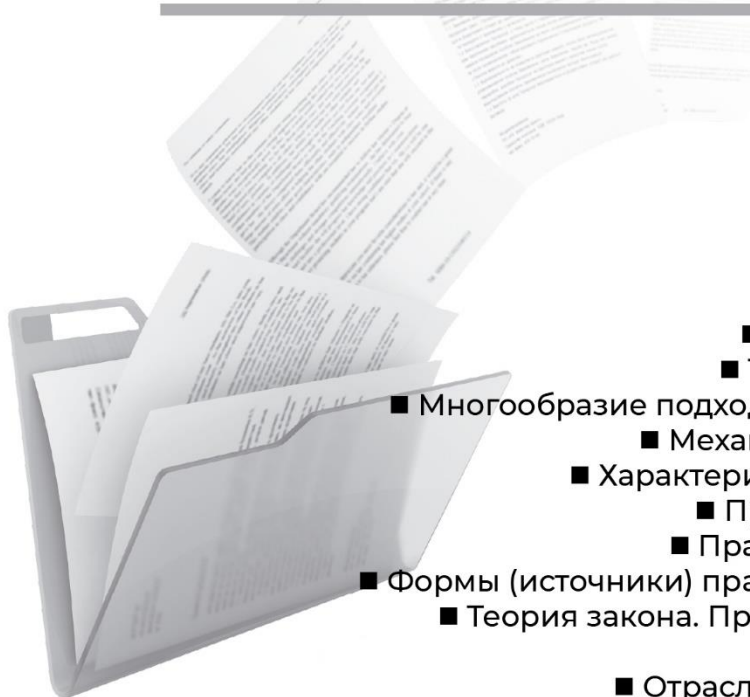


ISSN 2500-3674

# ЮРИДИЧЕСКАЯ ГНОСЕОЛОГИЯ



НАУЧНЫЙ  
ЖУРНАЛ



- Онтология и гносеология права
- Теория обычая и обычного права
- Многообразие подходов к вопросам правопонимания
- Механизмы правового регулирования
- Характеристика моделей правовых систем
- Право в системе социальных норм
- Правосознание и правовая культура
- Формы (источники) права. Нормативные правовые акты
- Теория закона. Права человека как источник права
- Система и структура права
- Отрасли, подотрасли и институты права
- Правотворчество и законодательный процесс
- Применение правовых норм

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CONSEQUENCES OF THE OCCUPATION OF THE TERRITORIES  
OF THE RYAZAN REGION

Merkulov A.V.

The article deals with the results of a study of the consequences of the occupation of a partial territory of the Ryazan region by Nazi invaders. This paper describes the results of the damage caused to various areas of the southwestern part of the Ryazan region, especially agriculture, schools, medical institutions, housing and communal services. The author, using the example of the Skopinsky district of the Ryazan region, showed in detail in figures the results of the Fascist occupation.

Keywords : occupation, Great Patriotic War, Ryazan region, Skopin, damage, evacuation, agriculture.

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#### AGENCY AGREEMENT: ESSENCE AND PROBLEMS

Avanesyan M.A.

This article is devoted to the legal analysis of the essence and problems of the agency agreement. The author in the work indicates the signs of an agency agreement, characterizes the parties to the contract, examines such elements as the term, form and subject of the contract. Possible problems in practice related to the use of an agency agreement are also raised, and judicial practice is analyzed. In addition, the positions existing in legal science on problematic issues are given. The author also proposes a legal solution to the problems associated with the fulfillment of obligations under the agency agreement.

Keywords : agency agreement, mediation, parties, agent, principal, signs, legislator, actual performance, report, remuneration, practice.



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#### FIXED -TERM EMPLOYMENT CONTRACT IN THE LEGAL SYSTEM OF THE RUSSIAN FEDERATION

Alekseev A.A.

The article examines the features of the conclusion and execution of fixed - term employment contracts in the Russian Federation. In particular, it describes the rights and obligations of an employee at the conclusion of a fixed -term employment contract, as well as the form and conditions of payment of wages under such an agreement. In addition, the article contains information about the possible consequences of a violation of a fixed -term employment contract and the procedure for its termination, also in the article, the author identified the main parts of a fixed-term employment contract, and gave them a characteristic that allows using this material when developing and agreeing on the form of a fixed - term employment contract by the parties to labor relations. The author of the article also considered in detail the legal aspects of concluding a fixed -term employment contract and shared his recommendations on the observance of the rights of employees and employers in this area, the recommendations are formulated on the basis of modern judicial practice established in the Russian Federation.

