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NEW PRINCIPLE OF YOUTH PATRIOTISM TO FIGHT CORRUPTION

Akhmetova N.,

Candidate of Juridical Sciences, professor

Karaganda University named after academician Y.A. Buketov

Serikbayeva S.

Master of Laws

*The Department of Theory and History of state and Law
of Karaganda university named after academician Y.A. Buketov*

ABSTRACT

In the article, the authors suggest steps to intensify the fight against corruption in terms of modern requirements, relying on the principles of patriotism, care, and culture among young people. One of the directions in considering ways of productive work on corruption prevention in Kazakhstan is activation of patriotism of youth. The reasons are considered in comparison with the legislation of other countries and the needs of national values in the fight against corruption are identified.

Keywords: corruption, national security, legislation, patriotism, seven statutes, customs.

Corruption is one of the most dangerous socio-negative phenomena threatening national security, the harmful effects of which are manifested in any country, regardless of the structure and traditions of the state. The complete eradication of corruption is impossible in any state, but nevertheless, society can reduce the level of corruption.

In order to fight and prevent corruption, our President noted that corruption cannot be defeated without the participation of society, and for Kazakhstan, overcoming corruption is one of the main directions of state policy.

Currently, one of the most pressing issues is the need to forcefully fight corruption in the new political direction of the state with new methods.

In recent years, Kazakhstan has paid great attention to countering corruption at a high level by the state, and for the first time in the country, the law "on combating corruption" was adopted on 2 July 1998 [1].

In addition, the 1997 Criminal Code of the Republic of Kazakhstan enshrines offences committed by officials in Chapter 13 "crimes against the interests of public service". In September 1998, the Agency for Civil Service Affairs was established by the Decree of the President of the Republic of Kazakhstan [2].

What is corruption?

According to the etymological content of the term "corruption", from the Latin word "corruptio", defined as "bribe" and in accordance with the Law "On Combating Corruption:

"Corruption is the illegal use by persons holding a responsible public office, persons authorised to perform public duties, persons equated to persons authorised to perform public duties, officials of their official (service) powers and related opportunities personally or through intermediaries in order to obtain property (non-property) benefits and advantages, and acquisition is understood as the acquisition by granting benefits and privileges" [3].

We decided to consider the experience of studying the level of application of the world's "best practices"

in the fight against corruption for the Republic of Kazakhstan.

Transparency International is an international organisation that provides complete and reliable information on corruption.

One of their goals is to achieve transparency, accountability of authorities. Transparency International branches are established in many countries, all of them united by anti-corruption ideology, aimed primarily at creating transparency in the financial sphere. It has long been a well-known organisation that studies the manifestations of corruption in various spheres and proposes solutions to the identified problems.

In our research work we have considered both the data of this organisation and official world statistics published in social networks [4].

According to the UN reference document on combating global corruption: "corruption is the use of state power for private gain".

Studying the experience of fighting corruption at the global level, we considered Denmark, China, USA, Russia, Somalia and Kazakhstan.

Thus, according to the statistics published by Transparency International in 2018, the country of Denmark ranks 1st in the Corruption Perception Index. Kazakhstan ranked 123rd in this rating. The experience of success of the Danish state in the fight against corruption is very valuable for us. Over the past few years, anti-corruption laws and initiatives have been successfully implemented in the country, which is the leader in the fight against corruption. Corruption in Denmark is 8 times less common than in other Europeans due to the state level, self-awareness and responsibility of the citizens. The main reasons for the low level of corruption in Denmark is the development of condemnation of this phenomenon not only among state officials, but also among ordinary citizens. The country has its own codes of ethics and codes of honour for officials. There is publicity and transparency at the government level. Therefore, a person who doubts corruption can immediately say goodbye to his job [5].

Public organisations and special supervisory bodies work openly and publish information in social networks about the activities and financial situation of companies.

In the issue of corruption prevention in the Danish state the "Corruption Act" adopted in 2002. According to the law, representatives of the Danish government must annually publish information about their property and personal income.

Political scientists and researchers believe that the US experience in the fight against corruption is also effective for Kazakhstan. In 2018, ranked 22nd on the Corruption Perceptions Index in 2018.

It is noteworthy that the U.S. adopts legislative initiatives related to corruption not only within its own country, but also relies on international experience. The U.S. was the first country to pass the Foreign Corrupt Practices Act (1977), which prohibits bribes to foreign officials.

