

The Concept of Corruption, Its View and Forms

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Abstract: *The article provides information on the origin, concept, place and forms of corruption in social and spiritual life, definitions of corruption, practical measures taken by the UN against corruption.*

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Introduction

Corruption is a crime related to the use of official position for personal gain. Corruption is one of the main activities of the underground economy. In most cases, corruption is defined as the taking of bribes or unlawful money by public officials for personal gain or for the purpose of gaining wealth. However, in general, not only government officials, but also, for example, managers of firms, are involved in corruption; bribes may be given in other forms than in cash; The initiators of anti-corruption attitudes are sometimes entrepreneurs, not government officials.

Etymologically, the term "corruption" is derived from the Latin word "corruptio", which means "corruption, bribery". According to the authors of the legal encyclopedia, "corruption is a policy or criminal activity in the field of public administration, which is expressed in the use of the rights and opportunities given to them by officials for personal gain."

According to the Encyclopedic Dictionary of Legal Terms, the term "corruption" refers to the illegal acquisition of material and other wealth by persons authorized to perform state functions (or equated to them). to allow illegal possession. "

Other literature acknowledges that corruption is a criminal activity in the field of politics or public administration, in which officials use their rights and opportunities for personal gain.

The UN International Anti-Corruption Report states: "Corruption is the abuse of state power for personal gain."

A similar definition of corruption can be found in the World Bank's report on the role of the state in the modern world: corruption is the "abuse of state power for personal gain."

Materials and methods

Such an interpretation of corruption exists in modern criminology. For example, AI Dolgova defined the concept of corruption as "a social phenomenon characterized by the bribery of government officials or other employees and the use of their official powers for personal or narrow group interests."

According to R. Zufarov, the word "corruption" is derived from the Latin word "corruptum", which means "broken, corrupted" and means the destruction of public interests in the name of personal life and corporate gain.

NF Kuznetsova understands corruption as a socially dangerous phenomenon, which consists in bribing employees of the state apparatus and non-governmental organizations. But there is also a broader interpretation of the concept of corruption as a social phenomenon, which is not related to bribery, and we think it is more correct.

BJ Ahrorov: "The word corruption is interpreted differently in the literature. He does not have a single concept, he can combine several crimes. Even from the recommendations of international organizations, it is impossible to create a single concept," he said. He noted that in recent literature, "corruption offenses" and official crimes against governance have been referred to as "corruption." According to the author, the concepts of official misconduct and corruption are different and there are differences between them. Corruption is a collection of crimes committed by officials for personal gain while exercising state or managerial powers. "Corruption is the unlawful use of power or official authority by officials to obtain material or intangible benefits in a public manner."

LV Mikhailov: "The concept of corruption has been studied in depth by US scientists. U.S. researchers on corruption have called the case a "function of the state as a function of personal, family, or group interests, with the aim of enriching and elevating the social status of politicians, government officials, businessmen, and others."

In G. Black's legal dictionary, corruption is defined as: 1) an act committed with the intention of granting certain privileges incompatible with the official duties of an official and the rights of others; 2) unlawful use of an official's position or status for purposes contrary to the duties and rights of other persons in order to gain any advantage for himself or another person.

Corruption is a class and historically changing phenomenon. According to EI Kairzhanov, "no one can deny that the notion of crime arose as a result of the emergence of private property and the fragmentation of society into antagonistic classes. "Before the emergence of a class society, there was no concept of crime, no crime."

PA Kabanov views corruption as a social phenomenon, which consists in the use of public office by government officials for personal gain.

GA Satarov describes corruption as "abuse of office for the sake of greed." K. Tadjibayev said that "as a result of the crime of corruption, the use of the opportunities of public administration arises on the basis of its organization in the interests of its own interests."

"Corruption ... is the illegal use of public office for personal gain. "The term 'illegal' means that there are laws (rules) governing the conduct of persons holding public office."

Result and discussion

As we have seen, the concept of corruption can be defined in the legal literature. The analysis of the above definitions allows us to draw the following results:

first, it is, first of all, a social phenomenon for which there is no clear legal definition; Ultimately, it leads to the collapse of the entire civil society and the state, as a result of which corruption acts become a daily norm of public life;

secondly, there is a certain range of subjects of this offense (this is, first of all, civil servants, persons authorized to perform public functions, as well as persons authorized to perform managerial functions in the private sector);

thirdly, these entities use their position, position, legal status and the prestige of the position they hold in the interests of the service (ie, service in the public service and in the private sector) and against the established rules of law and ethics;

fourthly, these activities of the specified subjects can be carried out for the purpose of personal enrichment or in the interests of other persons or in corporate interests, etc.

Because the forms of abuse of office are so diverse, different types of corruption vary according to different criteria.

In our opinion, corruption can be divided into several main types:

1) according to the status of subjects: a) corruption in public authorities; b) corruption in the private sector; c) corruption in politics or political corruption;

2) according to the degree: a) low level of corruption; b) high level of corruption; c) vertical corruption;

3) according to the degree of social danger: a) corruption;

b) corruption-crime.

Let's take a closer look at these types of corruption.

According to Gorshenkov, political corruption is punishable by criminal penalties for crimes that are not criminally punishable (personal loyalty to the electoral system and patronage of political support) and politically motivated punishment. This definition covers not only the set of crimes that deserve criminal punishment, but also other types of social offenses in politics, that is, it has a broad socio-political meaning, not a purely criminological meaning.

The most common form of corruption in the United States, called kickboxing, is widespread. Its scheme is very simple: the participants in a criminal conspiracy verbally agree to a transaction at a certain price, and sign a formal agreement at a higher price. Part of the difference is given to officials who allow the deal, that is, secret bribes. This form of bribery has been used in Uzbekistan in recent years.

Conclusion

The crime of corruption is committed not only in secret, but also by mutual agreement of the parties to the corruption relationship. In most cases, it is not a reason to file a complaint with the relevant authorities, as both parties benefit from the illegal agreement. Even cases of bribery are rarely reported, as people are skeptical of the anti-corruption process. There are certain objective and subjective grounds for this, related to national and foreign experience. Corruption is usually perpetrated in a specific form of government activity that is difficult for non-specialists to understand. Corruption is a heinous crime. It is constantly changing and improving depending on the situation. Therefore, there is no complete, complete or at least representative information about this event.

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