprived.

Political partners, corrupt employees, and non-democratically elected individuals do not publicly work for the national interest; Many Afghans with power use their work and use popular programs for their own personal or group interests. Such interests come from the limits of the individual to their niece, ethnicity, political belongings, etc. Presently, Afghan leaders at every level and in any part of the government, when they decide the fate of their country, prefer their own personal or group interests instead of considering the national interest.

The lack of accountability at the national level is also a big issue. Political power is also based on personal relationships and a system of adaptation. In this system, the compatibility of different groups is based on self-interest and for the sake of specific political achievements. Essential and fundamental positions are commonly used as political capital in negotiations and adaptations. The selection of individuals for these positions is not necessarily based on capability but based on political transactions in which the issue of the competence and functioning of individuals in government offices is not raised. The lack of political interest in most domestic and international leaders in addressing past violations has led to a culture of exemption. As long as violations remain unaccepted and no action is taken against them, it will allow those in power to continue

abusing their qualifications. Consequently, the unanswered complaints and the existence of threats make it possible for Afghans not to complain and raise their voices in most cases publicly.



CONCLUSION

In the expression of causes, we said that the cause is mentioned in the dictionary, meaning illness. Also, causes mean cause, directions, means, formal cause, material cause, personal cause, and ultimate cause. And in criminology, the reason for crime is the sum of several factors of corruption and the lack of deterrent factors. Also, aggregate factors are a factor, and the recognition of criminal factors is the basis of criminology knowledge. And the factors causing the crime do not have the same role and, to any degree of severity, always. They absolutely do not lead the person to the crime, but the sum and composition of several factors that cause the person's corruption to commit the crime. And the factor is individual, social, environmental, and natural characteristics that play an influential role in the formation of crime.

There are several definitions in the case of corruption, and in the general description, what the general public considers corruption in any government is corruption. Corruption is also not exclusive to the public sector, but also corruption in private sector activities. In Afghan law, corruption is interpreted as an act contrary to the law committed by public servants and other public service officials to achieve personal goals and interests. Administrative violations also include that employee of an organization in different occupational categories and responsibilities, laws and regulations, these letters... do not comply in whole or in part. And this act causes damage to the social reputation of the organization in providing services of the organization.

The corruption of the administration has a very ancient history. Especially in Afghanistan, where corruption has existed in the shah's governments so far, and there have been laws and regulations in this regard to reduce corruption that has not worked, and Afghanistan is regarded as a country where corruption is high. Corruption has a variety of types, which in general include black, gray, and white corruption. Black corruption is an act that is unpopular with political elites and must be punished. Gray corruption is a work that is unpopular with nobility, but the masses are oblivious to it. White corruption is something that appears to be against the laws. But most members of the political elite community and most ordinary people do not consider it harmful and important to demand punishment.

Corruption undermines people's trust in the government and shakes political stability and cultural, national and social norms, and hinders economic growth by destroying fair competition in the labor market and inefficient allocation of resources. Afghanistan, in the last few decades, has been experiencing widespread political, economic, social and cultural crises that have destroyed the balance and social and political order, underlying corruption. Kinship is one of the causes of corruption in Afghanistan, the selection of employees in offices is based on ethnic, tribal relations, and in the conversion of ministries or directorates, relatives and relatives are moved there, which is the basis for corruption.

There is a relationship between literacy and delinquency, and one of the most critical issues in criminology. Illiteracy weakens people's awareness, which provides a social basis for committing corruption. According to scientists' theory, social inequality affects delinquency. The sense of inequality and injustice is often cited as the perversion of an office employee. This sense of injustice causes perverse behavior such as theft and destruction and thus tends to commit corruption.

The middle class has experienced valuable drivers in the past, shaping the goals that the exclusion of this class becomes resentment, hatred, dissatisfaction, and failure, and paves the way for crime. In Afghanistan, because of the lack of urban development and urban culture, and widespread corruption, the average society does not get the opportunity to emerge actively in society. The grounds for corruption are provided. Immigrant cultural and racial minorities are separated from their culture and turn to urbanization, and the city's slum centers create a delinquent subculture and crime outbreak. Another cause of corruption is the lack of oversight and control in government agencies, which causes some employees to engage in corruption and corruption in offices.

