



International Journal for Innovative Engineering and Management Research

A Peer Reviewed Open Access International Journal

www.ijiemr.org

COPY RIGHT



ELSEVIER
SSRN

2021 IJIEMR. Personal use of this material is permitted. Permission from IJIEMR must be obtained for all other uses, in any current or future media, including reprinting/republishing this material for advertising or promotional purposes, creating new collective works, for resale or redistribution to servers or lists, or reuse of any copyrighted component of this work in other works. No Reprint should be done to this paper, all copy right is authenticated to Paper Authors

IJIEMR Transactions, online available on 24th April 2021.

Link: <https://ijiemr.org/downloads/Volume-10/Issue-4>

DOI: 10.48047/IJIEMR/V10/I04/86

Title: **FEATURES OF THE FIGHT AGAINST CORRUPTION IN ANCIENT AND PRESENT**

Volume 10, Issue 04, Pages: 427-431

Paper Authors:

Suvonov Mirshod Usmonovich



USE THIS BARCODE TO ACCESS YOUR ONLINE PAPER

To Secure Your Paper As Per **UGC Guidelines** We Are Providing A Electronic Bar Code

FEATURES OF THE FIGHT AGAINST CORRUPTION IN ANCIENT AND PRESENT

Suvonov Mirshod Usmonovich

Student of the 123rd study group

University of Public Security of the Republic of Uzbekistan

Abstract: In this article, the author gives a number of hierarchical examples of ancient methods, measures and views of the time in the fight against corruption. At the same time, the world experience has shed light on the specific modern methods and criteria for combating corruption in the Middle Ages and the modern era. In addition, the consistent anti-corruption policy pursued in the country and the activities of the “Anti-Corruption Agency of the Republic of Uzbekistan”, which is its subject.

Keywords: corruption, government agencies, law, criminal world, bribery, interests, Anti-Corruption Agency of the Republic of Uzbekistan.

Introduction

It is no secret that the fight against corruption is becoming a problem of humanity today. Because corruption is one of the fastest growing criminals in the world. Today, the views expressed by all nations and international organizations from the rostrums are a clear example. It would be a mistake to say that corruption was born yesterday and is a socially dangerous act that has developed today. Its history goes back to ancient states.

It should be noted that this harmful phenomenon occurs in all countries, large and small, rich and poor. Although a number of effective measures are being taken by the international community to eradicate this scourge, it is still not being eradicated.

The term is often used to refer to the bureaucracy of the political elite. Corruption is prosecuted under the criminal and administrative laws of many countries.

The historical roots of corruption go back a long way, and it is believed that this was due to the custom of giving gifts to tribal leaders in order to gain a certain position in the tribe. In those days, it was considered normal. However, the complexity and centralization of the state apparatus have shown that corruption is a major obstacle to state development. The ancient Sumerian state is recognized as the

first state to fight corruption. It is a well-known fact that the ancient states were especially concerned about corruption in law enforcement agencies. Because it damaged the reputation of the state. Even the world's leading religions strongly condemn law enforcement corruption. For example, while the Bible says, “Do not accept gifts, because a gift makes the blind see and change the truth,” the Qur’an says, Do not bribe your governors from your property to take what you have. ”

By the second half of the 18th century, society was increasingly influencing the quality of government. This was reflected in a number of laws passed at that time. In particular, the U.S. Constitution of 1787 listed bribery as one of two crimes that could lead to the impeachment of the President of the United States. The emergence of political parties and their growing role in the life of the country in the XIX-XX centuries led to a significant reduction in corruption in developed countries compared to other countries in the world.

A number of leading experts who have studied this problem point to the following factors as factors that contribute to corruption.

Laws that have two meanings - this situation allows the law enforcement official to apply the law differently. Some experts have also suggested that criminal and administrative sanctions could create a breeding ground for

corruption. That is, the lack of a specific amount of sanction allows the judge to apply it at will.

Low legal literacy of the population - ignorance or lack of understanding of the law by the population makes it easier for an official to use the law for personal gain.

The instability of the political situation in the country - the instability in the country leads to the formation of a completely unethical view in the minds of the population that the main way to achieve a high standard of living is related to illegal activities. This, in turn, creates a favorable environment for corruption.

Violation of the principle of unity of executive power - the regulation of the same activity by different instances:

weak participation of the population in state control;

the income of public servants is less than the income of the private sector;

state regulation of the economy;

high inflation;

the isolation of the country's top authorities from the population;

religious and moral rules in the country.

There are the following ways to fight corruption in the world.

A study of the experience of countries such as Sweden, Singapore, Hong Kong, and Portugal, which have achieved high results in the fight against corruption, shows that eliminating the factors that cause corruption plays an important role in the fight against corruption.

