

# Analysis of the Concept of the Fight against Crime Bodies of the Internal Affairs Agency and the Concept of its Management

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**ANNOTATION:** The article describes the need for anti-crime activities in the Republic of Uzbekistan and its retrospective analysis, analyzes the views of scientists and regulations in this regard. Based on the results of the analysis and research, conclusions have been developed aimed at revealing the essence of the fight against crime.

In addition, the article develops an author's definition of the concept of "fight against crime."

**KEYWORD:** crime, fight against crime, society, state, document, history, law enforcement.

To this day, the fight against crime by society and the state has become an integral part of the state structure and has complemented its content. At the same time, first and foremost, the state and its governing entities began to be protected from the effects of crime.

Later, the state's repressive apparatus also began punishing criminals who harmed civilians. An analysis of historical documents shows that in ancient Greece, the normative legal acts that defined the measures of criminal law applied by the state to perpetrators of crimes were not based on humanitarian principles. For example, the official who created them was the "Dragon", who imposed the death penalty not only for murder, but also for the theft of property of rich people.

Even Plato thought deeply about the fight against crime and the prevention of criminals from committing it. That is why he was able to calculate the optimal number of prisons that should be in the state.

In our country, according to the analysis of historical sources, the fight against crime in the ancient countries of the country was regulated on the basis of customary law and the main source of Zoroastrianism "Avesto" until the VII-VIII centuries AD, including 4 books of the Avesto. The book Videvdad, which consists of 22 chapters, seems to consist of laws regulating legal relations in various fields.

In the VIII-XIX centuries AD, the issues of combating crime in the state structures of the country were regulated not only by customary norms, but also by Sharia norms. During this period, radical changes have taken place in the policy of state structures in the fight against crime in the regions of the country, and the administration of criminal cases has been entrusted. In this case, the power of the Supreme Court was under the strict control of the khan or amir.

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Analysis and research of Muslim law sources show that the issue of fair administration by the Supreme Court has been considered by the head of state as one of his main responsibilities. The khan appointed the chairmen of this court at that time, known as “qazi kalon” (now the chairman of the Supreme Court), and also had the power to dismiss him. Therefore, in the judicial system based on Muslim law, the issue of judicial independence has been almost never actively discussed or considered a topical issue at all.

Evidence has played a key role in the fight against crime, with judges classifying it into the following three types based on Sharia law:

- a) confession (repentance);
- b) confirmation by the testimony of witnesses;
- c) confirmation of information by oath.

In particular, Burhaniddin Marginoni stated in his book "Hidoya" that "the confession of the accused is the best proof of the truth." The norms of Sharia are reflected in the sources of Muslim law, which are four, namely the Qur'an, the Hadiths, the Ijma and the Qiyas.

Retrospective analysis of such historical data was carried out by the courts of mirshabs, judges and biys on the fight against crime in the countries of the republic at that time, which acted under the direct supervision of the khan and amir. It is possible to conclude that the activities of these individuals are regulated by custom and Sharia law.

Although a number of legal documents were adopted in the field of combating crime and the judiciary after the subsequent transfer of the territories of our country to Tsarist Russia, the application of Sharia and customary norms by the courts of justice was not prohibited. During this period, along with the norms of Sharia and custom, the Charter of Judicial Proceedings, adopted on November 20, 1864, was applied in the territory of our country.

During the years of independence, a number of normative and legal acts in the field of combating crime have been adopted and implemented in our country. In particular, the adoption of the Law of the Republic of Uzbekistan No. ZRU-407 of September 16, 2016 "On Internal Affairs" has brought the improvement of the legal framework of the system to a new level.

Article 4 of the law regulates the main activities of law enforcement agencies, the first of which states: "The fight against crime and terrorism, including through participation in the suppression of terrorist acts and the release of hostages, as well as the fight against human trafficking." rules were set.

Today, under the leadership of the head of our state, we are building a new Uzbekistan based on democratic and democratic principles. To this end, priority is given to strengthening peace and stability, which are our invaluable assets, and reforms are continuing systematically.

It is these reforms that do not bypass the law enforcement agencies. The work of law enforcement agencies in the fight against crime, its prevention, maintaining public order, ensuring the safety of citizens, raising the legal culture of the population has been radically improved. In line with modern requirements, units specializing in ensuring safe tourism, probation, inquiry and combating cybercrime have been re-established.

As a result of these reforms, the prestige and status of law enforcement agencies has increased, and cooperation with the population and the general public, especially neighborhood citizens' assemblies, has increased. Most importantly, the transition from the fight against the consequences of crime in

the neighborhoods to its early prevention. To achieve this, one prevention inspector was assigned to each neighborhood. The inspector of prevention was appointed Deputy Chairman of the mahalla citizens' assembly for law enforcement. Thus, in the words of the head of our state, he really became a representative of the mahalla in the police.