Keywords : employment contract, fixed -term employment contract, labor law, wages, Russia, law, Constitution .

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## THE CONCEPT OF IMMOVABLE PROPERTY IN MODERN CIVIL LAW

Bruj A. V.

The article draws attention to the fact that the concept of immovable property in modern civil law is multifaceted and ambiguous. The authors of the article reveal the methods of classification of real estate and give examples of legal disputes related to this issue. Much attention is paid to solving problems related to the legal regulation of real estate, such as the settlement of land rights, registration of real estate rights and so on. The article focuses on the fact that the solution of these issues should be carried out taking into account the interests

of various participants in the transaction. Thus, this article investigates the concept of real estate in modern civil law and suggests ways to solve legal problems related to this issue. It will be useful both for legal professionals and for ordinary citizens who are engaged in real estate or plan to purchase it.

Keywords: real estate, real estate, the Civil Code of the Russian Federation, violation of integrity, the Russian Federation.

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THE PLACE OF COMPULSORY WORK IN THE SYSTEM OF CRIMINAL PENALTIES IN MODERN CONDITIONS

Gridneva M.V.

The paper analyzes the provisions of the Concept of the development of the penal enforcement system of the Russian Federation, which regulates the

main areas of activity of the bodies and institutions of the penal system until 2030; highlights and studies legal issues related to the implementation of the execution of punishments in the form of mandatory work; substantiates certain legal provisions providing for the expediency of making changes in order to more effectively execution of the considered criminal penalties.

Keywords: penal enforcement system, execution of punishments, compulsory work, identity of convicts, provision of labor activity.

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MATERIAL AND TECHNICAL SUPPORT  
INTERNAL AFFAIRS BODIES OF THE RUSSIAN FEDERATION:  
IMPORT SUBSTITUTION ISSUES

Ivanov I. Yu.

The article presents the relationship between import substitution and material and technical support of the internal affairs bodies of the Russian Federation in the modern conditions of the functioning of the Russian economy. The author attempted to search for and study the relationship between the import substitution and the material and technical support of the internal affairs bodies of the Russian Federation in the context of the effective functioning of the state, which made it possible to justify the need for state participation in the process of material and technical support

of the internal affairs bodies in order to increase the efficiency of their functioning and maintain the level of public security within the permissible limit, which in turn affects the stability of the national security of Russia as a whole.

Keywords: import substitution, legal regulation, internal affairs bodies of the Russian Federation, material and technical support, modern conditions of economic functioning



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PROBLEMS OF IMPLEMENTATION OF JUDICIAL POWER  
IN RUSSIA AND WAYS TO OVERCOME THEM

Ishchenko V. V.

This article discusses the need for further development of the judicial system of the Russian Federation. The author identifies a number of significant problems that violate the effectiveness of the functioning of the judicial system

of the country. It is important to pay attention to the fact that a number of problems hindering the effective development of the country's judicial system have not been solved today. Possible ways to improve the functioning of the courts are proposed, which will allow the development of an effective judiciary.

Keywords: courts, government, legal regulation, problems, interaction, relations, processes.



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ATTORNEY -CLIENT PRIVILEGE  
IN THE PROVISION OF FREE LEGAL ASSISTANCE

Kasparyan D. R. , Sofiev E. G.

The article discusses the features of attorney-client privilege in the framework of free legal aid. First of all, it is emphasized that lawyers who provide free assistance are also obliged to observe attorney-client privilege, which is one of the basic principles of the ethics of the profession. The article talks about various situations, as a result of which a violation of attorney -client privilege is possible. For example, if it is necessary to protect the rights and interests of the client. In addition, cases are discussed when lawyers are prohibited from

disclosing information, for example, if this could lead to a threat to the life and health of the client. The article also points out the problems associated with the implementation of attorney-client privilege in the provision of free legal assistance, as well as describes ways to solve this problem.

