Territories with a special regime of economic activity, which have positively "proved themselves" in a number of foreign countries, have not brought the expected positive result in Russia. In this regard, the question of the future fate of special and free economic zones, zones of territorial development, territories of advanced socio-economic development and the free port of Vladivostok is highly relevant. The article analyzes the draft Federal Law "On preferential regimes", within the framework of which it is proposed to transform the majority of existing territories with a special regime for carrying out economic activities into a new type - special economic zones. The advantages of this act are revealed : additional grounds for termination of a special economic zone in case of its inefficiency; expanding the list of preferences for residents; the possibility of forming preferential portfolios in accordance with the needs of a particular region; requirements for management companies to ensure their fair competition. Indicated are such shortcomings of the draft Federal Law "On preferential regimes" as: the possibility of establishing additional requirements for residents of a special economic zone and their investment projects in addition to those provided by the draft law; imperfection of the contractual form of entrepreneurial activity by residents of such zones; as well as the fact that the provisions of this transformation act do not apply to a number of territories with a special regime of economic activity (special economic zones of Magadan and Kaliningrad regions, free economic zone of the Republic of Crimea). It is concluded that the idea of combining existing territories with a special regime into one, laid down in the draft Federal Law "On preferential regimes", cannot be embodied in the proposed version of the draft Federal Law "On preferential regimes".

The article substantiates the thesis about the ambiguity of the concept of "bankruptcy", reveals the corresponding meanings. The author points out that bankruptcy can be considered as an economic condition, an inability to satisfy the

claims of creditors, including an inability recognized by a court, as a proceeding on a case, as a procedure, as an objection by a debtor, as a basis for a special regime for settlements with creditors and such a regime itself as a kind of enforcement proceedings, as a method of resolving insolvency, as a management model, as the basis and procedure for the liquidation of a legal entity. A preliminary agreement on the meaning in which the term "bankruptcy" is used is necessary at all stages of the life of law: the creation of a rule, its application and during doctrinal discussions aimed at identifying its meaning. Particular attention in the article is paid to the concepts of insolvency and insufficiency of property. At the same time, it is substantiated that signs of insolvency should be distinguished from insolvency, and the grounds for opening production should be distinguished from the latter. According to the author, the introduction of the property deficiency category in 2009 as the basis for the obligatory filing of a bankruptcy petition by the head of the debtor was a step backward and does not meet the needs of the modern economy. To remedy the situation, the Supreme Court of the Russian Federation introduced the category of objective bankruptcy, which also suffers from uncertainty. The article also pays attention to bankruptcy as a special regime of settlements with creditors, based on the application of the principle of equality of creditors ( pari passu ). It is indicated that it is this principle that is the reason for the appearance, along with enforcement proceedings, of a special regime - bankruptcy.

Based on the approaches to the interpretation of the term “people” existing in Russian science, the author concludes that in constitutional law it is used in at least two different meanings - as a source of power and as a subject of constitutional rights. The inevitability of this duality is shown and the thesis is substantiated that the concept of the people as a source of power is one of the limiting concepts of constitutional law and therefore cannot be defined within its framework. Awareness of this problem leads some Russian lawyers to reject the very principle of popular

sovereignty, while others - to attempts to identify the concept of "people as a source of power" with the electoral body. Objecting to both of these positions, the author shows that according to Gödel 's incompleteness theorem, constitutional law as a system of formally defined norms cannot be both complete and consistent. Attempts to construct a "pure" constitutional legal theory, free from any extra -legal elements, in which the definitions of all the concepts with which it operates would be deduced in itself from other concepts defined in it, lead to insoluble contradictions. If the system of constitutional law is built as consistent, it inevitably turns out to be incomplete, in particular, it uses concepts that are not defined within its framework. The author considers such concepts and categories that belong to a higher level of abstraction as metacategories or limiting concepts of constitutional and legal science. The category "people as a source of power" is one of them. Touching upon the dilemma of completeness and consistency of constitutional law as a system of formally defined norms, the author defends the priority of consistency.

