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CHARACTERISTICS OF HOOLIGANISM PREVENTION FORMS AND METHODS, ITS MAIN DIRECTIONS

Submission Date: January 20, 2023, Accepted Date: January 25, 2023,

Published Date: January 30, 2023

Crossref doi: <https://doi.org/10.37547/ajsshr/Volume03Issue01-03>

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ABSTRACT

The article analyses the types of hooliganism prevention, the preventive tools and methods used within these types of prevention, the functions specific to hooliganism prevention, and the problems of legal regulation of the organisational bases of hooliganism prevention. The author has developed a system of measures for individual and victimological prevention of hooliganism.

KEYWORDS

Hooliganism, crime, general, special, individual, victimological prevention, organizational and legal bases, criminal behavior, special subjects, victim status.

INTRODUCTION

The main role in the prevention of hooliganism belongs to the internal affairs bodies and the National Guard, who focus their efforts primarily on the prevention of gross violations of public order manifested in open disrespect for society, on the prevention of assaults on citizens on the street, and on the prevention of crimes committed in everyday life and free time. The causes

and conditions of hooliganism are determined and eliminated with the help of quick-search activities.

To address the issue of legal regulation of organisational bases for hooliganism prevention, the following three major issues must be addressed: 1) The rights and obligations of the subject's implementing

prevention; 2) the rights and obligations of the persons against whom prevention is being carried out; and 3) the rights and obligations of persons suffering from crimes (victim status) should be clarified and strengthened in the law. At a time when the protection of human rights and freedoms is becoming a high-level universal value in the world, this issue becomes more urgent.

The use of coercive measures is also important in the prevention of hooliganism. These measures are implemented by special entities (state bodies). This has the status of a specialised activity aimed at preventing hooliganism and is considered a special level of prevention. because it covers special measures aimed at preventing hooliganism. Such measures differ from other preventive measures in that they are specially designed and aimed at a specific goal.

Therefore, in the prevention of hooliganism, the existence of an object that falls under the influence of special prevention, in turn, requires clarification of the system of entities with special authority. However, in a specific situation, the implementation of a special prevention of hooliganism involves not only internal influence (within a certain body, for example, internal affairs bodies), but also external influence (within bodies and institutions that directly implement the prevention of crimes), and forces and means are involved. In this regard, it is especially necessary to introduce a modern computer system of data

exchange and accounting, and it should reflect those who committed hooliganism and suffered from it.

The absence of a legal description in the practise of prevention indicates that there is no uniform approach to the use of legal norms in the activities of the prosecution, justice, internal affairs, and judicial bodies in this direction [1]. Although the Law of the Republic of Uzbekistan "On the Prevention of Offenses" [2] focuses on the coordination of the preventive activities of prevention subjects, the legal mechanism of coordination is not defined in the law. At this point, there is a need to clarify the forms, methods, and types of hooliganism crime prevention. In the explanatory dictionary of the Uzbek language, "shape" is interpreted as "appearance, image, style, method" [3].

"The form of prevention of crimes is the external appearance of the content of activity and behaviour in the prevention of crimes," and it is necessary to rely on the purpose, functions, and tasks of prevention of crimes when clarifying the essence of the form of prevention [4].

Khojakulov suggests forming the following forms of general offence prevention: written, oral, visual, electronic, control, guarding, rescue, marked, SMS message, mixed forms, but all of the above forms of prevention, in our opinion, do not have the expected effect in preventing hooliganism.

Among them, the form of "control" occupies an important place. The researcher categorises preventive action control as technical, security, law enforcement agency control, and public control [5]. We support this classification, and we explain its application to the prevention of hooliganism as follows: technical control, using the capabilities of technology and electronic systems, taking into account the fact that hooliganism is committed in public places, in particular, streets, squares, parks, railway stations, airports, high-traffic corridors, and markets; surveillance cameras are installed in these places. Law enforcement is also effective in preventing hooliganism. In particular, the patrolling of the streets and public places by internal affairs bodies or the National Guard has a specific preventive effect.