At the same time, the role of the constitutional review bodies and law enforcement agencies will increase. That is, the effective use of methods such as the unconstitutional recognition of norms that could lead to corruption by the constitutional review body, as well as the increase of legal literacy of the population, have made these countries among

the countries with the lowest levels of corruption.¹

The earliest evidence of corruption dates back to the 24th century BC. Urukagin, the king of the ancient Sumerian city of Lagash, carried out reforms to curb the numerous abuses of his officials and judges. However, in the ancient world, the fight against corruption usually did not yield the expected results. For example, the ancient Indian pamphlet Arthashastra says that it is easier to find out where a bird is flying in the sky than to understand the tricks of cunning officials.²

The following examples illustrate the extent to which this crime was treated in our country during the reign of the great empire Timurids. In order to regulate the work of officials in the state of Amir Temur, from time to time interrogations, inspections, audits, investigations were conducted. Misconduct, bribery, drunkenness, and disorderly conduct were serious offenses and severely punished. According to historical sources, Amir Temur's son Mironshah, grandsons Pirmuhammad and Khalil Sultans were publicly punished for violating the above-mentioned norms.³

Prior to the Russian occupation of Uzbekistan, corruption was manifested in legalized institutional forms, in particular the payment of dues to the ruling elites. For example, ordinary farmers were regularly paid a tithe of the tithe in favor of khans, sultans, the rich, and other representatives of the nobility. Farmers paid a "zakat" tax - the amount of tax equal to a certain head of livestock. In addition, representatives of the nobility and elders were to receive various gifts.

Today's notion of corruption has begun to take shape on the threshold of a new era, in the form of modern centralized states with the

¹<https://anticorruption.uz/en/item/what-is-corruption>

²Аристотель. Сочинения: В 4-х томах. – М. 1983. Т. 547 с.

³Ismailov B.I. The text of the report on the special course "International legal framework for combating corruption." YUMOM under the Ministry of Justice. 11 p.

emergence of today's legal systems. Prominent Renaissance thinker Niccolo Machiavelli was instrumental in addressing the problem of corruption. He understood corruption to be the use of power by officials for personal gain. Machiavelli likened corruption to a disease that is difficult to detect at the beginning but easy to treat, but easy to detect but difficult to treat once it begins. He said that if it was rooted in public, no medicine could cure it.⁴

According to R. Zufarov, there is no complete or at least representative information about corruption anywhere, and the number of people who are guilty before the criminal courts is small, only one or two of them, o. in this case, criminal charges are imposed only on those who have almost no involvement in the crime.⁵

Rothbard argues that bribery is the key to rebuilding market relations when something is outlawed, bringing bribes closer to a free market economy. On top of that, it is divided into aggressor and bribe, in which the latter is understood as the purchase of a permit to participate in a prohibited activity.

Humanism and bureaucracy, which serve only the will of the individual and the low salaries of civil servants, have led to the further development of corruption. In fact, wages should be agreed upon by the state and the workers at the point of conflict. But in our country, only one party, the state, has been able to adapt to the monthly salary of the organization. However, given the current level of inflation in the emerging market economy, this has not benefited any citizen. Corruption is recognized as the easiest and most secretive way for public services.

⁴Макиавелли Н. Государь. – М.: ИНФРА-М, 1999. 138 с.

⁵Зуфаров Р.А. К вопросу о коррупции // научные доклады, сообщения и методические рекомендации по теме Коррупция. // Отв. За выпуск к.ю.н., доц. Р.Т.Хакимов. – Т. Узбекская ассоциация международного права, 2001. – С. 11-13.
Р.Т.Хакимов. Коррупция – глобальная проблема. Ташкент. 2006. – 240 с.

Aren't some of the barriers in our laws allowing corruption? Aren't we hurting ourselves by saying that we can select young people for government positions and jobs? Why is it that at a time when it is necessary for the most desperate country today, a generation with a high level of intellectual intelligence, which is the real power of the state, does not return abroad? Why don't our young people, who are shaking the whole world, use this knowledge for their homeland today? Don't be quick to comment, have you ever talked to young people before you say they have a low sense of national patriotism? Many have not been able to find a job because of this corruption. Instead of appointing them to the right places, they are left with the slogan, "The governor's son will be the governor." How long will we pursue this insignificant amount of money in terms of clans, acquaintances, careers, but we can not say that these young people are patriotic in the spirit of patriotism. As you can see, it is unfair to expect these changes without first directing ourselves, our thoughts, our minds, our ideas in the right direction.

According to some researchers, Finland has one of the lowest levels of corruption. There are currently 3-4 cases of bribery per year in Finland. Between 1980 and 1989, 81 individuals were convicted of bribery and 49 individuals were convicted of bribery.⁶

It is noteworthy that the Finnish Criminal Code does not define corruption. It criminalizes bribery of officials and imposes fines or imprisonment for up to 4 years, depending on the social risk of the crime.

Surprisingly, Finland does not have a special anti-corruption law and no special anti-corruption body. Corruption is fought as part of the overall crime. The Finnish Constitution, the Criminal Code, the Civil Service Law, administrative regulations and other legal documents are documents aimed at preventing

⁶Ismailov B.I. The text of the report on the special course "International legal framework for combating corruption." YUMOM under the Ministry of Justice. 18 p.

corruption. The most important of these is the code of ethics. In Finland alone, we can't change anything by tightening the penal system. Only the form and method of corruption will change.