Although many studies have been conducted on corruption, there is no understanding of its causes and effects or even a complete understanding of its type and instances. Corruption usually occurs in the body of government and middle and lower-level employees. Bribery is usually a solitary act, and its benefits are exclusive to the bribe-taker. Corruption or bribery is also aimed at circumventing the law, contrary to the law and social standards, and is considered a crime.

In contrast, political corruption or influence in the government is aimed at rent-seeking and diverting resource allocation at high levels of policy and decision-making. This type of corruption is usually carried out with the cooperation and collusion of influential individuals or groups. The first reason for cooperation is that its benefits, i.e., changes in the law, are not exclusive to one person, and a group benefits from it. Moreover, the second reason is that impressing the government requires sufficient power and high Kurdish expenditure, thus necessitating cooperation and collusion between people with a common motive. Moreover, political corruption of this kind, because it takes place at high levels of sovereignty through negotiations and lobbying with the government, is not necessarily a criminal act or against the law.

Primarily, these two types of corruption have a positive effect on each other. Political and administrative corruption complements each other as two undesirable institutions; with the increase in income and development of countries, corruption and bribery decrease, and political corruption increases. Political and administrative corruption complements each other as two undesirable institutions. Among the control variables, the role of the country's production is also attracting attention. With the increase in income and development of countries, corruption and bribery will decrease, and political corruption will increase.

Considering the environmental conditions and policies, administrative ratios, political and historical social development in the country, the causes and causes of corruption are different. If regulatory agencies perform poorly and government policies create economic rents, financial corruption spreads. Some features of developing and transitioning countries, such as Afghanistan, make it incredibly difficult to control corruption.

If high-ranking officials and political leaders in Afghanistan use government agencies for personal gain or those who resist corruption are not safe, the motivation for an honorable life is more and more undermined. They believe that financial corruption is rooted in the activities of the state, especially its monopoly power and influence and powers. Therefore, the government's series of activities spontaneously creates grounds for corruption. In the case of corruption in every society, there are different causes and

causes. In this category, corruption is divided into three causes: social, cultural, political, administrative, economic, and legal factors.

Social and cultural factors of corruption mean the primacy of kinship relations, weakness of social awareness, inequality, poor average, and increase in urbanization, lack of supervision and control, and lack of organizational culture. Political and administrative factors, the type of political system, human factor, ethnic structure, transition period, political parties, administrative process, governance of relations over standards, groups of influence, lack transparency, payroll system, and judicial independence. Economic factors include poverty, stagnation, underdevelopment, income reduction, economic unfairness, wage imbalance between employees, lack of transparency and audit, external factors, and a free-market economic system. Legal factors, quality of laws and regulations, the ambiguity of the law, conflict of laws, non-compliance and enforcement of the law, weakness and inefficiency of laws and regulations, incorrect legislative policy, and immunity of strongmen.

Some have the most eye-catching impact. For example, you can talk about payment levels. In administrative law, paying administrative employees' salaries is not the same as those received by individuals in private law because the purpose of administrative law is to finance the employee. The government tries to pay a good amount of salaries and benefits to encourage and support the employee in performing his duties in the best way and thus increase the productivity and efficiency of the administrative system. If an office does not provide the minimum required budget and fails to meet its consumption and service needs, most of its budget is spent on supplies and equipment. It fails to pay for salaries proportionate to the cost of living; the work incentive will be reduced. Dissatisfaction will be created and result from this feeling of dissatisfaction and observation of people who earn less by work and energy through semi-legitimate and illegitimate means. Inevitably, they also tend to provide this income deficit through illegitimate means. As a result of this economic context, it undermines the culture of commitment and a sense of organizational responsibility and strengthens corruption and deviation.

So far in Afghanistan, many anti-corruption efforts have been designed and implemented, but little success has been achieved. In order to eliminate or reduce

corruption in Afghanistan's administrative order and society, we need basic and comprehensive programs that target the prevention of corruption by affecting the general culture of society and its dimensions, such as organizational culture, rather than fighting it through laws and regulations, disciplinary procedures and after the occurrence.

Suggestions

A. Social and Cultural Factors

1. Increasing the level of Social Awareness: Given that economic poverty and scientific and educational poverty prevail in Afghanistan, it is an essential factor in corruption, raising public awareness and awareness of the harmful effects that corruption has on the social, economic, and political life of society. Therefore, lays and builds public awareness to fight corruption are the best ways to eliminate the growing demand for corruption.

