

Matskevich Igor Mikhailovich
Geometry of the criminal law
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In theoretical jurisprudence, there is a certain methodological crisis, the essence of which boils down to the fact that modern research practically does not enrich the methodology of legal science with new approaches, and the existing ones are variations, and not always successful, that are already known. The current state of affairs is reflected in the objectivity of the results of the study of legal problems, their reliability, scientific character. Meanwhile, the study of social processes, in particular those related to the operation of the rule of law, the formation and necessary change of the system of law, can be presented in a new light, taking into account the analysis of the dynamics of the implementation of legal norms, the establishment of non-linear patterns, the study of various and multi-vector manifestations of legal relations in public coordinate system,

In the article, in relation to jurisprudence, the following mathematical methods are distinguished for modeling social and legal phenomena: 1) law-making; 2) legal interpretation; 3) enforcement; 4) law enforcement; 5) legal education.

In a more specific form, mathematical logic is used to explain the criminal behavior of a person, search for a criminal and expose him, in case of an attempt to avoid responsibility for what he did.

Using the theory of probability, it was possible to develop a forensic portrait examination, and a little later - to come to a fingerprint examination. Mathematical laws made it possible to establish the objectivity of the conclusions of handwriting examinations. Today, mathematical methods in jurisprudence have led to the formation of an independent complex scientific direction - forensic examination.

At the same time, with the help of legal statistics, it was possible to identify stable patterns in crime as a massive socially negative phenomenon.

The geometric idea had a significant impact on the structure of scientific knowledge in the legal world and on the structure of legislation, since the presence of common parts in codes, as well as the placement of norms on the principles of law at the beginning of some laws, represent an unconditional tradition of geometric planar jurisprudence.

The article concludes that the system of criminal legislation cannot be ideal and cannot be set once and for all. We live in a Euclidean system of criminal legislation, although another more complex geometric system has long been known - the imaginary geometry of Lobachevsky or spatial geometry.

Astanin Victor Viktorovich
ON THE STATE OF CRIMINOLOGY AND ITS DEVELOPMENT
AT THE PROFILE DEPARTMENT OF THE UNIVERSITY NAMED
AFTER O.E. KUTAFIN (MSAL)
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The article analyzes the current state of educational and scientific support of criminology. The method of research and analysis of materials related to the didactic and methodological support of criminology, applied during the preparation of the article, makes it possible to reveal the dialectical relationship of its development as an academic discipline with ongoing scientific research. Examples of the quality of the development of criminology, the preservation of its classical foundations with development, the author expressed in the description of the scientific and academic life of the Department of Criminology and Penal Law of the University named after O.E. Kutafina.

V.A. Nomokonov

Sudakova T.M.

FUTURE CRIMINOLOGY - POSITIVE CRIMINOLOGY?

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Reflections of scientists about the future of criminology have become urgent today. This is not just a natural process of its development, but the reaction of science to the prevailing uncertainty in the formation of its future methodological principles and a reflection of the complex, contradictory and even destructive period of reforming the basic foundations of society itself with negative forecasts for its further development. The directions of development of future criminology will largely depend on the format and degree of perfection of the future society. The need to modernize the conceptual and theoretical foundations of fundamental criminology in the context of the changed forms and scale of crime is generally recognized today, however, many basic categories of criminological science are under development and have not received satisfactory answers due to the commitment of researchers to outdated theoretical views. Today the need has matured to create the conceptual foundations of future criminology as an integrative science with the promising use of ideas put forward and substantiated by philosophical and psychological science, and, possibly, esoteric provisions that have not yet been included in the methodology of criminology, but could be useful for solving criminological tasks. It is necessary to support proposals on the search and substantiation of fundamentally new approaches in expanding the methodological and theoretical arsenal of criminology, combining the efforts of representatives of all humanitarian, and even natural and exact sciences. It is important to actualize the problem of the possibility and feasibility of using a humane-personal approach as a counterbalance to total robotization and violence, as well as a critical rethinking of the established views on the omnipotence of forceful solutions to social problems, including crime. The assumption that any

crime is a manifestation not just of immorality, but of spiritual slavery needs special research (there is only one exception: when the state itself or its laws are criminal). Speaking about the inadmissibility of exaggerating the role of coercive methods of ensuring public safety, about increasing the degree of society's tolerance for deviant behavior, of course, one must also see a certain border that cannot be crossed,