No matter how strong the fight against corruption, it is easier and more convenient for us to prevent it. Because isn't it better to explain to someone in advance the right way than to hurt the person? If we consider 100% people to be prone to corruption, if we can reduce 100% corruption by 50% after propaganda and preventive work, we will achieve a great result. You can never record a 100% result. Isn't it our duty, the duty of all people, to restrain him?

In recent years, our country has been consistently implementing large-scale reforms aimed at preventing and combating corruption, curbing corruption in all areas of state and society building.

Efforts are being made to improve the system for assessing the risks of corruption in the performance of the functions and responsibilities of public authorities, as well as to introduce standards of honesty in the civil service.

The country is taking steps to remove bureaucratic barriers and reduce the "hidden economy" and implement "Corruption-Free Sector" projects.

At the same time, the tasks set to radically increase the effectiveness of the fight against corruption require the identification of the causes and conditions of corruption, the creation of an effective system for their elimination. There is a need to involve civil society institutions and other representatives of the non-governmental sector in this work.

Consistent implementation of the state program for the implementation of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021 in the "Year of Science, Enlightenment and Digital Economy", as well as the development of society and state life. In

order to increase the effectiveness of state policy aimed at preventing and combating corruption in all areas, the "Anti-Corruption Agency of the Republic of Uzbekistan"⁷ was established in our country. The Agency has the following tasks:

provide a systematic analysis of the state of corruption in the country, as well as identify areas of high risk of corruption and the causes and conditions of corruption offenses;

formation and implementation of state policy in the field of prevention and combating corruption, as well as state and other programs aimed at eliminating the systemic causes and conditions of corruption offenses and increasing the effectiveness of anti-corruption measures;

to form an intolerant attitude to all forms of corruption in society through the development and implementation of comprehensive programs aimed at raising the legal awareness and legal culture of citizens, dissemination of information on the prevention and fight against corruption and the organization of anti-corruption training;

Coordinating the activities of ministries and agencies in the field of prevention and combating corruption, organizing effective joint activities of government agencies, the media, civil society institutions and other non-governmental sectors on these issues;

introduction and effective functioning of state and economic management bodies, state-owned enterprises and enterprises with state share in the charter capital, including banks, internal anti-corruption control system ("compliance control") and other international anti-corruption tools organization, anti-corruption monitoring on the basis of modern methods and information and communication technologies, as well as the rating of their activities in this area;

Ensuring the effectiveness of anti-corruption expertise of regulations and their drafts, as

⁷Decree of the President of the Republic of Uzbekistan No. PF-6013 of June 29, 2020. Tashkent 2020y.

well as the development and implementation of proposals to improve legislation in the field of prevention and combating corruption, the introduction of international standards and best international practices;

to ensure the introduction and effective operation of the system of declaration of income and property of civil servants and the verification of the authenticity of declarations, as well as the timely response to corruption cases identified in the process;

take effective measures to assist the civil service in introducing an honesty standard ("honesty vaccine") and conflict of interest resolution standards, as well as monitor compliance with them;

to analyze the effectiveness of the anti-corruption control system in the use of budget funds, debts of international organizations and foreign countries, the sale of public assets and public procurement, as well as to develop proposals for its improvement;

take systematic measures to develop international cooperation in the field of prevention and fight against corruption and to strengthen the country's image and increase its position in international rankings;

to organize sociological, scientific and other research on the status, trends and causes of corruption and the effectiveness of anti-corruption measures, to develop proposals for improving the effectiveness of prevention and combating corruption;

Priorities have been set to ensure openness and transparency in the prevention and fight against corruption, including effective cooperation with the media, civil society institutions and other representatives of the non-governmental sector. This agency is currently carrying out a number of effective activities on the above tasks.

Are we young people today moving towards a free and prosperous society? We do not overestimate the value of corruption in these statements. On the contrary, our main task is to mobilize all our people to fight this problem,

to involve them in the fight. We promise to condemn the corruption of today's youth, that is, the future that is growing like us.

In short, we all say such kind words. Just before repeating the words and ideas every day, we need to put them into practice along with the theory. Defined perspectives tell us that corruption is not only a problem of a particular state or international organization, but also one of the most global problems of our time, which is closely related to negative phenomena such as organized crime, extremism, terrorism and other crimes. allows us to conclude that it hinders progressive development.

REFERENCES:

1. The Constitution of the Republic of Uzbekistan; Tashkent 2019;
2. Collection of Legislative Acts of the Republic of Uzbekistan, 2016;
3. Law of the Republic of Uzbekistan "On Combating Corruption" of 2008;
4. Legal basis of civil service reform in the Republic of Uzbekistan (based on roundtable materials) Tashkent 2015.
5. <https://anticorruption.uz/en/item/what-is-corruption>