2. The Growth of Religious Teachings: One of the ways of social prevention is to promote individuals' moral and religious culture in a society. This is important in societies such as Afghanistan, where people have religious beliefs and have particular respect for their religious beliefs, and relying on it is one of the best ways to prevent crime. Moreover, religious teachings become the critical pillar for preventing corruption if injected into the minds of the society suitably and desirably with appropriate tools and patterns. In celestial religions, especially Islam, religion and ethics are inseparable, and we believe that Islamic societies are made up of a religious culture that encompasses their religious and moral values. In such societies, corruption is considered immoral and contrary to religious values, and no religious thought or conscience denies its ugliness and filth.

3. Monitoring and Review Through the Media: Access to information and freedom of expression are useful in combating corruption in several dimensions:¹⁹² The press, media, and journalists investigate and monitor the conduct of state agencies without costing the government any money. This function of the press is a form of indirect assistance to government officials in monitoring and inspection. Exposing corruption in the press increases the social costs of corruption. Employees realize that corruption is

¹⁹² Nader, Habibi, Corruption (Effective Factors and Methods of Combat), Tehran: Vosoughi Publications, autumn 1996, p. 112-113.

endangered not only by punishment but also by their dignity. Moreover, bringing things into the press prevents individuals from exerting influence to stop and not pursue corruption.

4. Participation and Decision-Make: Many administrative problems are arising from the focus of power at the top of the hierarchy. In democratic-centered organizations, decision-seeking power is located at the top of the pyramid and is applied from top to bottom. This alone causes a difference in the organization. Therefore, to avoid creating a difference, there is no choice but to share the decision-making power among all classes of the organization based on their duties and responsibilities. In such a case, which is the basis of work, participation, and cooperation in the organization, each controls himself. A combination is created between individual and organization objectives which coordinates them with each other.

5. Raising Children and Activating Related Institutions: Paying attention to the way children are raised and activating institutions related to children's socialization by designing targeted programs, especially refining and updating textbooks of educational books. This will ultimately lead to the formation of new beliefs among citizens so that when committing corrupt acts, especially when the interests of others are involved, my social part will feel the presence of the community and will not allow itself to violate the rights of others quickly. Moreover, it moves society toward becoming more ethical because, as we know, financial corruption is considered a problem of political or economic structure and a moral dilemma with an upbringing- a person. Corruption can range from abuse of authority by a public official to military or even moral decline. Therefore, in order to solve this ethical problem, we need to make society sociable and ethical. Also, although judicial treatment of corruption is essential, it is certainly not enough. Society needs morality. Otherwise, we need an endless series of police and corruption increases in parallel with such a dynasty.

7. Attracting People's Participation: One of the World Bank's strategies in fighting corruption is to attract people's participation. In its view, public participation reduces corruption. "All segments of the population must be serious and vigilant in fighting corruption and gain the political will to fight it," said the closing document of the anti-corruption conference in Durban, South Africa. Without the mobilization of civil society,

governments cannot bring their reforms to fruition in the fight against corruption and economic corruption, as they face many political difficulties.

B. In Relation to Political and Administrative Factors

1. Reforming the Administrative System: Administrative reforms in governmental organizations such as reforming and improving organizations' facilities, budgetary system, healthy and effective financial management, efficient tax system, and such measures can be helpful in administrative reduction. These reforms should be able to adjust the exclusive power of administrative staff in decision-making and reduce direct communication between clients and employees. It also speeds up paperwork and prevents long-term relationships between employees and clients.

2. Establish a Complaints Center: Given that corruption is ongoing in Afghan offices and ministries, and clients face many problems, it is suggested that a center be established in government offices. If clients are experiencing administrative issues, they can solve their problems by visiting that center.

3. Establishment of Independent Anti-Corruption Organizations: The establishment of independent anti-corruption organizations is one of the most important strategies to fight corruption in today's conditions, which have played an influential role in tackling corruption in almost all countries that have faced corruption problems. Singapore, Hong Kong, and Malaysia, which are today the leading countries successful in curbing corruption, have overcome the corruption crisis by creating independent and powerful anti-corruption organizations and are on the path to economic and administrative development. In Afghanistan, there are numerous anti-corruption agencies, most of which operate within government agencies themselves. This cannot help much in reducing the fight against corruption.