Key words: lawyer, free legal assistance, secrecy, professional, information, law, activity, rendering.

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YOUNG DEPUTIES IN THE SYSTEM  
OF LOCAL GOVERNMENT ACTIVITIES (ON THE EXAMPLE  
OF THE SLAVYANSKY DISTRICT MUNICIPALITY OF KRASNODAR KRAI)

Kornienko D. A., Yuzhakova T. L.

The paper examines the content and direction of the activities of young deputies in the territory of the Slavyansky district municipality of Krasnodar Krai. The author gives a periodization of the work of the Council of Young Deputies of the Slavyansky district municipality on the basis of taking into account the intensity and directions of its activities. The analysis of the stages of work of young deputies within the municipality is given. The author pays attention to some prospects of this activity.

Keywords : young deputy, Council of Young deputies, municipal formation, activity, local government, Krasnodar territory.

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#### LEGAL STATUS OF BAILIFFS

Kuznetsov A.A., Osipyany G.G.

The article considers the legal status of bailiffs. The status of employees of enforcement agencies is characterized by a multiplicity of problems arising in the exercise of rights and obligations in professional activity. Due to the fact that bailiffs ensure the execution of court decisions that determine the effectiveness and efficiency of the judicial system of the state, it is necessary to consider in more detail the features of their legal status, a number of regulatory legal acts aimed at regulating their activities, as well as problems related to the powers of bailiffs in the field of enforcement proceedings.

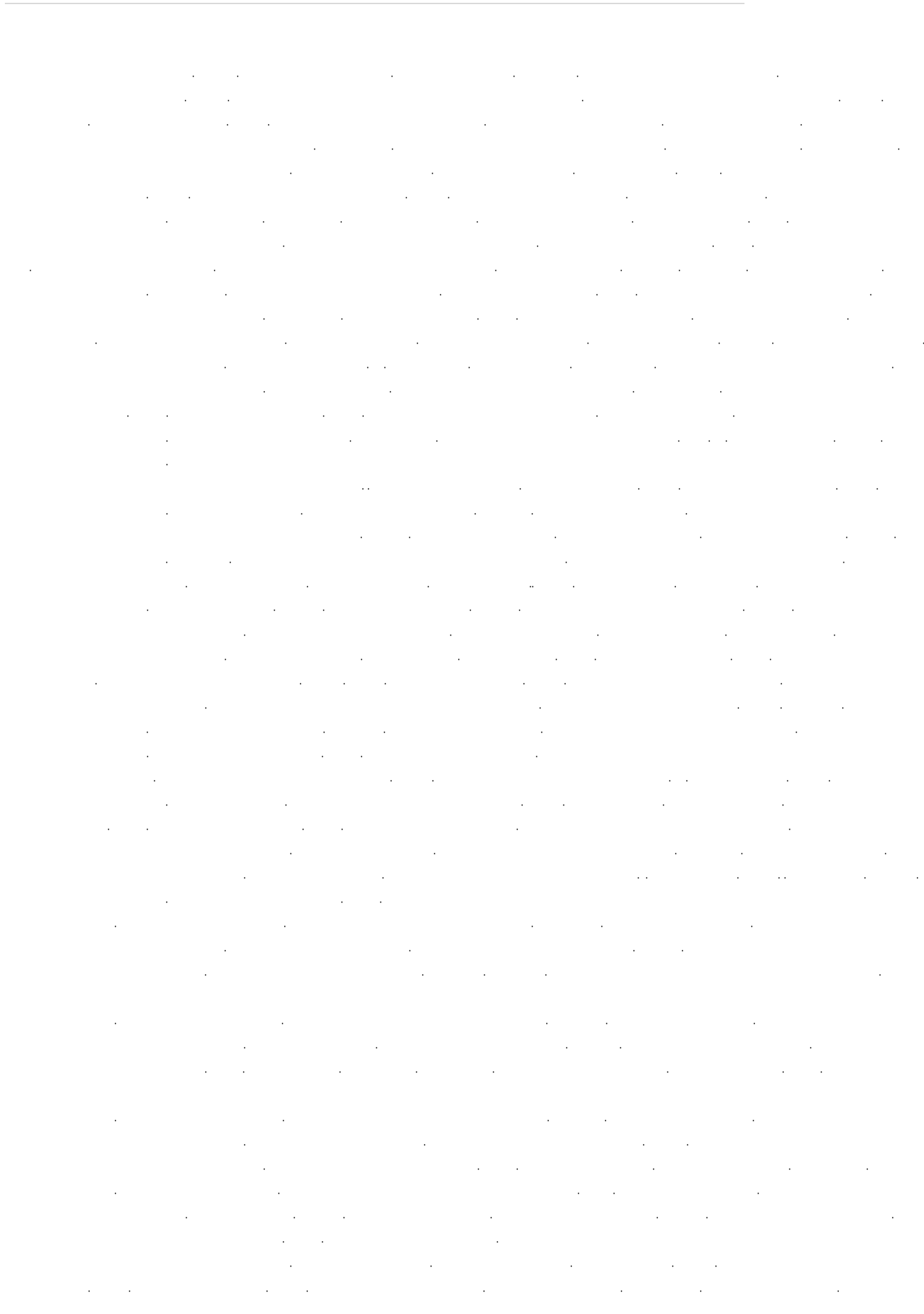
Keywords : legal status, duties, rights, responsibility, bailiff, activity, content, institution.