The article discusses the problems of interconnection and the place of the constitutional amendments introduced by the President of the Russian Federation to the current Constitution of the Russian Federation on January 20, 2020. When assessing the meaning and content of many amendments to Chapter 3 of the Constitution of the Russian Federation, their additional, sometimes more important from the point of view of the hierarchy of constitutional norms, significance becomes clear, which is directly related to the chapters of the constitution that are not subject to revision. Despite the formal immutability, the foundations of the constitutional system actually acquired as a result of the amendments new provisions for themselves, such as: "a state-forming people, a member of the multinational union of equal peoples of the Russian Federation"; "A ban on the alienation of a part of the territory of the Russian Federation and calls for such actions"; "On non-

execution of decisions of interstate bodies adopted on the basis of the provisions of international treaties of the Russian Federation in their interpretation, contrary to the Constitution of the Russian Federation"; "On the state guarantee of the minimum wage not less than the subsistence minimum of the able-bodied population", and others. The norms governing certain fundamental rights and freedoms of man and citizen (Articles 37,38,39,44 of the Constitution of the Russian Federation) were replenished with new content without their formal change. The ambivalence of local self-government leading to confrontation between local and state authorities, partly produced by the provision of Article 12 of the Constitution of the Russian Federation on the independence of local self-government bodies and their non-entry into the system of public authorities, is partially minimized by the provision on their unity in the public power system. However, many seemingly insignificant amendments to Chapter 8 of the Constitution of the Russian Federation significantly reduce the power potential of the local population, turn the constituent norms on its powers into reference ones. In the conclusion, attention is drawn to some problems in the activities of the Constitutional Court of the Russian Federation on the implementation of these constitutional amendments.

The article is devoted to the actual problem of legal theory and practice - the institution of circumstances precluding the criminality of an act (Chapter 8 of the Criminal Code of Russia). As a manifestation of the criminal-legal compromise, steadily strengthening its position in the domestic criminal legislation, this legal phenomenon is intended to induce citizens to take actions that contribute to the localization or minimization of threats to the interests of the individual, society and the state, protected by law. At the same time, in spite of the seemingly clear legislative consolidation, the institution of circumstances precluding the criminality of an act causes a lively scientific controversy. There is no consensus among forensic scientists about the legal nature of both this criminal law institution as a whole, and

some individual types of its constituent circumstances. The legal literature substantiates the idea of the need to expand the legislative list of such circumstances. Investigators and judges often encounter difficulties in the practical application of the provisions of Chapter 8 of the Criminal Code of the Russian Federation (especially about necessary defense, extreme necessity, reasonable risk). The roots of the theoretical and practical problems associated with the circumstances precluding the criminality of the act, to a large extent, lie in the insufficient research of the institution in question in the general theory of law. In this fundamental theoretical legal science, there are even no general legal equivalents of the criminal- legal concepts of "criminality of an act", "circumstances precluding criminality of an act." It is proposed to introduce into scientific circulation the general legal equivalent of the concept of “criminality of an act” - “ delinquency of an act”, representing a combination of such signs of an offense as social harm, wrongfulness, guilt and punishability. Such a new legal structure will make it possible to study the phenomenon of circumstances precluding the criminality of an act in the format of the general theory of law, to determine the possibility and limits of their subsidiary application in various branches of law. In the sectoral legal sciences and the corresponding branches of law, thus, will acquire the "right to exist" categories of circumstances excluding criminal, administrative, civil, disciplinary delinquency of acts. And this, in turn, will help to increase the effectiveness of protecting the rights, freedoms and legitimate interests of the individual, ensuring the interests of society and the state.

On the basis of statistical data and the results of the survey, a noticeably lower quality of justice in criminal cases was determined in comparison with the consideration of arbitration disputes. The comparison was carried out on six indicators: the distribution of cases among judges, the capabilities of the information system, the policy of using telecommunication technologies, adherence to

procedural deadlines, the punctuality of the court and its use of mediation procedures. The selected parameters were developed by the European Commission for the Effectiveness of Justice and reflect not only the organizational, but also the procedural features of each of the considered types of legal proceedings. The author supports the concept of judicial law, in connection with which the study is devoted to finding unreasonable differences in the level of the quality of justice in its individual types. These include: automated distribution of cases in courts of general jurisdiction, not devoid of the influence of the will of operators to the extent that it is implemented in arbitration courts; lack of the necessary tools of "electronic justice" in the GAS "Justice" system; insufficient use of video conferencing by courts of general jurisdiction, unavailability to conduct electronic business and remote acquaintance with it; lengthy consideration of criminal cases in comparison with arbitration and other; disrespectful attitude of the courts of general jurisdiction to the time of the participants in the process; refusal of the court to facilitate the peaceful settlement of disputes in criminal cases. Fully aware of all the differences between criminal and arbitration proceedings in many ways: both in the presence (or absence) of formalized pre-trial proceedings, and in the qualitative characteristics of the parties and their representatives, and in the proportion of cases considered by the courts in the total mass of all court cases in the country , the author believes, nevertheless, that according to the indicators used by the European Commission on the effectiveness of justice, all types of domestic legal proceedings are still comparable, and the revealed such obvious differences in the accessibility and quality of justice do not look absolutely inevitable.

