

Topical Issues Of The Development Of Legal Consciousness And Legal Culture Of The Population On Anti-Corruption

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"The uncompromising struggle against corruption has been raised to a new level. A number of important documents have been adopted in this direction, set up an independent body – the Anti-corruption Agency" - Speech President and the Republic of Uzbekistan Mirziyoyev Shavkat Miromonovich at the UN General Assembly 75th.

Annotation: In this article, we will consider the definitions of terms related to corruption and acts of corruption, the practice of some foreign countries, and research some anti-corruption laws. In addition, we will analyze the main causes of corruption acts and their possible solutions from different aspects and try to provide solutions to problems related to the low level of legal consciousness and legal culture of the population.

Keywords: corruption, conflict of interests, legal consciousness, legal culture, yellow press, anti-corruption policy, fourth estate, nepotism, meritocracy, kleptocracy.

*"Private thieves drag out life in stocks and bonds,
public - in gold and purple" - Cato the Elder.*

Introductions

Corruption devours all values, foundations and mechanisms like a small parasite, which over time becomes a huge problem. As Antoine de Saint-Exupery wrote in his fairy tale "The Little Prince" that we need to be wary of the baobabs, so I believe that corruption is a baobab that can destroy an entire system that has been developing for centuries. It is obvious that the absolute elimination of corruption is impossible. However, no one canceled bringing corruption to the minimum. If we continue to live, resigned to a vicious society, that is mired in a swamp called corruption, then nothing good will come of it. Life requires sacrifice and struggle in order to survive. Consequently, the constant struggle with the eternal parasite is considered to be a vital measure to get the best of it.

From time immemorial, corruption continues to exist as a lever for the destruction of the state mechanism and moral foundations of mankind. Despite this, they began to pay due attention to the fight against corruption relatively recently. In the modern world, in the conditions of reforms and modernization, everything goes to the fact that without an intensified and cohesive struggle against corruption, none of the countries will be able to achieve visible results in comprehensive development. For this reason, many countries recently started to take part in international conferences related to the corruption in order to research different ways of overcoming it and mutual-sharing of experience in anti-corruption policy. In many states, particularly in Uzbekistan, until recent days, there were no in-depth regulative normative-legal act directed to struggle corruption. Naturally, this legal document was developed after the participation of the Republic of Uzbekistan in the UN international convention "Against corruption", on its basis.

As the President of the Republic of Uzbekistan Shavkat Miromonovich Mirziyoyev noted in his speech at the 75th General Assembly of the United Nations: "The uncompromising struggle against corruption has been raised to a new level. A number of important documents have been adopted in this direction, an independent structure has been created - the Anti-Corruption Agency". The words of Shavkat Miromonovich Mirziyoyev were based on the fact that the Ministry of Justice was the first among state bodies to receive an international certificate of the "Anti- Corruption Management System", that is a clear example of the fact that Uzbekistan has begun an uncompromising anti-corruption policy.

Corruption (Latin. corruption - bribery) is defined as a criminal activity, that consists in the use of power by officials for personal benefit[1]. Corruption - illegal use by a person of his official position in order to obtain material or non-material gain in his personal interests or in the interests of other persons, as well as illegal provision of such benefits[2]. Official – is the person appointed or elected permanently, temporarily or on special authority, who acts as the representative of the authority or carrying out organizational and regulatory, administrative and economic functions of state bodies, self-government bodies, enterprises, institutions, organizations, irrespective of ownership and an authorized person to perform legally significant actions, as well as a person performing these functions in an international organization or in a legislative, executive, administrative or judicial body of a foreign state[3].

Analysis and results

Along with the concept of corruption, terms such as conflict of interests, corruption offense are often used, the definition of which was first given in the Law of the Republic of Uzbekistan "On Struggling Corruption" dated January 3, 2017 №-419. By the way, the definition of the concept of corruption for the first time in the history of Uzbekistan was given in recent law. **Conflict of**

interests is a situation in which personal interest (direct or indirect) affects or may affect the proper performance by a person of his official duties and in which a contradiction arises or may arise between personal interest and the rights and legitimate interests of citizens, organizations, society or the state[4]. The name of the term shows us, that there are certain interests of two or more parties that contradict to each other and thus may adversely affect the proper performance of their duties as an official. Corruption offense is an act with signs of corruption, for the commission of which the law provides for liability. In addition, in addition, there exists several terms, that are considered to be a type of corruption. One of them is nepotism, in other words nepotism is the granting of privileges to relatives or friends, regardless of their professional skills. Nepotism is considered one of the most common types of offenses, in particular in Uzbekistan, due to the fact that the mentality of the Uzbek nation has developed in such way that for a long time people who were empowered assisted their entourage in becoming an official and grant privileges.

