

Classification of Corruption Factors

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ABSTRACT: Corruption factors occur in very different (material) environment, social and individual consciousness. In other words, we can't see the corruption factors in the framework of certain disciplines, and certainly we can't develop a strategy against it. Therefore, it is appropriate to consider corruption factors from a holistic perspective within different disciplines.

KEYWORD: corruption, legal documents, pedagogical factors.

Thus, corruption factors can be considered in the following directions:

As one of the factors of corruption, legal factors have been studied from different perspectives. As a result of observing the research in this regard, it was concluded that corruption and corruption factors from a legal point of view are mainly investigated in the following directions:

corruption and corruption factors from a criminal-legal and criminological point of view, qualification of the act, its prevention (identification and elimination of the causes of corruption and the conditions that made it possible for them), criminological description of the persons who committed the offense related to corruption is prohibited.

For example, G.B. Nurmukhamedova defined the concept of fighting against corruption as the continuous prevention of corruption by the subjects of fighting against corruption (identifying and eliminating the causes of corruption-related crimes and the conditions that made them possible), fighting against corruption through criminal-legal means (identifying corruption-related offenses, exposing investigation) and interpreted it as a systematic activity that includes organizational measures related to the elimination of the consequences of corruption. From the criminal-legal and criminological point of view, corruption is mainly interpreted as a criminal act, a negative criminal event with its own specific causes and conditions.

In the course of the research, we witnessed that the understanding of corruption as a direct crime is mainly considered a phenomenon specific to the science of criminal law and criminology. The positive aspect of this is that while corruption is understood as a crime, it is understood as an act that is strictly "condemned" by the society and the state and must be punished. At the same time, understanding corruption only as a crime leads to neglecting its administrative-legal, civil and disciplinary aspects.

Administrative-legal factors of corruption are mainly researched in the following two directions:

the first is the researches that refer to the corruption factors in normative legal documents and their drafts and the requirements for their legal examination. At the same time, the researches in this direction mainly investigate the corruption factors in normative legal documents or their drafts and the methodology of their detection. For example, O.R. Based on the analysis of legal documents on anti-corruption expertise, Fayziev divided the corruption factors that make it possible to commit corruption offenses into the following three

53	ISSN 2690-9626 (online), Published by "Global Research Network LLC" under Volume: 3 Issue: 11 in Nov-2022 https://grnjournals.us/index.php/AJSHR
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groups: 1) corruption factors that determine the possibility of applying an unjustified wide range of consideration to law enforcers or exceptions from general rules; 2) corruption factors that include unclear, difficult to fulfill and (or) aggravated requirements for individuals and legal entities; 3) corruption factors associated with gaps in law enforcement. In our opinion, these factors can be continued. In particular, the dispersion of regulatory legal documents, the regulation of one field by many regulatory legal documents, the abundance of departmental-normative legal documents in legal regulation.

The second is research on the emergence, development and preservation of corruption mainly in the system of administrative-legal relations. In this direction, it is possible to witness that corruption factors are covered more widely. For example, D.A. Povni points out the following as factors of corruption in the field of education: fragmentation and inconsistency of legislation in the field of education; the decline in the quality and prestige of local education; that a limited model of behavior (legal infantilism and legal nihilism) has taken root in the minds of students.

Civilizational factors of corruption have been studied relatively little. It seems that this may have been caused by the view that "corruption is in the state administration" that was formed during the time of the Former Union and partially became a stereotype, as well as their influence on the creation of law.

In civil studies, issues related to the emergence of corruption in the private sector and public-private partnerships, as well as civil-legal means of combating corruption are studied. Civil-legal means of fighting corruption is one of the missing elements in the legal means of fighting corruption in our country today. In this regard, the Convention "On Civil Liability for Corruption" adopted in Strasbourg on November 4, 1999 contains important provisions. In particular, the norm on determining the civil-legal (property) means of compensation for damage caused by corruption for countries that are members of the Convention serves to completely reorganize the consequences of corruption.