Nikolay Shchedrin

LIMITS OF PREVENTIVE ACTIVITIES

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The author considers crime prevention as a kind of social management, which includes two groups of measures: not related to the restriction of rights and freedoms (incentive warning) and related to the restriction of the rights and freedoms of citizens (restrictive warning). The latter group includes safety rules and subsequent sanctions of punishment, safety and recovery. The limits of application of preventive measures should be designated differentially in relation to each of the named groups.

The scope of use and the intensity of incentive measures are determined mainly by the availability of the appropriate resources for the prevention and the desire of the prophylactic to accept the offered services and assistance. Another thing is restrictive warning measures, the use of which should be strictly regulated in time, space and circle of persons. Since the measures of this group restrict the constitutional rights and freedoms of citizens, at least four grounds are needed for their application: social, normative, factual and organizational. The harm caused by the precautionary restrictions must be less than the harm avoided. The conditions and procedure for the application of these measures must be provided for in federal law. To apply security rules, a legal fact is required in the form of an event or action, and for the application of restrictive sanctions, an act of application of law is required. And the more preventive measures restrict rights and freedoms, the more complicated the procedure for their application should be and the more authoritative the body applying them should be.

A clear designation of the limits of preventive activity allows not to limit unnecessarily the constitutional rights and freedoms of citizens, not to constrain the creative activity of the population, to save and properly distribute limited preventive resources.

The author used dialectical, as well as system-structural, formal-logical and other methods of scientific knowledge.

Antonyan Yuri Miranovich

POOR CRIMINALS

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Dedicated to crime and poor criminals. The main characteristics of the crimes of persons of such a social stratum, the distinctive features of the personality are given. Separate subgroups are highlighted and their description is offered. The criteria for identifying the poor and specific subgroups are called, their most characteristic features are called. Shows the importance of the poor, its social, especially criminological consequences, the impact on the individual and her behavior. Especially the lowest stratum of the very poor stands out, in particular, vagabonds who systematically lead a homeless existence, and drunken people. The importance of providing them with help and support, including from the church and public organizations, local authorities, the need for their treatment is noted.

The article uses materials from a survey of about 60 thousand convicts serving sentences in places of deprivation of liberty.

Olga Dubovik

CRIMINOLOGICAL AND CRIMINAL LEGAL PRECONDITIONS FOR THE FIGHT AGAINST ECOLOGICAL TERRORISM AND ECOLOGICAL EXTREMISM IN RUSSIA.

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The article examines topical problems of the emergence of new threats to the world and national legal order associated with the potential danger of committing acts of environmental terrorism and the escalation of long-known acts of environmental extremism. The positions reflected in international and national (Russian) law, in the doctrine of the concept of terrorism, terrorist act, terrorist activity, taking into account their manifestations in relation to a special protected benefit - the environment as a basis (basis), are presented. The specificity of acts of terrorism related to the environment and the impact on the adoption of environmentally significant political and legal decisions is characterized. The positions of the Russian and Polish legal doctrines in relation to the danger and qualification of illegal actions are considered.

Kudelkin Nikolay Sergeevich

PROTECTION OF THE ARCTIC MARINE ENVIRONMENT: CRIMINAL AND CRIMINOLOGICAL ASPECTS.