Under US law, bribery is punishable by a fine of three times the amount of the bribe or imprisonment for up to 15 years, or both, or, in the case of both, up to 20 years' imprisonment, with aggravating circumstances, and supervision of the general offence is strictly regulated.

Corruption in Russia is a very topical issue that needs to be fought, as it is one of a number of serious problems on a large scale. Today, the Russian state has a clear definition of the legal concept of "corruption", as set out in Federal Law No. 273-FZ "On Combating Corruption". Corruption is the violation of a natural person's official position, regardless of the legitimate interests of society and the state, for the purpose of abuse of office, giving a bribe, receiving a bribe, abuse of authority, commercial acquisition or obtaining by a natural person for himself or third parties of profit in the form of money, valuables, other property or services of a property nature, other property rights, other illegal use or illegal provision of such benefit to the said person by other natural persons.

In order to counter corruption, a positive change in Russian legislation in the sphere of public control should be recognised with the adoption of the Federal Law on Control over the Correspondence of Expenses of Persons Holding Public Office and Other Persons to Their Income. This law establishes control over transactions of certain categories of persons performing public functions, their spouses and minor children, the total amount of which exceeds the total income of such persons for the last three years. It is important to note that society also participates in determining the main directions of the internal and foreign policy of the state, as well as in solving other socially significant issues at all levels in order to encourage the authorities to take a position of recognising the individual, his or her rights and freedoms. This is done through public control in the sphere of combating corruption, through the activities of mass media and public associations to disseminate data on corrupt behaviour.

In 2018, the People's Republic of China convicted 68,000 (thousand) people of corruption offences. This was reported by the State Order Review and Supervision Committee.

The Central Committee of the Communist Party of China adopted an 8-point rule on 4 December 2012. It requires all civil servants to be considerate, courteous, thrifty and not to abuse their official powers. In 2017, more than 70,000 people were penalised for violating this rule. Anti-corruption legislation is established more strictly than in other states. It provides for the strictest criminal penalties for bribery, commercial procurement and dissembling, including two types of death sentences: immediate execution and a stay of execution of up to two years. In the past ten years, China has executed about 10,000 officials for bribery and imprisoned another 120,000 for 10 to 20 years.

It is important that there are virtually no "untouchable" positions left in China today. The active fight against corruption in China began when President Xi Jinping came to power. During this period, he has punished 1.5 million people who violated Communist Party rules. Regardless of their activities, all officials are constantly vetted. In addition, China maintains close relations with other countries on the return of corrupt officials who have fled the country. Since 2015, 4 million 800 thousand corruption suspects have been detained in 120 countries. Thanks to this, Chinese law enforcers have recovered stolen USD 1.5 billion from the treasury.

According to the statistics of Transparency International, a world-class anti-corruption organisation, the states where corruption is widespread are Yemen (176th place), Afghanistan (177th), Syria (178th), South Sudan (179th) and Somalia, indicated at 180th place. "Why does Somalia have the lowest score?" we decided to find the answer to this question.

The list of the most corrupt countries in the world is opened by the undisputed leader - Somalia. Currently, Somalia has no government; as a result of the war, it has actually disintegrated into several territories. Capturing ships off the coast, pirates create weapons. The state of the economy production and agriculture is completely suspended is also the poorest country in Africa, full of bandits and pirates. According to the World Bank, only 29 per cent of the population goes to school and life expectancy is 55 years. Somalia's central bank is essentially a private fund to bribe corrupt entities. 80 percent of the funds provided by the bank are spent on private needs rather than government programmes, and many of the funds passing through the bank cannot be monitored.

Of the 180 states whose perceptions of corruption are reflected in Transparency International's index statistics, we have looked at comparative reasons for the performance of a few states as an example.

Our state has extensive historical experience in judicial and legal relations. The Kazakh fair court, created on the basis of nomadic Kazakh people, was recognised by the society and was called "Golden Age of Justice". In history, the blossoming of dancing justice and legitimacy during the reign of Tauke Khan is associated with the period of the "Golden Age". Biler court, having played an important role in the life of the Kazakh people, became the most important institution of the state.