C. In Relation to Economic Factors

1. Increase employees' salaries: Much of the administrative violations are rooted in economic problems that will naturally help improve civil servants' economic situation to control part of corruption. Eliminating discrimination in offices in paying wages at different levels, improving the salaries and benefits of underpaid employees is an excellent way to realize a society free from corruption.

2. Preventing the Validity and Qualifications of the Duties: The primary solution to this type of corruption is to create conditions in which high-ranking government officials and officials cannot use their credibility and competence to achieve financial and economic benefits. The most necessary means, in this case, is for high-ranking government officials to be banned from activities for which they have financial and economic interests in a way that their positions have a direct or indirect impact on these interests. Therefore, to prevent administrative corruption resulting from conflicts of interest and combat it in the first step, a precise and logical legal framework is necessary to properly define the issue of abuse of employees' conflicts of interest. Afghan law has such restrictions; for example, article (7) of the Trade Act prohibits mandated officers from direct trade. Also, Provision 14 of the Mines Act 1999 prohibits some government officials from interfering in mining affairs and their interests. However, there is no doubt that today, one of the leading causes of administrative corruption at significant levels is the use of power to gain economic benefits. However, allegations and investigations showing the existence of contract-related corruption suggest that merely passing laws is not enough to prevent and combat this type of corruption.

Therefore, in the second step, there is a need for solid executive and regulatory measures. Combating such a phenomenon requires governmental regulatory measures and mechanisms. What plays a decisive role and is particularly important in this discussion is social institutions' mechanisms and regulatory actions. The government's actions will be practical when there is a firm political will in the government. The importance of the role of social institutions is to ensure the creation of such a firm will in the state. Because no matter how much the government comes under pressure from public opinion and criticism from civil society institutions, it will equally be forced to take appropriate measures.

D. In Relation to Legal Factors

1. Compensation: The emphasis on compensation is necessary for an effective penal policy against administrative corruption. Ensuring compensation for damages caused by government officials' administrative corruption can reduce administrative corruption. This will make corruption-infested officers more responsible for the

consequences of their misbehaving and create deterrence in them. Compensation includes compensation for damages to the state and damages to individuals.

2. Disclosure of the Names of Administrative Corruptors: When the police and the law enforcement departments do not control government corruption and other forms of crime, the media acts and plays its preventive role by exposing violations and abuses of power and military force within the criminal justice system. For example, in Thailand, even if government officials themselves acknowledged many of the problems caused by corruption, the media's revelations forced the country to adopt serious policies to tackle these problems. Article 387 of the Afghan Penal Code, stated in paragraph 1: "The court's definitive ruling on the conviction of a person for bribery is published through the media." This is a definitive verdict related to the person's post-conviction. Given that the number of corruption in Afghanistan is high, one way is to expose the faces and gangs of corruption, to monitor and control civil society and the media, in order to expose individuals and gangs who commit corruption through the media, in order to prosecute and punish high-ranking officials and individuals accused of corruption.

3. Penalties for Hiring Employees Based on Ethnicity and Position: Article 409 of the Afghan Penal Code states: "The basis of support for a particular group or sect, in the performance of duties or services or other cases of discrimination, is committing imprisonment or a fine of thirty thousand to sixty thousand Afghanis." In this article, the obligations of public services or the obligation of the foreign government or the international or international organization or non-governmental organization based on personal, ethnic considerations of discrimination shall be sentenced to imprisonment and a fine. However, although it is a crime to hire based on ethnicity, it can be seen that the hiring of employees in government offices is based on party, ethnicity, position, etc. It takes place.

4. Considering Society's Views on Legislation: A penal policy effectively tackles administrative corruption when its legislator is more aware of society's problems. The more the legislator is unaware of the factors, roots, and grounds for administrative corruption, the more inefficient the law he makes because such a law is a prescription for pain that is not known. Therefore, in order for the legislator to be aware of the causes and grounds for committing administrative corruption, he must receive information from

members of society. The basis of his effective legislation must be based on the careful study of society and its problems. This requires considering the existing conditions and views of social groups and groups most affected by such laws.