The article examines the issues of ensuring citizens' access to justice in the context of the introduction of digital technologies into criminal proceedings. The article substantiates the duty of the judiciary to ensure effective interaction with citizens and professional participants in procedural relations through electronic

services and information resources. The socially beneficial effects of the introduction of digital technologies into legal proceedings are analyzed, as well as some of the risks arising from this. Based on the conducted content analysis of courts' websites and a survey of various social groups of the population, analysis of the unfolding scientific discussions, general conclusions are drawn about the degree of accessibility of the information posted on the relevant Internet pages to the general user, about the readiness of society to expand the boundaries of digitalization in the field of legal proceedings, about the problems of implementation digital technologies in criminal proceedings in comparison with other types of legal proceedings, proposals are made to optimize the information support of the courts.

The authors summarize that as a result of the introduction of digital technologies into the sphere of legal proceedings, there has been a qualitative shift towards automation and simplification of office work mechanisms, the search for the necessary information in the huge information field has been greatly facilitated, and other positive social and legal changes have become possible. At the same time, the conclusion about the possibility at this stage of a complete transition to "digital legal proceedings", at least in the field of criminal proceedings, is impossible, due, on the one hand, to the very legal nature and nature of criminal procedural activity, requiring human participation at the pre-trial stages. proceedings in the case and directly in the administration of justice, on the other hand, the lack of readiness of society to abandon traditional forms of interaction with the judicial system. The latter factor may inevitably entail a violation of the citizens' right to access to justice, since digital technologies are not yet available for use by a significant part of the population due to a number of objective and subjective reasons.

The article talks about the understanding of culture by domestic thinkers and its unifying role in society and the state. The imperfection in which Russian society often found itself determined the movement of thought from existence to due. In a

complex, long-term process of seeking what was due, domestic thinkers developed high-quality ideas aimed at an ideal understanding, just structure and action of the state. They associated the substantiation of the ideal structure of state life with the comprehension of the meaning of life, the national idea, the essence of power, the state. It was argued that without understanding them, the state cannot determine not only the highest goal, but also concrete historical tasks. It cannot develop fair and effective government decrees. As a result of the modern Westernization of Russia, at the official level, the priority of material culture, oriented towards material enrichment, success, and prestige in society, has been established. This led to the loss of culture of its true role and national characteristics. Having proclaimed the quantitative criterion, modern culture has divided people, has ceased to fulfill the unifying mission in society, the state, and to serve the quality of national life. Displaced at the official level, Russian culture is preserved in various spheres of national consciousness and the unconscious. The task of reviving, preserving and exalting Russia requires a real restructuring of Russian statehood in accordance with the principles of its own political and legal culture. The solution to this problem encourages in-depth analysis, rethinking and a new reading of what has been developed by domestic thinkers regarding the understanding and role of culture in the structure and life of a state-organized society.

The article is devoted to the study of the moral principles of law in the works of the outstanding educator, philosopher, lawyer and founder of revolutionary ideas in Russian science, Alexander Nikolaevich Radishchev. Investigating the issue of the relationship between morality and law in general, the author examines four conceptual models: a unified regulatory and protective system ( mononorms ); lack of common origins and features; understanding of law as a minimum of morality; complementary, but at the same time independent social regulators. It is concluded that the problem of the relationship between morality and law, despite the