In accordance with the Law of the Republic of Uzbekistan "On Public Control" [6], public control is applied to the subjects of crime prevention, and public control is also carried out in relation to the objects of crime prevention. This is directly reflected in the prevention of hooliganism [7] through the active participation of citizens and public associations. Citizens who actively participate in the fight against crime are encouraged according to the provisions of the Regulation "On the procedure for encouraging citizens and public organisations for their active participation in the prevention of crimes and the fight against crime," approved by the decision of the

Cabinet of Ministers of the Republic of Uzbekistan No. 15 of January 8, 2018 [8]. In this situation, we can see that methods and forms of prevention are reciprocally related. That is, the method of stimulation is used for measures implemented within the framework of prevention.

S.B. Khojakulov developed the following classification of these prevention methods based on the specific features of general crime prevention:

- 1) a warning (official or unofficial);
- 2) persuasion;
- 3) motivation (material, moral, and mixed);
- 4) coercion (application of disciplinary, administrative, and material coercive measures) [9].

It should be noted that there are no special types of hooliganism prevention. Hooliganism prevention is based on existing types of prevention and the systems of measures implemented within them. In other words, the Law of the Republic of Uzbekistan "On the Prevention of Offenses" [10] defines four types of prevention, including general, special, individual, and victimological prevention, and the prevention of hooliganism is based on these types and the measures implemented within them.

The general prevention of hooliganism includes the following measures: development and implementation

of programmes related to the prevention of hooliganism; conducting legal propaganda among the population on the prevention of hooliganism; identifying and eliminating the causes of hooliganism and the conditions that allow it to happen; making submissions on eliminating the causes of hooliganism and the conditions that allow it to occur.

Until recently, the concept of general social prevention was widely used in criminological literature [11].

Some criminologists consider social prevention to be a broad concept and consider that it is possible to think about moral (preventing immoral behavior) and general legal prevention (preventing crimes in a broad sense) [12].

A special feature of general prevention is that it does not focus on the prevention of negative events, including hooliganism, but only helps in its prevention. In fact, general social prevention measures serve as the foundation and foundation of all measures aimed directly and directly at preventing crimes, i.e. special prevention. Hooliganism is a separate social phenomenon, so the ways to combat it should be in the field of social and legal measures, and its effectiveness in many cases depends on the success of solving social problems. However, this aspect of the issue concerns both general and individual hooliganism prevention.

N.T. Ismailov believes that different views on the types of prevention are related to the broad or narrow interpretation of the concept of "prophylaxis." If it is based on the point of view that the most general measures of social development (for example, rational organisation of work, recreation, life, and education) are outside the scope of crime prevention, then it is necessary to abandon the division of crime prevention into general and special (or special criminological) types; instead, crime prevention should be divided into general and individual prevention [13]. Other scientists have also expressed this opinion [14].

Mass media are actively used in general prevention. Attention should also be paid to victimological prevention for those who have suffered from hooliganism or are likely to suffer. All this is very large-scale work carried out by the state and society across the country. Such prevention is aimed at the entire population of the country [15], but taking into account the specific characteristics of crimes, attention is focused on specific criminal acts.

Some scientists believe that law-abiding people are more involved in general prevention than criminals [16]. Another group of scientists says that in general, in terms of prevention, the influence of punishment measures and their application is more effective on those who have an idea about the behaviour of hooligans and the norms of the law [17].

We agree that defining universally binding measures is always difficult. However, this does not mean that general prevention should be abandoned. Implementation of general prevention measures aimed at reducing the amount of hooliganism 1) to prevent people from committing these crimes; 2) to prevent citizens from being victimised by hooliganism. In general, general preventive measures of hooliganism are aimed at preventing hooliganism, and the general prevention object allows detection. General prevention is carried out for all, taking into account the category of people who are more prone to hooliganism. However, such measures should be carried out on a scientific basis, taking into account the results of a systematic, goal-oriented, and intensive sociological survey. Without a specific and thorough analysis, it is impossible to say for sure which general or specific prevention is effective. 28% of those who have not been convicted of hooliganism in the past have no idea about the concept of "general prevention, » 47% believe that this measure is for other people, and 25% stated that although these measures prevented them from committing hooliganism, the situation prevailed. As for the implementation of special prevention of hooliganism, there are certain problems in the application of legal norms in this regard. The Law of the Republic of Uzbekistan "On the Prevention of Offenses" provides for special prevention only for those who have previously been convicted, abuse alcohol or use narcotics, psychotropic