It should be noted that before analyzing the concept of combating and managing crime in law enforcement, we need to analyze what the fight against crime is. The fight against crime has been one of the problems that has plagued and tormented humanity for more than a century. The search for ways to curb this socially negative element has come to an end so far. After all, while there have been successes in this regard, they have only served as a temporary tool.

According to statistics, more than 100 million crimes are committed on earth every year. This shows that an increasing proportion of the world's population is becoming criminals. Whereas in the 1970s, American criminologists were shouting about "their" criminal society, today it is time for criminologists from all over the world to talk about our planet, where crime is on the rise.

Criminologists and practitioners working in the field of combating crime are constantly working to find effective ways of modern social technologies to manage society peacefully and quietly. The results of these studies show that the fight against crime is primarily a socio-administrative field, which affects the causes and conditions that lead to crime and delinquency, and to prevent their development, it is necessary to identify perpetrators and prevent recidivism. .

To do this, it is first necessary to identify the crime, expose the perpetrators, and apply the penalties imposed on these persons in accordance with the requirements of criminal and criminal procedure law.

In summary, the fight against crime includes the activities of law enforcement agencies to detect and expose crimes, identify perpetrators and apply punitive measures to them. The fight against spontaneous crime always seeks to achieve a specific goal.

In this case, the aim is primarily to prevent mass violations of criminal law by detecting the crime and influencing the causal processes, and to apply coercive measures by the state to achieve the elimination of the criminal behavior of the offenders in case of violation. No compromise should be allowed by the state or society in this process. Otherwise, the fight against crime will not achieve its goal.

In other words, the fight against crime is an activity that represents the active conflict of society with crime in order to ensure the interests, values, norms of the rule of law and the actions protected by it, carried out in the form of the causes, conditions and targeted aggression against crime. S.V. As Borodin noted: "The fight against crime as a socio-political category is a purposeful activity carried out by the state and society on the basis of a materialist understanding of crime and its causes."

After all, it is illogical to think about the fight against crime without studying the causes and conditions that led to the crime. The study of the causes of crime and the conditions that led to its commission is a subject of criminology, which is more closely related to the prevention of crime.

However, the state and society, no matter how humane and just, do not allow the existence and development of criminal behavior. Because the state always applies various measures of coercion to criminals on its own behalf. Otherwise, the lives, health, honor, dignity, tranquility, and property of individuals will be seriously endangered. This leads to intolerance of the government, which deprives citizens of their right to be victims of crime, i.e., justified protests.

However, S.V. Since Borodin's opinion is written in terms of the legislation of the Russian Federation, it does not fully comply with the provisions of our current legislation.

According to Article 121 of the Constitution of the Republic of Uzbekistan:

Public organizations and citizens can assist law enforcement agencies in protecting law and order, the rights and freedoms of citizens. According to the analysis of Article 121 of the Constitution of the Republic of Uzbekistan, the function of combating crime is assigned not to society, but only to the state and the bodies that can act on its behalf.

It should be noted that the fight against crime includes the conduct of investigations, inquiries, inquiries and court proceedings prior to the investigation aimed at detecting and exposing crimes.

In conclusion, the fight against crime is:

- 1) targeted activities carried out by specially authorized state bodies;
- 2) detection of crimes;
- 3) disclosure of crimes;
- 4) conducting pre-investigation investigative actions;
- 5) conducting inquiry actions;
- 6) conducting investigative actions;
- 7) conducting court proceedings;
- 8) application of criminal sanctions against the perpetrators.

In our opinion, it is expedient to develop an authoritative definition of the fight against crime as follows:

The fight against crime is a targeted activity aimed at the detection and disclosure of crimes by the specially authorized bodies of the state, the conduct of pre-trial investigation, inquiry, investigation and judicial action, as well as the application of criminal sanctions against the perpetrators.

In our opinion, this definition of the fight against crime:

first, it reveals its primordial inner essence;

secondly, it determines the activities of law enforcement agencies in this regard;

third, it allows us to understand the clear difference between the concepts of “fighting crime” and “ensuring public safety” and “crime prevention”;

fourthly, it provides an opportunity to use this concept as a theoretical conclusion in the implementation of an effective system of management, control and work with personnel in law enforcement agencies.

### LIST OF USED LITERATURE:

1. Matskevich I.M. Philosophy borby with prestupnostyu: <https://cyberleninka.ru/article/n/filosofiya-borby-s-prestupnostyu/viewer>.
2. Ishakov S. A. The role of "Hidoya" in the system of sources of Muslim law // Huquq-Pravo-Law. - Tashkent, 2003. - № 2. - B. 56.
3. Saidahmedov I. History of state and law. - T.: O'zbekiston, 2006. - B. 74.

4. Avesto: Historical and literary monument. Translation by Askad Mahkam. - T .: “Sharq”, 2001. - B. 106.
5. Rakhmonov R.I. “Avesta” - a great historical-legal source // Problems of modern science and education. - Moscow