No. 9, 2018

The main part of the Arctic zone of Russia is occupied by the Arctic Ocean with marginal seas: White, Barents, Kara, Laptev, East Siberian, Chukchi. The Arctic is not only a storehouse of minerals. The region is of great importance for global biodiversity, it is inhabited by numerous species of land and marine mammals, birds and fish, and the flora is also unique. The natural and geographical features of the region are of great criminological importance, they significantly complicate the identification of crimes and the perpetrators of them, affect the

nature of the spread of socially dangerous consequences of committed acts (for example, pollution), etc. In order to protect the marine environment of the Arctic, increased attention should be paid to combating pollution from land-based sources, since this type of pollution is one of the main ones for the Arctic basin. The marine environment of the Arctic is characterized by unique biodiversity, which, in addition to the negative impact of economic activities carried out in the sea and on land, is subject to rapid encroachments, such as illegal mining and trafficking of especially valuable wild animals and aquatic biological resources belonging to the species included in the Red Book of the Russian Federation. Federation and (or) protected by international treaties of the Russian Federation (Art. 258.1 of the Criminal Code of the Russian Federation), illegal extraction (catch) of aquatic biological resources (Art. 256 of the Criminal Code of the Russian Federation). Criminal liability has great potential for the protection of the marine environment of the Arctic zone of the Russian Federation. Given the global importance of the Arctic, the development of this area should be given increased attention to science and practice.

Tatiana Rednikova

**ORGANIZED ENVIRONMENTAL CRIME IN RUSSIA AND
ABROAD: CRIMINOLOGICAL CHARACTERISTICS AND
COUNTERACTIONS**

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Environmental crime is a constantly progressive form of criminal activity, the social danger of which is often underestimated. Modern environmental crime all over the world is characterized by the emergence of new forms of criminal behavior, improved methods of committing crimes, and a steady increase in the participation of organized criminal groups and communities in their commission. The structure and nature of environmental crime has a clearly expressed regional character, determined by such parameters as the state of the environment, the presence of natural resources in a given territory, the proximity of state borders, as well as the effectiveness of the activities of environmental and law enforcement agencies. Organized environmental crime, along with environmental terrorism, today pose a significant threat to national security. Its distinctive features include: the durability and stability of a criminal organization, which in most cases effectively manages a complex of criminal actions from an organizational and economic point of view, and also has the ability to minimize the risks arising in this regard, long-term planning of activities, the involvement of individuals in it and commercial structures, the creation of criminal networks. Another characteristic is its market orientation (including illegal). The main purpose of the activities of criminal groups is to make a profit. Often, organized groups are engaged in criminal activities in various directions, committing both environmental and economic and other types of crimes, while the corruption component is an integral feature of them. Transnational organized environmental crime carries out its activities in such key areas as illegal trade in rare and endangered species of

wild fauna and flora and their derivatives, illegal logging and illegal timber trade, illegal waste traffic and illegal transportation, storage, dumping and burial, including transboundary movement of hazardous wastes, illegal fishing, illegal trade in ozone-depleting substances, illegal traffic in radioactive substances and illegal disposal of radioactive waste. at the same time, the corruption component is an integral feature of them. Transnational organized environmental crime operates in such key areas as illegal trade in rare and endangered species of wild fauna and flora and their derivatives, illegal logging and illegal timber trade, illegal waste traffic and illegal transportation, storage, dumping and burial, including transboundary movement of hazardous wastes, illegal fishing, illegal trade in ozone-depleting substances, illegal traffic in radioactive substances and illegal disposal of radioactive waste. at the same time, the corruption component is an integral feature of them. Transnational organized environmental crime carries out its activities in such key areas as illegal trade in rare and endangered species of wild fauna and flora and their derivatives, illegal logging and illegal timber trade, illegal waste traffic and illegal transportation, storage, dumping and burial, including transboundary movement of hazardous wastes, illegal fishing, illegal trade in ozone-depleting substances, illegal traffic in radioactive substances and illegal disposal of radioactive waste.