substances, or affect mental activity. It is established that measures are implemented between persons consuming other substances (Articles 25 and 26 of the Law). The special prevention of lack of control and offences among minors is referred to in the Law of the Republic of Uzbekistan "On prevention of lack of control and offences among minors" and other legal documents (Article 27 of the Law). Article 24, Part 2 of the Law, on the other hand, specifies the increase of certain types of offences as a basis for the implementation of special offence prevention measures.

Therefore, according to this basis, the increase in hooliganism requires the implementation of special prevention, but the legislation does not provide for a system of special preventive measures or certain special preventive measures that should be implemented when hooliganism increases. Perhaps this is why, despite the fact that hooliganism was 45.9% in the Republic (from 1073 to 1565), 117.6% in the Khorezm region, 54.1% in the Bukhara region, 138.8% in the Fergana region, and 44.8% in the Namangan region in 2020, there was no information in the legislation or the mass media about the implementation of measures related to the special preventive basis of hooliganism. Special prevention is also called that because it requires special, professional knowledge from those who implement it. For example, it is impossible to apply special tools and methods to an object like

hooliganism without knowing the nature of this behavior. Special tools and methods should always be used at a professional level. In accordance with the Law «On Prevention of Offenses» measures for the individual prevention of hooliganism are carried out against persons who have committed hooliganism or are under preventive influence due to the possibility (propensity) to commit it in the future due to their existing antisocial behavior:

- 1) A preventive interview;
- 2) an official warning;
- 3) social rehabilitation and social adaptation;
- 4) preventive accounting;
- 5) referral to compulsory treatment;
- 6) administrative control;
- 7) includes providing information about the causes of hooliganism as well as the conditions that allow it to occur.

Individual prevention is prevention at the personal level and differs from other types of prevention in that it deals with a specific person. At this level, all practical conclusions and results related to the person and individual behaviour are determined. Here there is no specific opposition between general and individual prevention; on the contrary, general prevention appears as the initial stage of the application of individual preventive measures. These measures are relatively broad and not very specific. Individual

prevention is somewhat specific and takes into account individual aspects of criminal behavior.

Hooliganism prevention means early prevention of an act that has not yet been committed. The most important task is to prevent hooliganism. However, to prevent hooliganism, it is important to first identify those who are living a criminal lifestyle. "Crime prevention in practise is manifested in two cases." One of them is carried out when negative characteristics are in the bud state, and the second is carried out when such conditions are not yet observed but there is a possibility of their appearance [19]. However, in both cases, it is necessary to identify people with these negative characteristics, register them, and then take preventive measures against them. Here the person's "level of social immorality," his social experience, criminal connection, etc., should be taken into account. This process includes: 1) determining the possibility of these crimes being committed by these persons; and 2) agreeing with the opinion that it is carried out at the stage of the implementation of direct prevention of crimes against such persons. [20].

Factual information is essential for the early diagnosis and prognosis of hooliganism. It allows for the identification of a criminal event in the first period [21]. According to scientists, they are all interrelated [22]. Each of them has a role to play and plays an important role in the prevention of hooliganism.

Protective and educational functions are especially characteristic of individual prevention of crimes, and individual prevention is directed toward individual work with persons prone to committing crimes. In addition, there is a special rapid-search prevention of practical importance, which has its own system of special measures. It is considered both an independent and criminal behaviour within the framework of individual prevention. A criminal is always and everywhere the object of influence. We agree with the opinion that "the most important problem of individual prevention of crimes is to determine the circle of persons for whom individual work is necessary" [23], because in its essence, individual prevention of crimes is a set of measures (methods) of persuasion (education) and coercion (punishment). The goal of the type of prevention under consideration is to stop, prevent, and prevent crime, to determine individuals' intent to commit a crime, and, ultimately, to achieve a person's refusal to engage in criminal activity.