Discussions

Careful analysis of the meaning and implications of this term led me to the conclusion that corruption can be divided into a narrow and broad aspect. The narrow aspect is a crime, the essence of which is that an official uses his power to obtain material or non-material benefits. And the broad aspect is defined as the result of a chain reaction. That is, for example, an authorized person works at customs, who receives a certain amount of money from another person who smuggles drugs, in exchange for a pass without proper verification. Naturally, after the successful delivery, the sale of the goods will begin. The sale of narcotic drugs will entail the commission of other crimes, such as illegal manufacture, acquisition, storage and other actions with narcotic drugs, their analogues or psychotropic substances for the purpose of marketing, as well as their sale (Article 273 of the Criminal Code of the Republic of Uzbekistan), involvement in the use of narcotic drugs, their analogues or psychotropic substances (Article 274 of the Criminal Code of the Republic of Uzbekistan). In this case, we see corruption in a broad aspect, expressed in the emergence of a chain of crimes. If we allow corruption to flourish in the state power structure, then catastrophes cannot be avoided. The state serves the people. And if the people are dissatisfied with the activities of the state structure, then we can assume the beginning of a coup d'etat, which will lead to instability in the country. And instability, in turn, will become a natural reason for the deterioration of the economy and the flourishing of poverty, taking into consideration the fact that the latter is already at a high point of its development among the population at the moment. In addition, the riots will open the way for international terrorist organizations that are watching the events in the world and waiting for the appropriate moment to strike.

"I had two ways: the first one was to steal and take my friends and relatives to the FORBS list, while leaving my nation on the bare ground. Second: it is to serve my nation and bring the country to the top ten of the best countries in the world. I chose the latter ..."- Lee Kuan Yew (First Prime Minister of Singapore). The above given words refer to the great politician of Singapore, who created a new state from a piece of land. If we consider the following statements: "Where money speaks, conscience is silent", "Where there is no sense of duty and the human eye, everything is possible", then we can realize that money or other form of benefit blinds a person, forcing him to forget all higher moral principles and official duties assigned to him. Human life consists of spiritual rules and rules established by law. Spiritual rules are understood as canons of religious beliefs, moral principles and other higher moral concepts. And under the rules established by law, it is customary to understand the adherence to prohibitions that are given at the legislative level. In the case of corruption, as with many other crimes, there is a clash of both rules, that is, a person violates moral, including religious statutes, and certain norms that regulates that kind of acts. From this we can understand that the power of the human will, as in the example of Lee Kuan Yew, has a huge importance in the development of the state with the minimum intervention of corruption.

In modern society, despite a fairly good level of legal awareness of corruption, there is a lot of corruption, that is, there is a low level of legal culture in relation to corruption. One of the most important reasons and factors of this crime is human nature, which cannot be denied. A person has unique qualities, like striving for wealth and a better life, that is, to be better than others. And of course, majority will not give up the easy way to achieve well-being, that will take place in giving up moral convictions and breaking the law. No matter how you punish people, they will still commit this crime. In other words, the psychological response to corruption is considered a key point in anti-corruption policy.

One of the few effective ways to overcome corruption in the spiritual sense is the introduction into the minds of people of strict adherence to the highest moral principles. This practice is widespread in the anti-corruption policy of the Scandinavian countries, where corruption has become so rare that people have ceased to worry about it, since honesty has got into the veins of each individual separately. The commission of this type of crime is considered to be one of the most vicious acts for the citizens of current countries. In these countries, even children are brought up in an atmosphere of complete contempt towards corruption and a negative attitude towards those who have committed such kind of offense. Strong psychological pressure by the whole population towards corruption will serve as an excuse for many officials and authorized persons to refuse from commission of a crime, because not everything in this world is based on wealth and money. Such an atmosphere will create the best conditions for a bright life without corruption. Despite its effectiveness, this method of struggling with corruption requires patience, since the introduction of extremely contemptuous attitudes into the psychology of the population at the level of subconscious reaction takes a long time. Even if we direct the new generation towards the right life, there would be people of the older generation who believe that it is impossible to survive without corruption. This kind of outlook will play the role of barrier in self-improvement, so it will take some time to overcome the rotten foundations. The statements of some people of the older generation are based on a worldview that has developed in the conditions of the vicious life of the past. But present days differs from past. The modern

world must learn from the mistakes of the past, such as bribery, corruption and other crimes that will be defeated in a joint struggle.