5. Reforms to the Judicial System: Judges play a significant role in the realization of security and due process; they are the place of refuge for the people so that this puts the judges in the early stages of anti-corruption strategies; this function will be realized if the judges themselves, healthy, experienced, knowledgeable and capable, dominate the air of the soul and are not polluted, because the justices' indulgence in the phenomenon of corruption is undeniable. The possibility of their deviation from the original position is high. Therefore, the realization of this issue requires effective strategies to prevent and tackle the corruption of judges, which the country's legislator should pay attention to in his legal system.

6. Transparency: Anti-corruption strategies include: Reforming the structure of the administrative and economic system, Deregulation and privatization, Reviving Ethics, Monitoring the wealth, consumption and living level of civil servants in the administrative and economic sectors, Preventing employment corruption, Group and collective cleansing of the administrative system, Establishing independent and permanent institutions to fight corruption and economic corruption, Encouraging employees and citizens to send information and disclosures, Freedom and immunity of the press in reporting and exposing corruption and economic corruption, Training government managers on corruption and finances, Increase the salaries and benefits of civil servants.¹⁹³

The above measures and methods in the fight against corruption require transparency of information. One of the essential effects of transparency is the prevention of corruption, and freedom of information is also one of the critical tools in this regard. Transparency is essential in today's world. The tendency towards globalization has intensified because globalization requires that information and communication across geographical boundaries and governments that can provide information transparently to others have a unique international legitimacy. In countries where the political and

¹⁹³ The role of economic transparency in the fight against corruption, Transparency and Justice Watch website, December 14, 2015.

economic system lacks transparency, most citizens have to spend more time doing paperwork and, in many cases, have to pay bribes to expedite their work. Explaining the concept of Transparency, Lindstedt and Noreen (2007) said, "Transparency implies accessibility. A transparent institution is an institution where people inside and outside can get the information they need to shape their opinions about the actions and processes within that institution."¹⁹⁴ Kaufmann and Bellver (2005) define transparency as "reliable, economically, socially and politically timely information that is accessible to all relevant stakeholders."¹⁹⁵

From an economic perspective, transparency means factual and comprehensive information in economic activities and clarifies the mechanisms governing economic relations, i.e., how wealth is generated and distributed in society. Transparency and economic corruption are at the opposite end, which is why the United Nations Development Program (UNDP) considers corruption to be equal to "increased monopoly on power and personal discretion and a reduction in accountability, trust and integrity and transparency" (UNDP, 2004).¹⁹⁶

In the U.S. Department of Development's view, good governance is " democratic, transparent, pluralistic sovereignty, citizen participation in decision-making, representation of the people, and accountability that focuses on five basics of strengthening legislation, decentralized and administrative local and democratic sovereignty, anti-corruption, national relations, and improving policy implementation." Transparency has several functions: First, transparency facilitates monitoring of public officials' activities and underperformance. This idea is based on the assumption that power leads to corruption. This is the most traditional conception of the cause of the need for transparency. The second justification of transparency, which has a more epistemological approach, is the desire to promote reasonableness, expertness, and efficiency in public decision-making and, consequently, increase public confidence in

¹⁹⁴ Lindstedt 'Catharina. And Naurin 'Daniel (2007) "Transparency Against Corruption. A Cross-Country Analysis" manuscript 'Goteborg University. Available at www.gog.pol.gu.se/research/reports/Lindstedt_Naurin.pdf

¹⁹⁵ Kaufmann 'Daniel. And Bellver 'Ana (2005) "Transpiercing Transparency: Initial Empirics and Policy Applications" 'Munich Personal RePEc Archive 'Online at <http://mpra.ub.unimuenchen.de/8188/>

¹⁹⁶ United Nations Development Program

this process. Being open and incredibly responsive to criticism encourages debate participants to be more careful in their beliefs and arguments.¹⁹⁷

Therefore, failure to disseminate information causes corruption. The free dissemination of information and people's right to equal and equitable access to information lead to the prevention of government information rents. Also, legislation of the flow of government information will lead to economic and political activity transparency. The dissemination of information about holding tenders on the website of organizations makes it possible to publicly monitor government performance and public access to this information, which will be the most critical factor in reducing corruption.

¹⁹⁷ Rezaeezadeh, Mohammad Javad, and Yahya Ahmadi, Basics of Citizens' Right to Access to Government Documents and Information, Law Quarterly, Volume 39, No. 4, 2009, pp. 232-213.

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RESUME