An important role in the fight against organized environmental crime is played by combining the efforts of law enforcement and law enforcement agencies of various states to suppress ecologically criminal behavior, neutralize all stages of the crime: planning, illegal extraction of resources, transportation, sale, laundering of proceeds from crime. The elimination of the economic basis of the activities of criminal groups, a decrease in its profitability, is the key to success in the fight against it. Improvement of international legislation will make it possible to create at the level of individual states a comprehensive system of measures to counter organized environmental crime, and to ensure the unification of national legislative systems in terms of terminology, compositions, and sanctions,

Elena A. Antonyan

**FORCED EDUCATIONAL MEASURES: PROBLEMS OF PURPOSE
AND USE**

No. 9, 2018

In the article, on the basis of the study of the activities of the commissions on minors' affairs and the protection of their rights, their reporting, study of the materials of criminal cases, some problems of the low efficiency of the use of compulsory measures of educational influence assigned to minors are considered. A complex of problems is considered: from the lack of knowledge of the families of such minors to the difficulties in defining the powers of commissions on minors' affairs and protecting their rights. Some possible solutions to these problems are proposed, including by applying positive foreign experience. One of the acute problems that reduce the effectiveness of the use of compulsory measures of

educational influence is the lack of a specialized body, which would be entrusted with the responsibility of monitoring such a category of minors, which could become a probation service. The article substantiates the necessity of introducing the institution of probation into domestic law enforcement practice.

Yulia Tarasova

Features of education financing as a criminogenic factor: Russian practice and foreign experience

No. 9, 2018

The article analyzes the main problems of financing the education system in Russia: 1) a real reduction in financing of education, especially higher education; 2) insufficient methodological and legal elaboration of the distance education system with a growing demand for it; 3) the need to reform the management of educational organizations; 4) the inadmissibility of savings while observing safety measures and monitoring the quality of services and the repair of capital structures; 5) economic and geographical accessibility of education; 6) moral and ethical character of the teacher; 7) destruction of the system of secondary vocational education and loss of its prestige; 8) the breakdown of the higher education system with an objectively growing demand for them, the impending social explosion of the released mass of non-attached school graduates, 9) the problem of personnel "imbalance" in universities.

When analyzing the financial characteristics of Japanese education, the author focuses on the "commercial" type of management system in Japanese universities. The peculiarity of paternalistic measures to support national higher education, as well as the successful geographical location of universities across the country and the logical distribution of the main sources of income for private and commercial universities allowed Japan to raise the level of higher education and the proportion of students among school graduates.

The system of financing secondary vocational education in Germany is built on the principle of state funding for 2/3 of students and semi-state funding for the rest. Almost 100% of higher education in Germany is financed from the state budget, and without the creation of an adequate system of compensation for students, it is not planned to introduce paid education in the foreseeable future.

Structural analysis of foreign experience in financing higher education (Japanese and German models) allows us to conclude that some of the schemes used are applicable in Russian reality.

Alexey Kokurin

Petrov Vladislav Evgenievich

PERSONAL FEATURES OF MILITARY AND LAW ENFORCEMENT AGENCIES CONDITIONING PSYCHOLOGICAL READINESS FOR SERVICE WITH FIREWARE

No. 9, 2018

The article analyzes the personality traits and professionally important qualities of 3518 military personnel and law enforcement officers admitted to serve with firearms. The study compared the groups of successful (934 people) and unsuccessful (420 people) from the point of view of ensuring the reliability of employees' activities. We identified such personal predictors of the success of service with firearms as: self-control, social intelligence, pragmatism, responsibility, aggressiveness, propensity to take risks, rigidity, propensity to conflict. It is on these psychological characteristics that an emphasis must be made when making a decision on assigning service weapons to representatives of law enforcement agencies. The analysis carried out is important for improving the diagnostic and preventive work with personnel.

