



SPECIFIC CHARACTERISTICS AND SOCIO-ANTHROPOLOGICAL CONTENT OF CONCEPTS OF CRIME AND PUNISHMENT IN NEW UZBEKISTAN

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Abstract: In the article, the specific features, necessity, and actuality of the concepts of crime and punishment in New Uzbekistan were researched, and in this process, its socio-philosophical, moral, spiritual, legal classification and specific features were analyzed.

Key words: crime, punishment, historical development of crime, criminal law, elimination of crime, liberalization, socio-anthropological characteristics.

INTRODUCTION

In the world, special attention is paid to the study of the policy of ensuring the correct application of the laws on the sentencing system, and the conducting of scientific analyzes on the issues of effective organization of the activities of law enforcement agencies in this regard. In particular, individualization of punishment, promotion of behavior aimed at preventing crime, improvement of legal norms on punishment for several crimes and several convictions, and strengthening the implementation of the experience of advanced foreign countries and international standards into the national legislation, crimes. It is important to develop new preventive measures and a more effective mechanism to prevent recidivism, to research directions and prospects for improving law enforcement practice.

LITERATURE ANALYSIS AND METHODS

G.Z.Anashkin, M.I.Bajanov, E.Borisov, Y.Blagov, D.Dyadkin, V.K.Duyunova, V.D.Solovyev, S.G.Spivak, N.N.Krupskaya, F.Ruchkin on the characteristics and socio-philosophical content of the concepts of crime and punishment, K. Mikhaylov, T.V. Gubayev conducted scientific research.

RESULTS AND DISCUSSION

If you look at the history of mankind, you can witness that crime as a negative socio-legal phenomenon has always accompanied mankind at all stages of historical development. In the words of V. A. Bachi: "The real tragedy of human existence since the existence of civilization is to live among everyday crimes, to see their heinous nature, to understand all their horrors, and at the same time, to make a firm decision. lack of spiritual strength". Despite the scientific (theoretical, criminal law, criminological and other) achievements in various countries, as well as the measures taken within the framework of the state legal policy to combat this evil, the problem of ending crime has not been solved even today. Today, researching the socio-philosophical content of the concepts of crime and punishment is one of the main issues on the agenda.

A crime is an event committed as a result of the superiority of personal interests and the violation of the rights of others as a result of disrespecting these standards in a civil society where laws and regulations are the basis of the principles of morality.

The science of criminology explains that crime is an individualized (specified) form of criminality. It can be said that crime is a concept of individual importance. From this point of view, criminology studies not individual crimes, but their complex - "criminality". Therefore, criminality is not a simple collection of crimes, but a new, integral and organic phenomenon, different from some crimes.

As a philosophical category, the concept of crime reflects the set of practical actions of people in the pursuit of certain impure goals. In the course of the development of humanity, along with the events aimed at the good goals that serve the development and prosperity of society, sometimes, contrary to it, events that fall into the category of crime are also committed. These events do not serve the development of society, but lead to its decline. therefore, members of the society and various social organizations and social institutions condemn the crime and fight against it. In this way, it is important to first determine the causes and motives that cause crime. After all, any crime, first of all, as a social phenomenon, does not happen by chance. even the event, which is sometimes interpreted as a crime that happened accidentally due to carelessness, actually depends on certain social roots. Therefore, without identifying the causes of this phenomenon depending on the conditions, the fight against it will not give the intended effect. Only after that, it will be necessary to fight against it with the help of various methods and means. If crime is not dealt with, the risk of one crime begetting another increases. This causes the so-called crime phenomenon to take root in the life of the society. In this case, the spiritual life of the society is greatly damaged. Crime can cause great material and moral damage to the state and society, disrupt the peaceful life of people, and instead of stability in the state administration, instability may occur. Therefore, crime is a phenomenon alien to the life of society, which is dominated by moral, spiritual and legal principles.

The concept of "crime" was defined for the first time in the French Penal Code adopted in 1791, and this definition had a formal tone. It defined the crime as follows: "Crime is an act punishable by the current criminal law."