interest in it on the part of representatives of humanitarian knowledge, needs further conceptual certainty by referring to the political and legal views of specific scientists. In the context of the general legal views of A.N. Radishchev investigates the moral nature of the state of the whole people, the inviolability of natural law, the legal status of a person and procedural guarantees of the rights of the accused (defendant). The civil law views of A.N. Radishchev. Issues of legal capacity are investigated through the prism of denying class differences, the ability of a person to use the services of a representative is analyzed. The moral aspect of the views of A.N. Radishchev in relation to the institution of property, and it is concluded that the enlightener strives to recognize only things as objects of property rights, and to consider any person exclusively as a subject of law. In the context of considering issues of contractual law, the author concludes that A.N. Radishchev rightly believed that the subject of the contract should not contradict the law, and in the event of deliberate non-observance of this principle by the parties, he recognized the contract as invalid. Within the framework of the views of the educator on family law, attention is focused on their value component: voluntariness of marriage; equality of spouses; proportionality of the ages of the persons entering into marriage; inadmissibility of understanding marriage as a simple civil law transaction; the duty of parents to take care of children; the duty of children to unselfishly and cordially honor their parents; freedom of inheritance by will with the obligatory consideration of the interests of "illegal" children and "concubines".

Secessions in the XX - XXI centuries became the object of legal regulation at the level of current legislation, issued on the basis of the provisions of the national constitution. The article analyzes three laws on secession. Two of them (the USSR and Canada) regulate the implementation of secession from the state, the third (China) prohibits secession. All three acts are based on the interpretation of the corresponding constitutional norms. Analysis of these laws from the point of view

of the goals of their publication, the content, characteristics and degree of achievement of the goals formally formulated by the legislator shows a significant discrepancy between the officially set goals and the legal instruments and methods of legislative technique used to achieve them . Despite the different names and the officially declared goals of the adoption of laws on secession, in essence, all three laws are aimed either at preventing it, or at significantly delaying the process of secession from the state. In the Soviet and Canadian laws, which formally allow secession, the main role in the process of "delaying" the resolution of the issue is assigned to the central bodies of the state, which are endowed with broad powers and opportunities to invalidate the results of the referendum held by the respective region. The law of the PRC, due to the peculiarities of Taiwan's status and its relationship with the PRC, can hardly be regarded as an attempt to create a legal mechanism to counter secession, but rather as a political warning, made in the form of a legal act, about the inadmissibility, in the PRC's view, of international legal registration of Taiwan's independence. The legislative regulation of secession issues does not yet contain new mechanisms that clearly ensure the democratic nature of government decision-making. However, no matter how weak the legislative regulation of secession issues is, it is a step forward compared to the forceful methods of solving regional problems.

From the second half of the XX century. among scientists, public and political figures, the revisionist movement spread. Publicists and scientists are known for criticizing the testimony of concentration camp prisoners, their executioners, as well as denying the possibility of mass extermination of prisoners in terms of the technical capabilities of gas chambers.

Attempts to give a new interpretation of historical events often border on extremism and pose a threat to national security, leading to a significant deterioration in international relations. At the international level, a number of acts have been

adopted indicating that the Holocaust is a fact established by the verdict of the Nuremberg Tribunal, and calling on states to reject any denial of the Holocaust. International organizations that oppose attempts to rewrite history include the Council of Europe, the United Nations and UNESCO.

At the national level, laws began to be enacted establishing accountability for such denial. Laws criminalizing the denial and justification of the Holocaust began to be adopted in the 20th century. in a number of states. The first group includes those states where responsibility has been introduced for denying and approving the Holocaust and other crimes committed by the Nazis (Germany, France, Austria, Israel). The second group includes the states that equated Nazi crimes with the crimes of communism in their legislation (Hungary, Czech Republic, Lithuania). The third group is the states in which denial and justification of any genocide is prohibited (Switzerland, Luxembourg). Some states (for example, the United States) have abandoned the introduction of such bans, citing freedom of speech and belief.

In 2014, Art. 3541 "Rehabilitation of Nazism", establishing responsibility for denying the facts established by the verdict of the Nuremberg Tribunal. At the same time, the legislator should not selectively approach the protection of historical events. It would be fair to criminalize the denial of genocide and other international crimes recognized by the world community, regardless of any criteria relating to the perpetrators of them.