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CONSTITUTIONAL PROTECTION OF HUMAN RIGHTS  
AND FREEDOMS IN THE DIGITAL AGE

Kuznetsov A.A., Sulimenko D.Y.

The article is devoted to the problems of constitutional protection of human rights and freedoms in the digital age. The issues related to technological changes in society and their impact on human rights and freedoms are investigated, as well as the existing mechanisms of constitutional protection in the digital space are analyzed. Such important issues as personal data protection, freedom of speech and access to information, as well as the role of the state in ensuring constitutional rights and freedoms in the digital age are considered.

Keywords : constitutional protection, human rights, human freedoms, digital age, personal data, freedom of speech, access to information, the role of the state.





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#### SOME PROBLEMS OF PREPARING CIVIL CASES FOR TRIAL

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The article discusses the main directions of the development of the preparation of the case for trial in the context of the reform of civil procedural legislation. The author analyzed the provisions of the Civil Procedure Code of the Russian Federation related to the procedure for accepting a statement of claim, preparing a case and holding a preliminary court session, and also suggested ways to further improve legislation. It also analyzes some initiatives that were not reflected in the civil procedural legislation, but were proposed by representatives of the judicial community.

Keywords : civil proceedings, statement of claim, preparation of the case for trial, disclosure of evidence, preliminary court session.



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PROBLEMATIC ISSUES OF DETECTION AND DISCLOSURE  
OF CRIMES IN THE FIELD OF FOREST MANAGEMENT

Kusainov A . S.

The article is devoted to environmental protection, environmental safety, detection and disclosure of crimes related to forest resources. The legal basis for countering environmental crimes, establishing the amount of damage caused by illegal actions and the mechanism for its compensation are given. The author provides statistics and survey data, as well as recommendations for improving the effectiveness of law enforcement agencies to protect forest resources from illegal encroachments.

Keywords : environmental protection, illegal logging of forest plantations, law enforcement agencies .





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#### THE SIGNIFICANCE OF THE STAGE OF EXECUTION OF THE SENTENCE IN THE CRIMINAL PROCESS

Litvinov A. D., Podoprighora A. A.

**Abstract:** The article analyzes the significance of the execution of a sentence as an independent stage based on the criminal procedure legislation of Russia. The paper presents arguments in favor of the reasonableness of the legislator's attribution of the execution of the sentence to the field of criminal procedure. Its time frame, the specifics of the circle of subjects are highlighted, the inextricable connection with the other stages of the process is shown. It is concluded that the significance of the execution of the sentence is to ensure the real implementation of the final procedural decision adopted by the court and the resolution of all issues arising in this case, which allows to fully implement the purpose of the criminal process.

**Keywords :** criminal process, stages, execution of sentence, court, sentence, procedural decision, criminal proceedings.



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## CRIMINAL LIABILITY OF MEDICAL WORKERS IN THE AMUR REGION

Maslova E.N., Lubinsky A.S.