During the historical period, the traditional customs of the "seven statutes" were published. The main sections of the "seven statutes" are:

1. "Land dispute" - here the ways of resolving disputes about pastures and watering places are considered.
2. The law on family marriage establishes the procedure for marriage, divorce, rights and obligations of spouses, property rights of family members.
3. The military law regulating the fulfilment of military duty, the establishment of units and the election of military chiefs.
4. Court regulations establish the procedure for judicial proceedings.
5. The Criminal Law establishes the types of punishments for various offences except murder.
6. The Law on Costs establishes the types of murder and penalties for causing grievous bodily harm.
7. The "Widow's Dispute" regulates the personal and property rights of widows and orphans and the duties of the relatives of the deceased towards them.

According to the "Seven Statutes", the person directly involved in the offence was held criminally liable, as well as "tribes" and "tribal leaders" were held collectively liable. If the person held liable failed to appear in court or to pay the appropriate fine, the fine was imposed on the entire collective. In such a case, the members of the collective held liable were given the right to impose the penalty as they saw fit. One of the main features of the time, there was no imprisonment, punishment or abacus in the society. Death penalty was provided only in certain cases, i.e. rape and kidnapping of one's wife.

Enforcement of the sentence was the responsibility of the petitioner as there were no special enforcement agencies.

In deciding a particular case, the people based their judgement on the principles of impartiality, impartiality as morality, fairness of judges' decisions, bilateral reconciliation and full reparation.

At present, the Republic of Kazakhstan, like many other countries of the world, is working to prevent corruption. The current legislation reflects actions to ensure the national security of the Republic of Kazakhstan, to prevent, detect, suppress and disclose corruption-related offences, to eliminate their consequences and to bring the perpetrators to justice.

The state revenue bodies of the Republic of Kazakhstan play an important role in the system of public administration, which are the executive authorities, carrying out within their competence legal support of the state, maintaining the regime of legality in the work of state bodies, organisations, officials and citizens, ensuring the protection of the rights and legitimate interests of citizens and organisations [6].

For the effectiveness of the work carried out, every year the state revenue authorities develop and implement a plan of measures aimed at limiting corrupt practices, as well as operate helplines on a permanent basis. Also:

✓ The work of the National Anti-Corruption Bureau of the Ministry of Public Service of the RK, created specifically to detect and suppress corruption offences;

✓ The E-Government programme is now in operation. It provides for ensuring transparency and transparency in public decision-making and ensuring that they are under the control of public institutions.

✓ "Kazakhstan-2050" is aimed at ensuring the anti-corruption strategy, which is a definition of the main directions of the state anti-corruption policy, the main elements of the system of state measures to organise anti-corruption.

✓ The purpose of this strategy is to increase the effectiveness of the state anti-corruption policy, involvement in the anti-corruption movement.

✓ The implementation of the envisaged measures will make it possible to intensify the activities of state bodies and society in combating corruption and ensure the priority protection of the constitutional rights and freedoms of citizens from criminal encroachments.

Key areas of anti-corruption identified in the strategy:

- * combating corruption in the civil service;
- * introduction of the institute of public control;
- * countering corruption in the quasi-public and private sectors;
- * prevention of corruption in law enforcement and judicial bodies;
- * formation of the level of anti-corruption culture;
- * development of international co-operation on anti-corruption issues.

To summarise, we believe that corruption develops where democratic foundations are weak. One of the problems that grows and flourishes with the development of the world is taking root in places where abundant funds and public competition, which is still not eliminated. This issue is extremely damaging to our young nation as it is in developing countries.

Nowadays, the main aim is to increase one's income and become richer. To enrich oneself in our society, even those who are dignified late are enough. Ever since man has had the understanding that man serves money and not money serves man, man's consciousness has been poisoned and he has become a slave to the world. This is where corruption originates from. Without breaking this goal, we cannot eradicate corruption from society. The emergence of corruption shows that the spiritual wealth of the country is devalued and material value comes to the fore. A spiritually rich person keeps his soul clean from such matters as corruption, so we must begin the fight against corruption in our state by instilling spiritual virtues and values in the hearts of the people. Only when we can maintain spiritual and material wealth as equals, the development of our society will undoubtedly be sustainable.

To achieve this goal in every family, kindergarten, secondary education organisation, it is necessary to educate in the child morality and ethics, compassion for the people, land, nation, a sense of patriotism. Then we will be able to divert him/her from the corrupt phenomenon that threatens and harms our society.

In general, we should not neglect educational work. If we can give all our attention to the upbringing of the younger generation, we will move confidently and firmly into a bright future!

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