



GENERAL DESCRIPTION, CAUSES AND PREVENTION OF CORRUPTION CRIMES

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Annotation. The article describes the concept of corruption, a general description of corruption offenses, and the reasons for the crime and its prevention.

Rational words: corruption, crimes, criminological characteristics, causes, corruption crunch, prevention.

As a complex and multifaceted phenomenon, it is safe to say that the history of corruption is as old as human civilization. The first records of corruption in the civil service were found in the archives of Ancient Babylon (24th century BC). During that time, Lagasha reformed public administration to prevent abuse of office by officials and judges.

According to popular ancient Greek wisdom, it is called "Do ut facies". Corruption is a social phenomenon, the result of society and social relations, arises and exists due to the specificity of the function of managing social and economic activities, that is, in which case the official manages resources out of selfish motives, not the interests of society and the state and the opportunity to make decisions arises. This means that corruption is a complex socio-political phenomenon, the size of which does not decrease with the change of appearance and form.

Corruption is now a major threat to national security, a major obstacle to economic development, and a factor influencing the maintenance and deepening of social stability despite the efforts of the state. Corruption restricts the free movement of economic laws, lowering the country's image in the eyes of the international community. True and socially oriented business is squeezed out of the market because corruption makes such business unprofitable.

Corruption is highly flexible, skillfully exploits gaps and shortcomings in the social legal system, changing its form and improving. According to published data, law enforcement agencies detect 1-2% of real corruption cases, and the number of those prosecuted is even less.

This social negative phenomenon is spreading beyond the borders of the nation-state and gaining a global scale. After legalization, the proceeds are transferred to the international and national financial system, destroying state and international government and economic institutions. The fight against transnational corruption became more active in the last quarter of the 20th century, during which time it began to take on a clear institutional character. Corruption threatens the rule of law, democracy, human rights, moral values in society, trust in government, principles of governance, equality, social justice, and hinders competition. The study of practice shows that corruption undermines the entire system of public administration and leads to a decline in the prestige of public authorities, the prestige of the civil service. It hinders the development of the economy and allows the growth of organized crime, especially in the economic sector.

Corruption in public authorities is particularly dangerous. Corruption in public authorities is particularly dangerous. In this case, there is a monopoly on power, the powers of the civil service go beyond the law, and decisions lead to strict accountability and lack of control by officials. This means that without solving the problem of corruption, the tasks related to public administration cannot be solved effectively.

Corruption as a complex social and legal phenomenon is accepted considered from the positions of sociological, political science, criminological and legal sciences. But some authors explain the variety of approaches to the study and understanding of corruption by the lack of an unambiguous definition of the concept of "corruption" that satisfies everyone [1].

There have been various methodological approaches to understanding the phenomenon of corruption. Several aspects of it are considered: social, political, criminological, legal. In particular, Plato and Aristotle categorized corruption as a political category; N. Machiavelli State General Disease Indicator; J. Montesquieu, on the other hand, assessed it as a dysfunctional process in which a good political order or system would remain invalid [2].

There are various definitions of corruption in the modern scientific, educational and social literature. There are various definitions of corruption in the modern scientific, educational and social literature. Due to the integral nature of corruption, no single concept of this phenomenon has been developed. Nevertheless, the first definitions of corruption were given in the field of law. As for the etymology of the word, it is derived from the Latin "corruptio", which means "purchase", "bribe" [3].

In Roman law, the word "corrumpere" means to break, to break, to damage, to falsify, to buy, and to act against a particular law. Joseph Sentura gave the shortest and clearest definition of corruption as "the abuse of public power for private gain." The Law of the Republic of Uzbekistan "On Combating Corruption" defines corruption as "unlawful use of one's position or position for material or intangible gain for personal gain, as well as illegal provision of such benefit" [4].

Other authors believe that the law does not comply modern social and economic realities, the nature of corruption risks, it uses a narrow approach to disclosing the phenomenon of corruption. Other rather harsh judgments and assessments are also given [5].

The essence of corruption is the sum of various actions (actions or inactions). It manifests itself in the illegal acquisition of property, services or benefits by a person authorized to perform state functions.

Forms of corruption are manifested in the violation of moral and legal norms by the above persons. Violations of ethical norms include chronic participation in banquets of controlled organizations, free use of services, lending to friends and relatives, and others.

Corruption offenses are acts prohibited by law and subject to legal liability. There are 4 main types of corruption offenses: 1) civil law delicts; 2) disciplinary misconduct; 3) administrative offenses; 4) crimes.

Corruption offenses are socially dangerous acts punishable by the Criminal Code of the Republic of Uzbekistan, expressed in the illegal acquisition of benefits (property, legal services or benefits) or the provision of such benefits by officials or civil servants, which are a direct violation of the interests of public authorities and employees.

According to the press service of the Supreme Court of the Republic of Uzbekistan, in 2017, about 2.5 thousand people were prosecuted for bribery in more than 1.7 thousand criminal

cases. In the fight against corruption, first of all, everyone must analyze and reform their activities. Reforms must first focus on changing the human mind [6].

