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Theory And Genesis Of Combating Corruption

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Abstract: This article discusses the philosophical and legal theories of combating corruption, the genesis of ideas on combating corruption, and the initial conceptual schemes used to determine the leading system of views and concepts, postulates and standards on tactics and strategies for their implementation.

Keywords: Historical space, ancient, medieval, modern and modern era, by subjects - individual, collective, moral and spiritual influence, internal control, external governance, electoral system, general measures, etc.

Introduction

Corruption is the use of official positions in government bodies or other organizations for personal gain. It is a very dangerous phenomenon that hinders the development of society and reduces the effectiveness of economic and social systems. The theoretical foundations of the fight against corruption have been formed over many years, which help to identify various forms of corruption in the political, legal and social systems of different countries.

The participation of civil society institutions and the media in increasing the effectiveness of the anti-corruption system, creating a favorable business environment, and promoting a positive image of the country in the international arena is not so effective. In this regard, citizens' self-government bodies, non-governmental non-profit organizations and citizens can participate in the development and implementation of state and other programs in the field of combating corruption, increasing the legal awareness and legal culture of the population, forming an uncompromising attitude towards corruption in society, exercising public control over the implementation of legislation, making proposals for improving legislation, and cooperating with state bodies and other organizations in the field of combating corruption.

As people observe all the processes taking place in the life of society, we can see that they have a benevolent, hostile or indifferent attitude towards them. From this

point of view, it is possible to observe the existence of a similar attitude in the issue of combating corruption. However, people who realize that corruption is a hindrance to the development of society are trying to implement in life developments of scientific and practical importance in the form of philosophical paradigms, developing a number of tactical methods for combating this vice and determining its strategic directions.

METHOD

Corruption offense - an act that has signs of corruption, for which the law provides for liability; conflict of interest - a process in which personal (direct or indirect) interest affects or may affect the proper performance of a person's official or service duties, and a conflict arises or may arise between personal interest and the rights and legitimate interests of citizens, organizations, society or the state. Genesis of the theory of combating corruption various theoretical directions.

1. The theory of combating corruption is divided into many different directions, each of which is aimed at understanding the various causes of corruption and methods of combating it.

Classical theories: In this direction, it is shown that corruption arises from certain disorders in society and social laws. These theories describe social, economic and political problems as the main causes of corruption.

Normative and institutional theories: In these theories, institutional factors, namely the weakness and distrust of state bodies, play an important role in the emergence of corruption. At the same time, the need for institutional reforms and legal norms to combat corruption is emphasized.

2. Practical developments at the national and international level

Theoretical research and practical approaches in the field of combating corruption have been steadily developing and have gained increasing importance internationally. International organizations, such as the UN, the International Monetary Fund, and others, have promoted anti-corruption work and developed recommendations and standards for states.

3. Interstate cooperation and its importance

Since corruption is a global problem, there is a need to apply new models of cooperation between states to prevent it. In addition, to ensure the successful functioning of international legislation and political reforms to combat corruption, it is necessary to harmonize national legislation with international standards.

4. Mechanisms in the field of law and law enforcement

An important part of the mechanism for combating corruption is the improvement of legislation in countries, the independence of the judicial system, the enhancement of moral culture, the development of education and the media. Philosophical paradigms in the fight against corruption are the initial conceptual schemes, models of posing and solving problems, research methods, postulates and standards used to determine the leading system of ideas, views and concepts in the fight against corruption. The philosophical paradigms created in this regard can be divided into; a) by their location in historical space and time - ancient, medieval, modern and modern; b) by the methods and means of applying punishments - punishing in accordance with the law in accordance with the act; c) by subjects - individual, collective;

d) by the moral and spiritual impact - shaming before the community, discrediting without participation in its activities, and others. These paradigms can be seen in the examples of the following countries. Singapore's philosophical paradigm in the fight against corruption and its implementation strategy. Singapore's anti-corruption strategy is distinguished by its firmness and consistency. The philosophical paradigm in this country is based on the "logic of corruption control": "attempts to eliminate corruption should be based on the desire to minimize or eliminate both the incentives and the conditions that create opportunities for an individual to commit corrupt acts" ,– is based on the idea that this paradigm: first, regulate the actions of officials; second, simplify bureaucratic procedures; third, strengthen strict control over compliance with high moral and ethical standards.

The philosophical paradigm of Sweden in the fight against corruption and its implementation strategy. Until the middle of the 19th century, Sweden was a country where corruption was rampant. The distinctive features of the philosophical paradigm that reflected the path to recovery from this were: first, the elimination of mercantilism and its consequences; second, the development of high moral and spiritual standards for officials at all levels and ensuring their observance; third, the creation of an independent and fair judicial system. Accordingly, measures were taken to eliminate mercantilism in the modernization of the country. Since then, state regulation has been directed more towards households than firms, with the emphasis not on prohibitions and issuing permits, but on granting privileges through tax reductions and the like. Access to internal state documents has been opened, and a justice system based on independent and effective justice has been created. At the same time, the Swedish parliament and government have established high moral standards

for administrators and have begun to implement them. As a result, after a few years, honesty became a social norm among officials (bureaucracy). The salaries of high-ranking officials initially exceeded the salaries of workers by 12-15 times, but over time this difference decreased by half. Today, Sweden is considered one of the countries with the lowest level of corruption in the world. In addition, examples of the implementation of such paradigms can be cited in many countries such as Hong Kong, Portugal, Malaysia, Estonia.