Crime is a social and legal phenomenon.

The concept of crime is clearly defined in the Criminal Code of the Republic of Uzbekistan, according to part 1 of Article 14, a culpable socially dangerous act (action or inaction) prohibited by the Criminal Code is considered a crime with the threat of punishment. A crime is a certain form of behavior of a person prohibited by the criminal law.

The concept of crime represents the behavior (behavior, activity) of a person in the form of action or inaction. At the same time, the criminal law stipulates that mental processes, thoughts, mental conclusions are not considered crimes, regardless of how harmful they are.

In fact, crime is a specific set of socially defined acts (actions or inactions) that have a relatively mass nature and at the same time pose a great social threat to the interests of people and society, and are recognized as crimes in the current criminal legislation. Therefore, in the legal literature, "criminality- 1) according to the principles of state and legal theory, criminology, criminality is used in a broad sense as a generalized concept of all violations of law in one or another society; 2) crime and its existence are understood in a narrow sense, and the violation of laws related to crime is also studied as a crime.

It is known that criminal punishment is one of the main tools used in the fight against crime and its prevention. In the legal literature, many studies have been conducted on the concept of punishment and its goals. Revealing the essence and legal nature of punishment is

one of the central issues in criminal law, without which it is impossible to form an idea about the content and purpose, educational and warning significance of punishment. Crime and punishment are different events in life, and in turn, it cannot be denied that they are related to each other. If a crime is related to a specific action or inaction committed by an individual (group) in violation of the law, punishment is a coercive measure of the state and its attitude towards the criminal behavior of the person who committed the crime. That is, crime and punishment are interrelated and inseparable, they cannot exist without each other, they are manifested as action and counteraction, danger and the elimination of this danger, damage (evil) and fighting against it. will be Therefore, in this regard, N.S. Tagansev stated that "it follows from the concept of a criminal act that punishment is a special relationship between the person who committed this act and the state." Therefore, punishment is an expression of legal relations between the state and the person who committed the crime. This situation is reflected in Article 2 of the Criminal Code of the Republic of Uzbekistan. protection from aggression, as well as prevention of crimes, education of citizens in the spirit of compliance with the Constitution and laws. For the implementation of these tasks, the Code defines the principles and principles of responsibility, determines what socially dangerous acts are crimes, determines the punishment and other legal measures that can be applied to persons who commit socially dangerous acts.

As institutions of criminal and penal law, it found legal consolidation in various historical legal monuments, and later in legal documents. People have always tried to find the optimal structure of crime and punishment, the optimal definitions of these phenomena in order to reflect them in legal documents. As the law-making activity of the state increased, regulatory documents and technical and legal norms of their execution were improved, the structures of crime and punishment were changed. The problem of crime and punishment directly affecting human interests was the focus of attention of philosophers, lawyers, sociologists and representatives of other fields of knowledge. Prose writers dedicated their works to crime and punishment. From this point of view, the problem of crime and punishment is multifaceted. Various philosophical, ethical, sociological, religious and other opinions have been expressed on various aspects of this problem, various interpretations of their concepts, characteristics, purpose, types, etc. have been put forward. It should be emphasized that all this serves as a proof of the urgency of the problem.

CONCLUSION

Solving the problem of crime and punishment is urgent from the point of view of combating extremism, terrorism, Islamic radicalism, transnational crimes, cybercrime and other crimes that threaten national and international security, human rights and freedoms, as well as from the point of view of developing goals. Also, the types of criminal punishments, the trend of their humanization, and the decriminalization of a number of other criminal actions are also important. The main problem of crime and punishment is related to morality. Therefore, first of all, it is necessary to organize wide promotion of moral culture, moral concepts and norms in the society. This can be the reason for the reduction of crimes in the society, at least partially. In addition, it should be said that as long as citizens of any country have a wide range of knowledge about moral norms and concepts, the number of negative incidents related to crime in this country can also decrease sharply.

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