The article is devoted to criminal offenses that are committed by medical workers against patients. It is based on a verdict on charges of XX under Art. 109 of the Criminal Code of the Russian Federation, part 2 causing death by negligence due to improper performance by a person of his professional duties. Based on the results of the study of statistical data, a proposal is made to include in the program of periodic accreditation, which is held every five years and is mandatory to confirm the professional level of medical workers, a law course with testing on criminal liability for crimes committed by medical workers.

Keywords : criminal liability, corpus delicti, medical workers, causing death by negligence, statistical reporting in the Amur Region .



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#### THE LEGAL POSITION OF THE PROSECUTOR IN THE APPEAL STAGE OF THE CRIMINAL PROCESS

Mikhailova E.N.

The article examines the procedural position of the prosecutor in the court of appeal in criminal cases, including the right to refuse charges at the appellate stage of the process. It is concluded that in the court of appeal, the prosecutor, when considering the case in the court of second instance, remains the public prosecutor, thus, should have the right to refuse the charge.

Keywords : prosecutor, public prosecutor, prosecution, court, appellate instance, refusal of prosecution.





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#### FEATURES OF JUDICIAL PROCEDURE FOR LAND DISPUTES

Mylnikov I. V., Mayatsky N. A.

The article "Features of the judicial procedure for considering land disputes" considers issues related to the procedure for resolving conflicts related to land plots. The article describes in detail the procedure for filing applications with the court, the features of conducting court hearings and considering evidence. The author of the article draws attention to the fact that the consideration of land disputes requires a special approach on the part of the courts and must be carried out in accordance with the law. The legal regulation

of land disputes in the Russian Federation is considered, including consideration of the significance of a court decision for the normative regulation of land disputes. Some controversial issues and problems that may be encountered in practice are considered, as well as ways to solve them are found.

Keywords: protection of rights, lawsuit proceedings, pretrial procedure, court session, statement of claim, management system, grounds for dispute, land dispute, arbitration court, land code, civil code, regulation mechanism.

