

CORRUPTION: CAUSES, INFLUENCES AND EFFECTIVE METHODS OF STRUGGLE

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Abstract. Since ancient times, power and corruption have been inseparable. Throughout history, parallel to the evolution of the state, corruption has evolved. If at the dawn of the formation of statehood, payment to a priest, leader or military commander for a personal appeal to their help was considered as a universal norm, then later, with the complication of the state apparatus, professional officials began to officially receive only a fixed income - which meant the transition of bribes to the shadow economy.

Keywords: corruption, methods, fight against corruption, cause, influence, officials, state.

The first mention of corruption (and, accordingly, the fight against it) can be attributed to the second half of the XXI century. BC e., when Urukagina - the king of the ancient Sumerian city of Lagash in the territory of modern Iraq - reformed public administration in order to stop the numerous abuses of his officials and judges. However, the fight against corruption in the ancient world usually did not bring the desired results, especially in the eastern despotisms. According to the author of the ancient Indian treatise "Arthashastra [1]", "it is easier to guess the path of birds in the sky than the tricks of cunning officials". Corruption reached its peak in the era of the decline of antiquity in the Roman Empire - and became one of the reasons for its collapse. The word "corruption" itself is of Latin origin - corrupter means "to corrupt, spoil, damage".

The world has changed, and so has the scale of corruption. Globalization and the formation of the world economy have allowed corruption to reach the international level and become one of the most massive and dangerous phenomena of our time [2]. In our time, corruption is one of the most serious problems around the world: according to Daniel Kaufmann, Director of Global Programs at the World Bank Institute, in 2017, bribes amounted to more than a trillion dollars [3] - more than 2% of global GDP [4]. About what corruption is, what are its causes and impact on the state, society and economy, and whether it is possible to successfully fight it in the 21st century - all this will be discussed in this work.

According to Transparency International [5], corruption is the abuse of entrusted power for private interests [3]. The Law of the Republic of Uzbekistan "On Combating Corruption" provides the clearest possible definition: "abuse of official position, giving a bribe, receiving a bribe, abuse of authority, commercial bribery or other illegal use by an individual of his official position contrary to the legitimate interests of society and the state in order to obtain benefits."

The United Nations considers corruption to be "a complex social, cultural and economic phenomenon affecting all countries [1]", without giving a more detailed explanation of the term. It is noteworthy that even the text of the United Nations Convention against Corruption (UNCAC) does not contain a definition of what the participating countries are called to fight. However, this is explained by the fact that the phenomenon of corruption is too complex and multifaceted to be able to give a comprehensive and at the same time sufficient detailed definition. According to the author, a more complete and correct idea of corruption can be obtained

if all corruption phenomena are classified according to various criteria. Criteria can be formulated as questions - who, how, why and how often? The first criterion is the type of activity of a corrupt official (Table 1 - who)

Table 1. Typology of corruption relations by type of activity of a corrupt official

The second criterion is the forms of corrupt relations (how and why):



- ✓ bribery, bribery, obtaining illegal income (extortion, kickbacks);
- ✓ theft and privatization of public resources and funds;
- ✓ misappropriation (forgery, forgery, falsification, theft; misappropriation of money, property by fraudulent means), abuse in the use of state funds, embezzlement;
- ✓ nepotism or nepotism, favoritism (appointment of relatives and friends to posts and positions);
- ✓ promotion of personal interests, collusion (granting preferences to individuals, conflict of interest);
- ✓ accepting gifts to expedite problem resolution;
- ✓ protection and protection (“covering”, perjury);

- ✓ abuse of power (intimidation or torture);
- ✓ manipulation of regulation (falsification of elections, decision-making in favor of one group or person);
- ✓ electoral violations (vote buying, electoral fraud);
- ✓ rent seeking - extortion (civil servants illegally set fees for services or artificially create shortages);
- ✓ clientelism and patronage (politicians provide material services in exchange for the support of citizens);
- ✓ illegal contributions to election campaigns (gifting gifts to influence the maintenance of the wire.

So, we are convinced that corruption is a really complex political, economic, social and ethical phenomenon. Having understood what corruption is, it is possible to investigate the causes of its occurrence - which is the subject of the next section.

Anti-corruption methods. If we eliminate the state, we eliminate corruption (Gary Stanley Becker, economist, Nobel laureate in economics in 1992). So many works have been written on this topic that it is difficult to single out any specific “recipes” against corruption, especially since the package of measures to combat this phenomenon depends primarily on the specifics of the country (recall the model of corruption given in the second chapter) - it’s the level of economic well-being, institutional, historical, geographical, cultural factors. The author considers it appropriate to give examples of successful anti-corruption strategies and draw certain lessons from them.

