

HISTORICAL SCHEME OF ACTIONS TO COMBAT THEFTS COMMITTED FROM RESIDENTIAL PREMISES: ANALYSIS AND REASONING.

Abstract: the article examines the historical formation of activities to combat thefts from housing by a temporary criterion and puts forward scientifically based conclusions.

Keywords: theft from housing, combating it, retrospective analysis.

ИСТОРИЧЕСКАЯ СХЕМА ДЕЙСТВИЙ ПО БОРЬБЕ С КРАЖАМИ, СОВЕРШАЕМЫМИ ИЗ ЖИЛЫХ ПОМЕЩЕНИЙ: АНАЛИЗ И РАССУЖДЕНИЯ.

Аннотация: в статье рассмотрено историческое становление деятельности по борьбе с кражами из жилья по временному критерию и выдвинуты научно обоснованные выводы.

Ключевые слова: кража из жилья, борьба с ней, ретроспективный анализ.

A number of interesting facts are recorded in historical and classical sources about the crime of theft and the activities of the fight against it, which are considered one of the oldest crimes against property.

In particular, the information contained in the ancient Book of Avesto states that in preventing and exposing theft from housing, night guards performed the main task, and serious penalties were applied to persons who committed this crime, while the laws

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of the ancient Roman Empire allowed guards, guards, to use special weapons, to prevent theft from housing, to expose, the fact that even the highest punishment is recorded as applying indicates that the theft committed from housing has been fought by mankind since ancient times[4; 121-6.].

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These are: the first stage – the period from the 5th to the 7th centuries BC; the second stage – the period from the 8th to the first half of the 19th century; the third stage – the period from the mid-19th to the 90s of the 20th century; the fourth stage – the Independence period of Uzbekistan. We will analyze what measures were taken to prevent, expose theft from housing during these periods.

The first stage (*period from the 5th to the 7th centuries BC*). In ancient times, the subject of theft from housing was mainly household goods, household goods, clothing, expensive jewelry. The reason is that the possession, use and disposal of stolen materials, items from housing was much more convenient for a thief person.

Domestic theft was more common in ancient times, mainly in zadogon and wealthy households, and the thief, whether in agreement with the house guard, sometimes achieved his goal by distracting him.

In the housing of citizens living in rural areas, such a crime was practically not committed. Goods, items, stolen from rich apartments, transferred to the inhabitants of kishlok on cheap hostages. The subject of the household theft committed in the villages is only the thief, who used it for his own consumption[1].

Therefore, it can be concluded that theft from housing located in urban, rural centers was more likely.

In the early Middle Ages, Europe was also characterized by a decline in rapid-search activity. Among other things, with the fiefdom of the Frankish society in the 5th-6th centuries, the plunder of public lands, the fragmentation of society itself and seed ties, theft became the most common dangerous crime. King Lothair of the Franks therefore formed a special police detachment to fight the thieves. Police detachments have effectively used the capabilities of local citizens in the fight against robberies to identify, search for robbers[3; 15-6].

Also, in preventing domestic theft during this period, residents should not leave their home unattended (e.g., using guard dogs or having a person in their home, etc.), who took the precaution of his property. The victim should be able to recognize a special distinctive sign of the stolen property, for example, expensive jewelry. On the basis of the buyer's instruction to the person who gave the item, the crime was exposed and the guilty person was given appropriate penalties by the decision of the Council of Elders of the time.

Second stage (*period from the 8th century to the first half of the 19th century*). In our sacred religion of Islam, crimes aimed at someone else's property are included in the ranks of serious crimes, and in order to prevent such an offense in society, a certain level of punishment is prescribed in Sharia law. In particular, the Qur'an says in the moida Surah of Karim, "you cut off your hands as punishment for the deeds of a thief man and a thief woman, and as punishment from Allah. God is the Lord of power and wisdom"[5; 114-6]. The use of a drastic penalty for theft during that period served to effectively prevent this crime.

Under Genghis Khan, a "set of Laws of Yoseh" was introduced in 1206 to eliminate theft and other vices, to establish discipline. It writes that the housing, one of the crimes against property, was engaged in the Prevention of theft by persons who served in such positions as centurion, yasovul, guard. On the basis of the nooshkora method of operational-search activities of the Mongols during that period, merchants, darvish, soldiers involved in secret cooperation and used to identify the perpetrators of the theft, as well as the corresponding type of punishment was used by the Kazakhs

based on the amount and nature of the theft committed by the guilty persons under Sharia rules[7; 150–151-6.].

Who committed the robberies committed in the state during the reign of Amir Temur was largely determined by munshiy, I.e. qalandar acting khabarnavis, merchant, fortune teller, Darwish, and the most severe punishments were imposed on the persons who committed these crimes by the Qazi. Temür said of the crime of theft in his "coup": "I have taken measures to prevent theft and robbery in all its ways. In the case of Thieves, I ordered that regulations such as" wherever they are caught, let them be punished under Yoso", the presence of strict control over the execution and observance of anti-theft measures, undoubtedly served to strengthen the legislation. It is seen from the ruins that Emir Temür sought to be as far away from oppression as possible, trying to bring justice to the people by embracing them with openness, compassion. In particular, one can see that citizens have acted with justice in cases of domestic theft. During this period, effective measures have been implemented through the use of guard dogs by the Guard, soldiers, as well as civilians to regularly prevent theft from housing[9; 106-6.].