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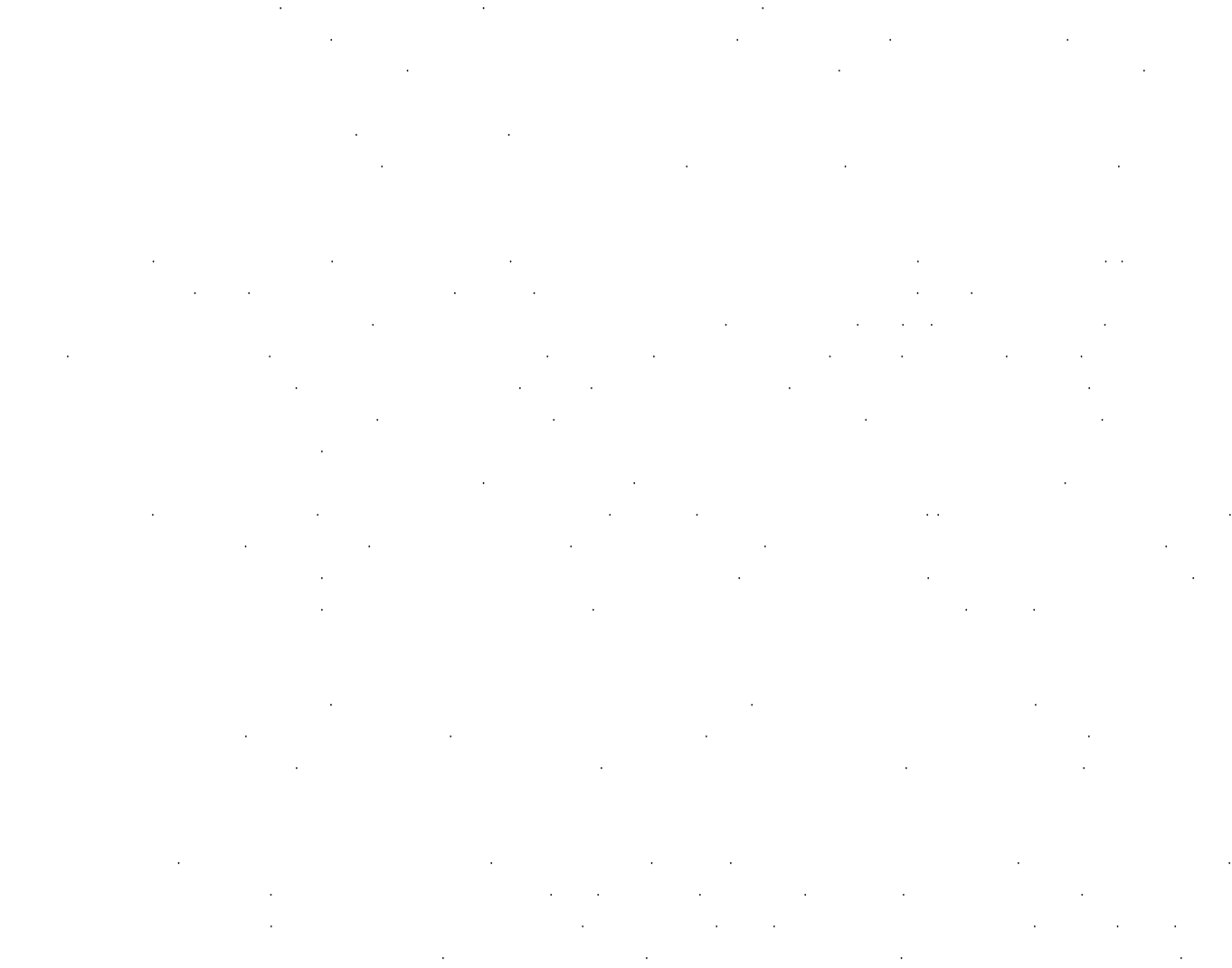
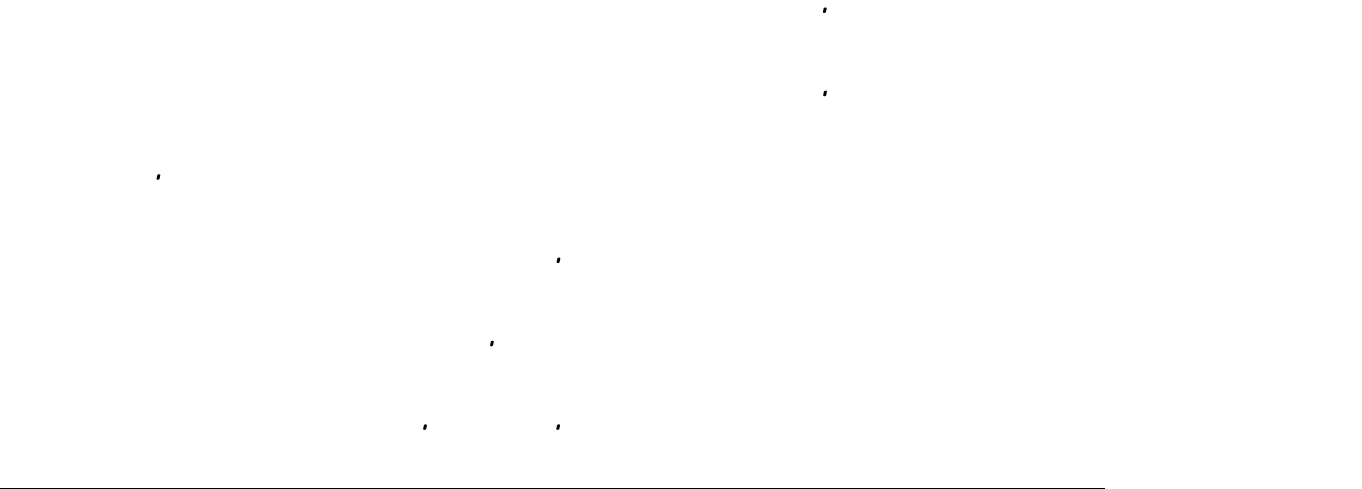
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THE ROLE OF COMMUNICATION  
IN THE PROFESSIONAL ACTIVITY OF A LAWYER

Nekhay A.T., Surzhikov M.A

This article analyzes the role of communication in the professional activity of a lawyer. Communication plays a leading role in any profession, since the result of any professional, including in legal activity, depends on competent communication. The relevance of the topic lies in the fact that communication acts as a central link in the professional activity of a lawyer, because through it professional goals are realized. The result of a lawyer's activity directly depends on the effectiveness of communication, which a professional should build correctly thanks to his knowledge. In addition, this article is of great interest for research, because communication occupies an important place in the professional activity and life of a lawyer. Also in the article, the authors explore the main features of professional communication in the work of lawyers, and consider the key features on which legal speech should be based.