The purpose of the study within the framework of this article is to determine the prospects for improving the special system of compensation for harm caused to health in an employee as a result of industrial accidents and occupational diseases in Russia, based on the experience of legal regulation and development of such a system in the United States. The choice of the United States is due to the specifics

of regulatory regulation and the use of special systems of compensation for industrial harm in this country, which combines the best practices available in the world in this area, as well as experimental approaches. The author substantiates the thesis about the compensatory nature of compulsory insurance of the risk of causing industrial harm, notes that the national legislator should more consistently implement the approach, within which the list of legally significant circumstances established for obtaining insurance payments under this type of insurance includes only the fact of causing harm , its size and the fact of origin of harm from the sphere of production or from production (occupational) risks. It is argued that when compensating for the lost ability to work, it is important to adhere to a unified method of assessing harm to health in terms of lost earnings (income), based either on the loss of the ability to work, or on the predicted or actual losses of the victim - as is customary when applying devaluation methods , future losses and actual losses in the United States. At the same time, the method of future or actual losses in the future can be used in Russia in relation to victims returning to work. It has been determined that it is advisable to compensate in kind the industrial damage in terms of the costs of medical, social and professional rehabilitation of the victim, which will free the judicial practice from disputes regarding the justification for providing specific types of assistance and care, as well as the need for them of the victim.

The article is devoted to the comparative legal analysis of some norms of the criminal procedural laws of the CIS countries concerning evidence and proof in criminal proceedings. Analyzed are the legislative definitions of the concept of "evidence" in the codes of the CIS countries. The less specificity of the wording used in Art. 74 in the Code of Criminal Procedure of the Russian Federation, in comparison with the content of the corresponding norms in the legislation of other CIS countries. In particular, the replacement of the phrase "these data are established", which was used in the Criminal Procedure Code of the RSFSR, with

the phrase "evidence are" in Part 2 of Art. 74 of the Code of Criminal Procedure of the Russian Federation, which led to the unlawful identification of the sources of evidence and the evidence itself.

Some features, advantages and disadvantages of the norms of the criminal procedural laws of the CIS countries, containing a list of sources of evidence, are revealed. It is concluded that there is a clear advantage in this respect of the Criminal Procedure Code of the Russian Federation, part 2 of Art. 74 of the Criminal Procedure Code of which contains a complete and universal list of sources of evidence. At the same time, the necessity of including in this list, along with the testimony of the suspect and the accused, such a source of evidence as the testimony of the defendant is argued.

The article analyzes the legislative consolidation of the concept of "proof" in the criminal procedure codes of the CIS countries, which allowed a purely critical assessment of the definition given to this concept by the Russian legislator. According to the author, the absence in the content of Art. 85 of the Code of Criminal Procedure of the Russian Federation indicates the purpose of the evidentiary process, namely, the purpose of establishing the circumstances listed in Art. 73 of the Code of Criminal Procedure of the Russian Federation, as a legal, reasonable and fair resolution of the case, is a significant gap in the Russian criminal procedure law that needs to be filled.

The article is a review of the textbook "International Commercial Arbitration", prepared by the team of authors, scientific editing by leading experts in the field of ADR O.Yu. Skvortsova, M. Yu. Savransky , G.V. Sevastyanov. The special significance of the published publication is due to the importance and need for the formation of a sustainable pro - arbitration approach in Russia, strengthening of contractual principles in the field of resolving legal conflicts, the development of

international commercial arbitration (hereinafter - ICA) as an important component of increasing the attractiveness and competitiveness of the Russian jurisdiction. Among representatives of legal science and practicing lawyers, an active discussion was launched about the role of arbitration institutions and arbitrators in modern civil circulation, the nature of arbitration, effective forms and methods (models) of interaction between state justice and arbitration proceedings, the limits of assistance and control of state courts in relation to arbitration courts, and also about the limits of the will of the participants in civil turnover in choosing the forms and methods of resolving legal conflicts, the importance for Russia, in the face of new challenges in the economy, the formation of a balanced pro-arbitration policy The book under review is the result of a serious and very in-depth study of the history of the ICA and its current state, of all its main institutions, it contains very important (latest) information on the most relevant directions of its modernization from the point of view of international standards and in the context of the arbitration reform being carried out in Russia, which is in demand. domestic and foreign business. The comparative legal research method chosen by the authors, referring to the best practices in the field under study made it possible not only to identify problems, current challenges and new trends in the field of arbitration, but also, which is especially valuable, to propose a set of measures to solve existing problems in order to increase the role and authority of the ICA. in Russia, increasing confidence in the arbitration form of dispute resolution on the part of state courts, expanding the arbitrability of disputes, increasing the competitiveness of domestic jurisdictions.