I. Singapore strategy. After gaining independence in 1965, Singapore found itself with one of the highest levels of corruption in the world. The following steps have been taken to combat corruption:

Strict regulation of the actions of officials, simplification of bureaucratic procedures, the most severe supervision over compliance with high ethical standards. An autonomous (!) Corruption Investigation Bureau (CPIB) has been created. Its main functions:

- receive and investigate complaints containing allegations of corruption in the public and private spheres;
- investigate cases of negligence and negligence committed by public servants;
- to check the activities and operations carried out by public officials in order to minimize the possibility of committing corrupt acts.

Legislation has been tightened, the independence of the judiciary has been increased (with high salaries and a privileged status of judges), economic sanctions have been introduced for giving a bribe or refusing to participate in anti-corruption investigations, and tough actions have been taken, up to the general dismissal of customs officers and other civil services.

Deregulation of the economy. Raising the salaries of officials and training qualified administrative personnel.

It is noteworthy that corrupt officials, in addition to the execution of the usual court sentence, are obliged to reimburse the cost of the bribe received. For those who are unable to make a full refund, a more severe sentence is imposed. If the accused of corruption has already died, his property is confiscated.

Thanks to this strategy, Singapore has become one of the least corrupt countries in the world - 4th place in the Corruption Perception Index 2018, recently published by Transparency International. However, what was the driving force that ensured such a high efficiency of anti-corruption reforms? The answer is simple: political will [4].

II. In the Swedish strategy, the emphasis was shifted to a system of incentives that encourage the population to resist corruption. Its distinguishing features:

- The main instruments are taxes, benefits and subsidies;
- Free access to internal government documents;
- An independent and efficient justice system;
- Establishing high ethical standards for government officials;
- High salaries for civil servants.

Just a few years after the start of the anti-corruption campaign, honesty has become a social norm among officials. As for high salaries, at first, they exceeded the wages of workers by 12–15 [5] times, but over time this difference decreased to 2–3 times.

To date, Sweden has been assigned the first rank in the Corruption Perception Index. The secret of the strategy lies in the fulfillment of the following tasks: increasing economic well-being, achieving social equality, fighting poverty and, which is also important, the perception of honesty as a norm of official behavior.

Thus, the anti-corruption measures listed in these examples are reflected in one form or another in the strategies of other states. Without going into further details, we note that the most effective are the combined methods of "carrot and stick"; applied alone, they are unlikely to lead to significant results, if not worsen the situation at all. Anti-corruption fighters in Uzbekistan should also keep this in mind, especially given that this year the country has fallen to 147th place in Transparency International's Corruption Perceptions Index. Unfortunately, good intentions alone will not be enough – and the package of anti-corruption laws developed by the Presidential Anti-Corruption Council is a clear confirmation of this.

Conclusion. "It is possible to govern a country with bad laws, but it is impossible to govern a country with undisciplined officials" Chancellor of the German Empire Otto von Bismarck. Despite the fact that corruption is often compared to hydra, there are quite effective methods of combating this phenomenon, which is successfully evidenced by world practice. Not fighting corruption means supporting it, and given the devastating consequences of such inaction in all spheres of society, the problem of counteracting this "internal enemy" is in any state. Therefore, it is so important to study the causes of corruption - after all, it is necessary to fight not only the weed itself, but also its seeds. Understanding what corruption is, exploring this phenomenon and the experience of other countries in resisting it, we gain knowledge - and knowledge, as you know, is power. The main thing is that this force finds its due use - this requires not only political will, but also support from the whole society. Otherwise, the battle against corruption will be lost.

References

1. Begovic B. Corruption: concepts, types, causes and consequences. CADAL, 2020.
2. Безверхов А., Марьина Е. Коррупция как криминологическая категория // Уголовное право. 2010. № 6
3. "Korrupsiyaga qarshi kurashish to'g'risida" gi qonun 2017 yil 3 yanvardagi O'RQ-419-sonli // <https://www.lex.uz/docs/-3088008>
4. Gushchina N.A., Inagamova G.M., Umarov M.M. Sudyalarning mustaqilligi va sudlarda korrupsiya muammolari // Zamonaviy huquq. 2019. №11.
5. Grishin D. A., Rasulova S. Davlat organlarida korrupsiyaga qarshi kurash masalalari // Russian Criminological Journal. 2021. 2-son (32).
6. Bond P. Persistent Court Corruption // The Economic Journal. 2018. V.118. № 531. - P. 1333-1353.
7. Wang, Y. Court Funding and Judicial Corruption in China // The China Journal. -2019. № 69. - p.43-63.