During the period of Bukhara, Khiva, Kokand khanates (16th – 19th centuries), encroachment on property, including theft from housing, was one of the types of serious crimes, the Prevention of this crime was carried out by a guard, guard and local residents. In these Khan-Liks, mirshabs, according to the quick information that gave persons who were in secret contact with the posbonbosh, were identified persons who committed theft from housing, and their activities were rewarded with money and other goods. An inquiry was conducted by the mirshabs into the theft from the housing and exposed the perpetrators ' actions. Even if the person who committed the theft from the House cannot grant a pardon even if the victim is a relative, criminal cases have been heard by the courts of the stake and judgments have been made about the application of the appropriate punishment to the culprit[12; 205 – 219-6.].

The third stage (*period from the middle of the XIX century to the 90s of the XX century*). During the Tsarist Russian colonial period (1847-1917), a special search police was established to prevent and expose theft from housing[3; 27-6.].

The 1903-1904"collection of decisions of The Extraordinary Congress of people's judges "contained a set of court decisions on the crime of" simple theft " [15]. Also, the Criminal Code of 1903 equated the acts of theft and robbery from housing, and these two acts were named after the term "theft" in the language of the law[10; 64.].

On the basis of reliable information obtained from citizens involved in secret cooperation under the secret instructions of the police department, property-type crimes were identified (in 1904, the robbery of someone else's property amounted to 206; and in 1906, these crimes amounted to 251), appropriate penalties were prescribed by the competent court for guilty persons[13].

Domestic theft during Soviet rule (1917 – 1990) was a common type of crime, and much more serious measures were taken for this act. In particular, on December 2, 1920, the decree "on the fight against property crimes"of the Autonomous Soviet Socialist Republic of Kazakhstan was adopted. This decree was considered the first criminal law of the Soviet republic, in which the personal property of the culprit was confiscated as a punishment for the perpetrator of theft from housing[14].

As a legal basis for combating domestic robberies, the decree of the Central Executive Committee of Kazakhstan "on combating robberies"of November 10, 1921 identified household robberies as a threat to the household of the people committed from housing, and on the basis of reliable data from the employees of the militia rapid apparatus, household robberies were identified and exposed. During that time, the highest and harsh penalties were imposed by the recidivists for embezzlement, in some cases forcible abduction by invasion[3; 35 – 38.].

Persons who hide the subject of theft (thing, object, material)committed from housing, helped to sell, may also be subject to the highest penalties. According to the

same decree, large and very large amounts of domestic robberies were carried out by the people's courts in the units of the regional military tribunal.

On November 19, 1921, at an extraordinary meeting of the people's Commissariat of Justice of the Autonomous Soviet Socialist Republic of Kazakhstan, the issue of combating theft from housing was taken, and it was decided to use detention precautions as a drastic measure against persons who committed this crime.

On June 1, 1922, article 180 (1) of the Criminal Code of the USSR, paragraph "a", assessed domestic theft as a simple theft.

The first criminal code of the Uzbekistan SSR was adopted on June 16, 1926. Article 162 of Chapter 7 of this code, known as "property crimes", established a punishment for theft committed from housing and provided for it as an independent crime, the household of citizens, general bedrooms, a field yard and other residential areas were assessed as the object of this crime[11].

Later, in the 1960 Jina code of 144, the responsibility for the crime of theft committed from housing was established, and the issue of responsibility for theft committed from housing by a group of individuals, an organized group, an extremely dangerous recidivistic person was established[6].

It is worth noting that during this period, propaganda and propaganda work was carried out by law enforcement officers mainly on increasing the vigilance of the population in the Prevention of theft from housing. Secret cooperation with individuals and owners of key-making workshops, volunteer citizens, who have committed theft by the method of constant key selection, has been taken measures to expose these crimes from the "hot trail". In the Criminal Code of the USSR (1922, 1926, 1960), responsibility for theft of housing was allocated to two groups, private housing and warehouses of enterprises, institutions and organizations were allocated to embezzlement, and much more serious penalties were applied for theft of organizational property[8].

Theft from housing was always counted from pressing problems on the territory of the CIS countries. In particular, in the central regions of the regions of Kazakhstan, Kyrgyzstan, Russia, the situation is very difficult, and in the fight against theft from housing, appropriate legal measures of influence were developed by state bodies, which paid serious attention to the prevention and exposure of theft from housing[10; 67-6].

Fourth phase (*Independence period of Uzbekistan*). A scientist who carried out scientific research on the topic of the activities of internal affairs agencies in Uzbekistan during the independence period. B. Kadyrov's "anti-crime process in Uzbekistan has gone through two phases. The first stage—from 1991 to 2000—lasted. This is the most complex period, especially since the early years of independence are considered the time when violations reached their peak. The second period—from 2001 to 2011. The feature of this period is explained, first of all, by the spirit of liberalization of the judicial system carried out in the country, liberalization of criminal penalties. The opinion that internal affairs personnel are registered as a result of such measures as "trap", "net", "night", "teenager", "complex" members of an organized criminal group, persons prone to committing crimes, daydi, etc., indicates that special measures were taken by internal affairs personnel in the fight against theft from housing[2; 16].

Based on the comments mentioned above, it can be said that the fight against theft from housing has its own long history.

A retrospective analysis of the historical formation of the fight against theft from housing has shown that special measures taken in the effective fight against this crime have given its positive effect, we can say that it served to reduce theft from housing, to expose what was committed.

The study of historical methods of combating theft from housing, scientifically based by analyzing the following: *first*, when combating theft from housing, each citizen receives a security measure of the living room and additional farm room, for example, the installation of solid means of protection, the use of guard dogs, the possibility of significantly obtaining and exposing this crime; *secondly*, the issue of

legal responsibility in combating domestic theft can also be seriously considered; from uchichni, it is possible to advance conclusions that special measures "to combat domestic theft" should be carried out effectively.

In place of the conclusion, it is worth saying that knowing the essence of the fight against theft from housing helps to effectively fight this act.

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