Thus, as legal factors of corruption, it is necessary to understand the factors that arise in connection with the regulation of social relations, and among them are the following:

corruption factors in normative legal documents and their drafts;

factors related to the violation of the balance of legal regulation of social relations;

the emergence of a bureaucratic and closed system in the organization and implementation of state administration;

ineffectiveness of the system of combating corruption in public administration;

shortcomings and problems related to the legal basis and mechanism of prevention of corruption, qualification of corruption offenses and prosecution.

Identifying and eliminating the political factors of corruption is important in fighting against it. The political factors of corruption are studied in connection with the position and political will of the political structure in fighting corruption, political components of fighting corruption, political-ideological technologies and mechanisms of fighting corruption. At the same time, national and regional models of combating corruption have been studied in some political studies.

D.A. Gridyakin as the main structural elements of the political-ideological mechanism of state bodies to fight against corruption: 1) formation of the mentality of citizens to fight against corruption; 2) developing a code of honesty; 3) It provides for ensuring the freedom of the mass media to receive information on corruption.

Political factors of corruption include:

lack of political will to fight corruption;

penetration of nepotism and clans into the power system (political corruption);

ineffectiveness of state policy in the field of combating corruption;
 ineffectiveness of the institution of public control;
 ineffectiveness of political-ideological technologies and mechanisms of fighting corruption;
 the transformation of corruption into a management method;
 underdevelopment of civil society institutions;
 non-transparency of public administration and closed or weak access to information.

Economic factors of corruption primarily research corruption as an economic phenomenon arising in economic processes. Including the economic content of the phenomenon of corruption and the economic means of combating it, the economic consequences (damages) of corruption will be revealed. Even some economists talk about the benefits of corruption.

Many include economic deficiencies among the economic factors of corruption. Low wages and social payments, low social protection of employees are definitely important factors. However, we understand the economic system (model) that caused economic failures in the first place as the main economic factors of corruption.

Pedagogical factors of corruption represent important aspects of corruption. In particular, the laws of the formation of behavior prone to corruption and the educational and pedagogical means of its prevention are established within the framework of pedagogical sciences. Studies show that corrupt behavior in a person begins to form at school age and is completed during the period of higher education. Therefore, pedagogical education plays an important role in the formation of anti-corruption behavior in a person. Therefore, legal education and training in the field of combating corruption in educational institutions should be carried out in accordance with the state educational standards set by the Law of the Republic of Uzbekistan "On Combating Corruption", state education management bodies should provide legal education and training in educational institutions, increase the quality of professional training of specialists, educational programs. It is intended to develop measures aimed at continuous improvement.

Pedagogical factors of corruption are expressed in defects related to the formation of anti-corruption behavior in the process of educational and pedagogical influence on a person.

Philosophical factors of corruption cover the issues of fight against corruption quite widely, in which it is not difficult to realize that the philosophical laws related to corruption are of fundamental importance for other sciences. At the same time, corruption is studied as a universal problem in philosophy.

Philosophical factors of corruption are complex in nature and have a wide and deep meaning. In particular, the departments of ontology, epistemology, social philosophy, ethics, axiology, and philosophical anthropology help to understand the corrupting factors much more deeply. At the same time, some independent philosophical sciences (ethics, logic, aesthetics) explain the spiritual and moral aspects of corruption factors.

In the course of our research, it was concluded that the following three aspects of corruption factors should be distinguished from the point of view of philosophical knowledge:

the first aspect is to know and understand corruption and corrupt factors. We touched on this issue above, that is, we focused on the importance of corruption factors and understanding corruption in the fight against corruption. Philosophically, it is possible to understand corruption and corrupt factors more fully;

the second aspect is the issue of values, i.e., by defining anti-corruption values, it serves to create ideological and ideological technologies of denial of corruption factors by individuals and society;

the third aspect serves to develop moral (legal) standards against corruption by determining behavior.

At the same time, philosophical dualism makes it possible to understand corruption factors in a materialistic and idealistic way.

One of the most important aspects of philosophy in understanding the factors of corruption is that philosophy integrates (but does not swallow) all knowledge about corruption. This allows to fully understand the factors of corruption.