In the hooliganism prevention system, special activities aimed at preventing crimes by certain individuals living an anti-social lifestyle are shown separately. This activity is carried out by state bodies designated with the task of maintaining law and order and fighting crime. These activities differ in their specific purpose, which is to prevent hooliganism. M.J. Eshnazarov believes that "special prevention" is a measure of crime prevention that is developed and implemented

in a unique way both in the general prevention of crimes and in individual prevention [24]. Therefore, specific objects that should be affected by individual prevention are supposed to use special tools and methods for these purposes.

The analysis of practical materials shows that in the fight against hooliganism, preventive tools and methods of a criminalistic nature will be more effective if they are implemented together with the necessary quick-search measures. However, the most important thing in this case is to have complete and accurate information about the causes of hooliganism and the conditions that made it possible. Individual prevention should begin before a person decides to commit hooliganism. O.L. Dubovik believes that "in general, in a number of cases, decision-making is not carried out immediately, therefore there is an opportunity to influence it, to reconsider the decision, to change the direction of the individual's behavior" [25]. This rule can also be applied to the prevention of hooliganism; eliminating hooliganism means completely excluding and stopping the occurrence of such an event. Hooliganism is characterised by impulsive, emotional, situational, and sudden symptoms. However, even in such situations, hooliganism does not always represent a momentary action. As long as it represents a process that always develops over time, individual work, special prevention, and prompt service are the main priorities here, and the specific task is to

intervene in this process in time, prevent the development of hooliganism, and stop it. If it is stopped at the necessary stage, then we will prevent hooliganism and protect the hidden victim from hooliganism.

Preliminary measures are usually applied to people who have never been convicted of anything. Persons with a tendency to commit crimes are identified; these persons and their immediate environment are studied; if necessary, they are registered; and social control is carried out regarding their place of residence, work, and study. Persuasive measures are primarily used to influence people who are at risk of committing crimes. Secondary measures are mainly applied to people who have been convicted before but are likely to commit crimes again. In this case, it is necessary to identify these persons, to take them into account, to study them, and to carry out administrative control over them under certain conditions. It is important to clearly record the criminal purpose of such "hidden criminals." In practice, coercive measures are usually used against such individuals.

As for the prevention of hooliganism, the following issues should be resolved: identifying and eliminating the causes and conditions of hooliganism; identifying persons who are prone to commit hooliganism with their antisocial behavior; preventing persons who have been previously convicted but who are likely to commit hooliganism from going on the path of crime;

preventing hooliganism that may be committed, in particular, planned and prepared hooliganism; and identifying previously convicted persons who have not broken ties with the criminal world to prevent recidivism.

"It is important not to forget that scientifically knowing the role of the victim in the commission of a crime is of great importance in the development of crime prevention measures" [26]. After all, "the identity of the victim greatly affects the development of the criminological situation" [27]. Therefore, I.Yu.Fazilov believes that it is important to clarify the description of "persons with a high probability of being victims of human trafficking" [28].

Taking these aspects of the issue into account, the system of victimological prevention measures for hooliganism can be formed as follows:

carrying out preventive measures against victims of hooliganism, taking into account the individual and socio-psychological characteristics of the person;

teaching the population, including those who are likely to be bullied (victims), how to resolve conflict situations;

development and implementation of special complex measures aimed at ensuring the physical and psychological safety of the victim of hooliganism and

informing him about the methods and means of self-defense provided for by the law;

regular surveillance of places (areas) where hooliganism occurs more frequently;

providing legal training and education to the population by widely disseminating information about the necessary defense and last resort in the event of an attack by thugs.

CONCLUSION

In conclusion, it can be said that the prevention of hooliganism has its own characteristics; in this direction, the forms and methods, the types of prevention, and the systems of measures implemented within them are used individually. It is impossible to organise work and achieve high efficiency without taking into account these aspects of hooliganism prevention.

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