And what is the main motive of corruption, bribery and other crimes? Of course, obtaining benefits of a certain type (material and non-material). If the state is mired in a swamp of corruption, then it can be assumed that the level of poverty is very high, since officials or authorized people, as a rule, will not risk everything they have and violate the laws, not only of the state, but also of the spiritual world, if their material condition is in a deplorable condition. The basis of the struggling against corruption in Singapore was to increase the salaries of officials and, at the same time, make the sanctions crueler in order to ensure that they execute their duties properly. The salaries of judges were significantly raised. Officials who held important positions in the management structure began to receive salaries at the level of top managers of large corporations. Increasing the income of officials is still included in the state's anti-corruption program. All of the above measures of the state to minimize corruption, have become the reason for the loss of motivation for committing corrupt acts of Singaporean population.

It is obvious that a phased increase of salaries of officials and the implementation of proper control over their income will be one of the best choices among the ways to struggle corruption against the background of poverty. But we must not forget about the reforms in the legislation aimed at making the punishment crueler in case of corruption.

Naturally, legal awareness and legal consciousness of population plays a significant role in anti-corruption policy of each state. In this direction, the government of the Republic of Uzbekistan focuses on raising legal awareness and legal consciousness. Recently, active training and informing teachers of higher education and other educational institutions about corruption has begun, since teachers create the foundation of the future generation. The fortune of the future generations depends on teachers who not only provide knowledge, but also educate the future generation in a spirit of honesty. In addition to educational measures, broad events are held with the help of the so-called "yellow press", that is, the mass media. Despite this, some layer of society still has dissatisfactory understanding of corruption, for example, a certain part of society, such as the village population, as they have no interest in awareness of news and government reforms. I believe that the recommendations that were given in the Istanbul Anti-Corruption Action Plan, consisting of the following proposals: "Develop and conduct public awareness raising and anti-corruption education activities targeting the general population, certain risk groups among government officials, covering, including public associations and the business sector. Ensure that public awareness activities are practical, with a focus on specific practical aspects - such as the rights and obligations of the relevant target audience, practical ways to prevent corruption, the rights of citizens in their interactions with government agencies, etc. ... When organizing activities to raise awareness and anti-corruption education of society, it is necessary to use already established and tested methods and mechanisms of cooperation, mainly between state institutions and organizations and public associations, and allocate sufficient funds from the state budget for this purpose"[5], are quite good option for improving this area. Considering the importance of public awareness, we can safely say that the expression "Ogohlik - davr talabi" is one of the key points in the joint struggle against corruption.

In the background of modernization, the transparency of the activities of state bodies and the private sector is of great importance to ensure full control and assistance with the "fourth estate" (media). Transparency gives individuals and legal entities access to information on the activities of government and administrative bodies. The sense of responsibility among officials will increase in several times, which will lead to an increase of efficiency. Ensuring transparency will enable the media to conduct independent investigations and convey them to the public. This is the system that exists in Singapore, proving that it is not in vain, the state's successes are vividly expressed as the "Singapore miracle".

Conclusion

The introduction of strict adherence to the principle of meritocracy, which means the rule of the worthy, which is considered the complete opposite of kleptocracy (that is, the rule of thieves and swindlers), is the foundation of the state. Its implementation provides for the search for worthy talents among any layer of society. A person's creativity and ability determines his position in government agencies. Such opportunities will provide the eradication of nepotism (nepotism), which means granting privileges to relatives or friends, regardless of their professional qualities and abilities. It should be noted that the fact that nepotism is a kind of corruption.

Some people are used to believe that asserting that society is not able even to minimize incidents of corruption, but as a refutation of such statements, one can cite the example of countries such as Denmark, New Zealand, Norway, Sweden, Singapore and many others, which occupy the highest places in the list of states on the perception of corruption. Despite the fact that creating a world without corruption is considered to be a utopia, Singapore has been called a country practically without corruption. The reason for reaching such unprecedented heights was the so-called "Singapore miracle", which consists of number anti-corruption reforms initiated by the Prime Minister of Singapore Lee Kuan Yew.

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