Historical factors reveal the laws of origin, development, historical evolution and trends of corruption. Through historical factors, immutable factors of corruption can also be studied. It is easy to identify stable corruption factors that existed in all periods of historical development and are still preserved today.

Psychological factors are internal and invisible but decisive factors of corruption. In psychological studies, the aspects of corruption related to the psyche of the individual have been studied. In research on psychological aspects of corruption, special attention is paid to the individual-spiritual aspects of the formation of anti-corruption behavior and competencies.

Psychological factors of corruption represent a tendency to corruption based on mental processes, psychological conditions and individual psychological characteristics of a person. Psychological factors make it possible to learn about the point of initial formation of corruption. This point is related to the inner world of a person, and at the same time, it should not be forgotten that the role of external influence on this inner world is also great.

Management-related factors mainly represent hybrid theses regarding the organization and implementation of public administration. Special attention is paid to the legal and organizational aspects of management. In particular, many factors such as ensuring transparency in the activities of state management bodies, openness to public control, and "corruption resistance" of the administrative apparatus are envisaged.

Factors related to management arise in the process of organizing public administration. Governance-related factors are more often embodied as conditions, that is, they create conditions for the commission of corruption-related offenses.

The main factors of corruption related to public administration include:

lack of transparency and accountability of state bodies;

weakness of parliamentary and public control over state bodies;

the lack and weakness of the compliance control system;

lack of anti-corruption criteria in the requirements for the professional and non-duty behavior of employees of state bodies;

failure to improve the organizational and legal basis for resolving conflict of interests;

lack of effective social protection of officials and other employees of state bodies.

Factors related to mentality and national values represent socio-psychological aspects and values that are important for the formation, development and maintenance of corruption. The analysis shows that the understanding and acceptance of corruption as a social norm is the most powerful factor for its existence and preservation.

There are two different views on the mentality and corruption factors in the sources. In the first, mentality as a factor causing corruption; and in the second, corruption is interpreted as a component of the national mentality.

Factors related to the mentality of corruption represent, on the one hand, the tendency of the entire national society and, on the other hand, the tendency of an individual to corruption through the social thinking of the

society. At this point, it should be noted that there is a tendency to corruption in the Uzbek mentality, and these thoughts should not be understood as discrimination against the nation. The fact is that the tendency to corruption in society is formed under the influence of long-lasting socio-psychological processes. In other words, the tendency to corruption is not in the genes of the nation, but in the social environment that surrounds it. In this regard, R.K. We fully agree with Kurbanova's opinion that the corruption that has developed in Uzbekistan over the years has become a component of the social mentality.

The moral orientations of the individual are formed directly on the basis of mentality and national values. Therefore, social technologies aimed at forming the architecture of the national mentality to fight against corruption are very important. Such technologies form and maintain immunity against corruption in the mentality.

Corruption factors create a "chain reaction" for the formation of each other as they form in the existing system of social relations. For example, economic factors affect psychological factors, or psychological factors affect economic factors, which in turn affect moral values. For example, a low salary forms an employee's tendency to take bribes in a certain period of time, and this tendency affects the moral and moral values of the employee, and in the mind of the employee, the prohibition that it is impossible to take a bribe begins to fade, and it may even go as far as accepting bribery as a way of life. In this process, corruption factors in the law and factors related to mentality also begin to show themselves.

In the course of the research, it was determined that the interdependence of corruption factors occurs in the following stages:

in the formation of corruption factors;

in maintaining the presence of corrupt factors;

in the development of corruption factors and the creation of new hybrid factors (for example, the underdevelopment of civil society institutions)

Interdisciplinary or interdisciplinary research on corruption factors is important. But it is important to study them as a whole. In this regard, the introduction of the specialization "12.00.12 - Corruption problems" within the framework of legal sciences, technical sciences, economic sciences, psychological sciences and sociological sciences by the Higher Attestation Commission under the Cabinet of Ministers of the Republic of Uzbekistan made it possible to conduct a comprehensive interdisciplinary study of corruption issues. At the same time, we think that philosophy, political science and pedagogy should be included in this specialty.

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