Salamova Sebila Yakubovna

DOMESTIC VIOLENCE IN MODERN RUSSIA: A GENERAL CHARACTERISTIC

No. 9, 2018

The article is devoted to the urgent problem for modern Russia - domestic violence, which undermines the foundations of the life of not only the family, but also the social, national-state security of society. The concept of domestic violence against women is considered, its author's definition is given. A detailed description of the types of domestic violence is given, and the circle of victims of such violence is determined. It is noted that domestic violence differs from other types of violence in that the abuser and the victim are related by kinship or other close relationships. This exacerbates the psychological trauma suffered by the victim of violence. The most common cases of domestic violence are women (57%) and children (36%). In this regard, the article pays the greatest attention to these two categories. The article provides statistical data on the number of crimes committed against women and children in the family. Based on the above data, it is concluded that there has been a significant annual increase in the number of crimes committed against women in the family. Of great importance is the data on the calls of children, as well as other persons, to the children's helpline regarding violent actions against children by their parents. They allow you to see a more complete picture of domestic violence, given its high latency. Many cases of violence end in poor health, disability, and death. It has been shown that children who have experienced domestic violence have a complex of consequences such as low self-esteem, increased anxiety, mental and physical lag, decreased intellectual abilities, isolation, increased gullibility or increased fear of strangers, difficulties in communicating with other children, poor academic performance . One of the most

difficult consequences is the assimilation of negative patterns of parental behavior and the transfer of negative experience of family relations to other social groups.

Radko Zoya Timofeevna

Shigina Natalia Valerievna

Criminological characteristics of stalking (on the example of the Italian experience)

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Stalking is a category of deviants. We are talking about people persecuting someone. Potential and real victims of stalkers can be once close people (ex-wife, ex-husband, children, parents), colleagues, colleagues in the profession. Stalking is also relevant from the side of other persons - real partners, friends, acquaintances or unknowns. Quite often "stalking" is the result of mental deviations. It is indicated that stalking (on the example of Italy) poses a public danger to society, because is fraught with a real opportunity to commit serious crimes.

Dashkov Gennady Vladimirovich

**DEVELOPMENT OF THE INSTITUTE OF CRIMINOLOGICAL
COMPARATIVISM IN THE RUSSIAN FEDERATION**

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The article sets the task, in relation to the Russian Federation, to consider virtually gaps in legal science issues of criminological comparative studies. This problem is important not only for Russia. It is international in nature. So the modern world is arranged that the carriers of positive experience in the fight against crime and its receptors are equally interested in the fact that all the best in this area becomes common property as soon as possible. This disinterested (as opposed to technology) interest is primarily due to the fact that now, in the period of highly developed technologies and hypermobility, criminals from different countries and continents have practically no obstacles to the mutual improvement of their criminal activities. As for the unresolved issues of theory and practice of the proper provision of international cooperation, then their, in contrast to the sphere of criminal interaction, a great many. Taking into account the named conceptual provisions, the content of our article was determined. Here, in particular, the theoretical prerequisites for the perception of foreign experience in combating crime were outlined, and the priority directions for using foreign experience in the prevention of certain types of crimes in Russia were named. These tasks were solved both in the modern and in the historical aspect, by means of criminological appeal to classical sources that are unjustifiably on the outskirts of legal science, such as, for example, the Great Yasa of Genghis Khan, the Decrees of Peter I, the financial legislation of the United States, developed in order to get out of the Great Depression ... Here, in particular, the theoretical prerequisites for the perception of foreign experience in combating crime were

outlined, and the priority directions for using foreign experience in the prevention of certain types of crimes in Russia were named. These tasks were solved both in the modern and in the historical aspect, by means of criminological appeal to classical sources that are unjustifiably on the outskirts of legal science, such as, for example, the Great Yasa of Genghis Khan, the Decrees of Peter I, the financial legislation of the United States, developed in order to get out of the Great Depression ... Here, in particular, the theoretical prerequisites for the perception of foreign experience in combating crime were outlined, and the priority directions for using foreign experience in the prevention of certain types of crimes in Russia were named. These tasks were solved both in the modern and in the historical aspect, by means of criminological appeal to classical sources that are unjustifiably on the outskirts of legal science, such as, for example, the Great Yasa of Genghis Khan, the Decrees of Peter I, the financial legislation of the United States, developed in order to get out of the Great Depression ...

The author's considerations in this regard are substantiated by the established practice, enshrined in international documents and national legislation of the cooperating countries. The results of joint research and development with foreign colleagues, our experience of work in the governing bodies of the International Association of Criminal Law (IAPM) and the International Criminological Society (ICS) were also used.