To date, there are no known methods in pedagogy, psychology, philosophy, or management theory that would guarantee that a person will become an ideal official. However, there are many countries with very low levels of corruption. In addition, there are examples in the history of states where efforts to reduce corruption have led to significant achievements. For example, Estonia, Singapore, Hong Kong, Portugal, and Sweden are among such countries. This, in turn, indicates the existence of methods based on certain philosophical paradigms for combating corruption. Today, it is noticeable that there are three philosophical paradigm approaches to reducing corruption. The first is to adopt new laws to criminalize those involved in corruption and ensure their strict implementation.

The origin of corruption is a complex and multifaceted process that has both historical roots and modern causes. Historically, corruption has its roots in primitive societies, as well as in ancient civilizations (Egypt, Mesopotamia), where references to abuses have long been found, as in the custom of giving gifts to gain prestige. Modern causes include imperfect economic and legal systems, government intervention in the economy, monopolization of industry, and psychological factors such as impulsiveness and low self-control.

Historical roots. Primitive societies: Corruption began with the giving of gifts to leaders or priests to gain their prestige and support. Ancient civilizations: References to corruption in religious and legal literature such as those of ancient Egypt, Mesopotamia, Judah, India, and China indicate its long history. In the modern international community, the legal institution of cooperation in the fight against corruption has emerged. The norms of this legal institution define the criminality of "corruption" acts, characterize the subjects of corruption, establish the rules for exercising jurisdiction, and provide for measures of "assistance" and legal assistance.

CONCLUSION

Philosophical and legal theories on the fight against corruption, the genesis of ideas about the fight against

corruption, as well as views and concepts can be studied in several categories.

1. Internal control. This includes internal mechanisms and incentive factors existing in the state administration apparatus. These include the development of clear standards for officials to perform their duties and the existence of strict control over the employee for their performance. To ensure control, special departments are often created that operate autonomously. For example, law enforcement agencies are often subordinate to the head of the executive branch, as well as the bureaucratic apparatus, but at the same time they have their own powers to exercise internal control to a significant extent. Therefore, internal control, which is the main method of implementing the philosophical paradigms of the fight against corruption, today occupies one of the main, significant, and effective places.

2. External governance. This includes mechanisms that have a high degree of independence from the executive branch. The United Nations Convention against Corruption, adopted in 2003, specifies mechanisms for warning about corruption, preventing criminal prosecution and investigation and operational operations for participation in corruption, and directing funds obtained through crime for the purpose of recovery and confiscation.

Among these mechanisms, the existence of an independent judiciary and its ability to easily and effectively prosecute bureaucrats who violate the law significantly reduce the potential attractiveness of corruption in practice. At the same time, freedom of speech and the media are among the most effective means of controlling corruption in the bureaucratic apparatus. External control is characteristic of free market economies and liberal democratic states. This can be characterized, firstly, by the need to create and implement clear rules and mechanisms to ensure the normal functioning of the market, and secondly, by the need to form an effective legal system that ensures a healthy competitive environment. To achieve its goals, liberal democracy relies on the electoral system, the rule of law, an independent judiciary, the separation of powers, and a system of "checks and balances". All of these political institutions simultaneously serve as external control mechanisms over corruption. However, not all the rules of liberal democracy are equally important for combating corruption. For example, the principle of separation of powers. The division of powers encourages them to check each other horizontally. For example, in a parliamentary democracy, the representative government has the power to dismiss the government. On the other hand, in a presidential democracy, the branches of power are

more functionally divided. However, corruption in presidential republics is usually as high as in parliament, which is probably due to the complexity of the impeachment procedure for the president. In addition, the division of powers at the territorial level and the transfer of most of the executive powers to the level of local self-government lead to an effective reduction in the number of state bodies. This increases the transparency of government information and reduces corruption. However, the federal structure of the state, which provides for maximum decentralization, often leads to the regulation of different aspects of the same activity by officials at different levels and, therefore, to greater corruption than in unitary states.

3. Electoral system. In democratic countries, the main method of punishing elected representatives for corruption is to remove them from power in the next election. This means that the voter is responsible for the level of honesty and accountability of the people he or she has elected. Despite the high effectiveness of elections as a tool against corruption, their impact is very weak. A number of authors have noted that shortcomings in the electoral process can have a significant impact on the scope of corruption.

Even if the elections were held without violations, they themselves can encourage voters to vote for one or another candidate for ideological reasons, while ignoring the corruption of the candidate himself, his subordinates, or his party as a whole. This is a practically confirmed hypothesis. The theory of combating corruption, continuing its centuries-old history, has adapted to the specific conditions and factors in different countries. As a result, practical mechanisms for combating corruption are also developing, highlighting new directions for international cooperation and strengthening comprehensive approaches that take into account the needs of human rights.

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