The vast majority of corruption crimes remain latent. The dynamics of the disclosure of these crimes depends on a subjective factor - the activities of law enforcement agencies, the political will of the country's leadership.

The fact that the number of people prosecuted for corruption in our country increased by 1.5% in 2017 compared to 2013 is an indication that the fight against it has really intensified, but only 1-2% of corruption crimes are exposed, and the rest remain latent. The structure of corruption crimes committed by officials is as follows: bribery (24.4%), career fraud (23.1%), abuse of power or position (22.2%), deviation from power or position (21.7%), bribery (5.4%) and others (3.5%).

The description of the perpetrator consists of two independent and different criminological portraits of them:

- 1) an official of state bodies; illegal granting or receiving benefits, privileges by employees of state or local bodies;
- 2) donors or other service providers for the above purposes.

The most corrupt are employees of the executive branch.

The special criminal procedural status of deputies, judges and prosecutors prevents the identification and prosecution of corrupt officials.

The highest number of corruption offenses in the non-governmental sector was committed by directors of enterprises and heads of banks.

The analysis of criminal cases shows that the average age of this category of offenders is 37 years, 52% of those with higher education, 27% are women. To prevent corruption crimes, it is necessary to determine their causes.

The economic reasons for corruption crimes are:

- 1) economic instability. This is primarily reflected in inflation, which means that employees of state and local government bodies are looking for any source of income due to the devaluation of funds; жуда юқори даромадга эга бўлганлар табақасининг шаклланиши, эркин маблағлар мансабдор шахсларни сотиб олиш учун ишлатилади;
- 2) the lack of effective market competition allows for unreasonably high profits; давлат мансабдор шахслари ва хизматчилари маошининг камлиги.

Political causes and conditions of corruption:

- 1) the absence of the majority of the population from the government, property management, lawmaking and the practice of its application;
- 2) entry of representatives of criminal groups into public authorities; давлат ва маҳаллий органлар хизматчилар сонининг асоссиз равишда ҳаддан ташқари кўплиги.

Legal causes and conditions of corruption crimes:

- 1) the law does not define the crime of corruption;
- 2) disregard for the administrative legal prohibitions established for various forms of corrupt behavior;
- 3) the existence of gaps in the law governing taxes levied on officials of state bodies, employees of state and local government bodies;
- 4) difficulties in applying the law.

Psychological causes and conditions of corruption:



1) the fact that civil servants in our country have a long historical tradition of bribery; катта ёшдаги аҳоли қатламининг ҳуқуқий билимлари пастлиги.

2) the mental readiness of the majority of the population to "buy" their legitimate or illegal interests of civil servants;

3) there is a perception in people's minds that the risk of being prosecuted for a corrupt act is insignificant.

The organizational causes of corruption crimes and the conditions that allow them are:

1) the relative novelty of the practice of applying legal norms aimed at combating corruption;

2) incompleteness and objectivity of administrative and criminal statistics on corruption offenses;

3) 3) Lack of registers at the national and regional levels, ie organizations that maintain a list of persons banned from working in the civil service or local government bodies;

4) low level of educational and methodological support in the training of specialists in the fight against corruption;

5) relatives, in-laws support each other in service, violating justice, order, providing relatives and friends with profitable and useful careers, etc.

In our opinion, the state and the public should pay special attention to the following as the main directions of prevention and combating corruption:

- establishment of a Special State Anti-Corruption Agency for the purpose of permanent implementation of the state anti-corruption policy;

- establishment of anti-corruption commissions in the chambers of the Oliy Majlis of the Republic of Uzbekistan (these commissions analyze and monitor the extent to which adopted laws create conditions for corruption);

- appropriate revision of the norms of criminal, criminal procedure law to eliminate all forms of corruption;

- adoption of the Laws of the Republic of Uzbekistan "On the Fundamentals of Public and Economic Administration", "On Civil Service", "On the procedure for media coverage of public authorities" "On the status of civil servants";

- development of a "Code of Conduct" for civil servants, judicial and law enforcement officers;

- adoption of normative documents on social protection of civil servants, reforming the system of their remuneration, including benefits for the provision (purchase) of medical services and housing;

- consistently continue to improve the judicial system, which guarantees the rule of law and the rights and freedoms of citizens, the activities of law enforcement agencies in the fight against corruption;

- establishment of special procedures for identification, investigation and prosecution of officials involved in corruption;

- confidentiality of sources of information and information about witnesses and individuals who report corruption, offenses, improving the work of institutions to ensure their safety;

- creation of a system of verification and disclosure of declarations of property and income of civil servants by studying the successful experience of foreign countries;

- ensuring full freedom of private entrepreneurship, improving organizational and legal measures to eliminate bureaucratic barriers;



- systematic change (rotation) of all government officials on the basis of territorial and sectoral principles;
- strengthening public control in order to ensure transparency in the activities of government agencies; use the potential of the media in the fight against corruption; further use of hotlines;
- identification of specific causes and conditions of corruption: development of a list of "warning signals" about corruption; conduct sociological research to determine the level of public opinion on the level of corruption in the regions (provinces, districts) and agencies (education, health, etc.).

The elimination of the causes identified above, the implementation of the proposals made would help to prevent corruption and related crimes.

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