Keywords: dialogue, communication, lawyer, communication, professional activity, culture, competence, offense.





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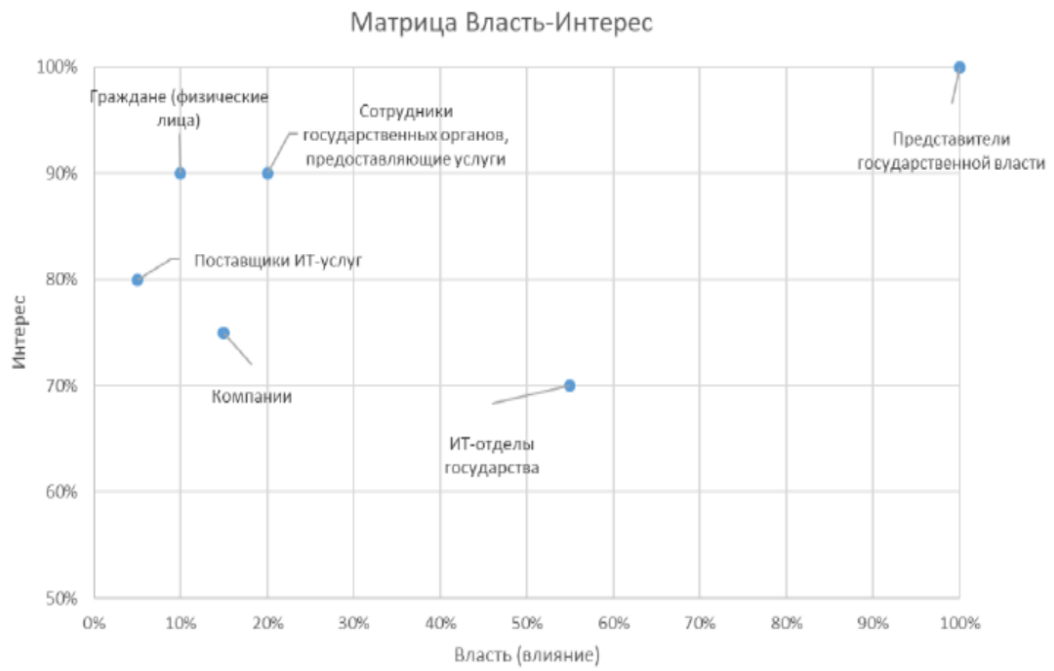
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#### PRACTICAL RECOMMENDATIONS FOR IMPROVING THE PROCESS OF INTERACTION BETWEEN PUBLIC AUTHORITIES AND THE POPULATION

Ryabova T . M., Turetskova E . R.

This article discusses the issues of the activities of the Russian Embassy in Israel on interaction with the population, presents an assessment of the effectiveness of the consular department of the Embassy by the population using a specially developed form of evaluation of services. Based on the results of the identified problems, the article suggests ways to solve them and directions for optimizing the process of interaction with the population.

Interaction between civil servants and the population is a form of relationship through which it is possible to implement actions for the state, through civil servants, and citizens, characterized by a common understanding of the situation, the meaning of the actions taken, solidarity and consent between both parties.

Keywords : interaction, population, services, management, system, methods, quality, efficiency, population, satisfaction, changes, technologies, consular department.



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## FREE LEGAL AID IN THE RUSSIAN FEDERATION

Simonia D . Sh., Rykov I . V.

Within the framework of this article, definitions of the concept of free legal assistance are considered and given, as well as a list of persons and situations in which citizens can receive it. In addition, we examined the types and principles of providing free legal assistance. During the study, key problems in the area under consideration were investigated, measures were proposed to improve this type of assistance and awareness among citizens regarding their rights to this service, because not everyone knows how to use it.

Keywords: legal aid, citizen, guarantees, protection, lawyer, category, problem, service, law.









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PROVISION OF FREE LEGAL ASSISTANCE TO PERSONS WISHING  
TO ADOPT A CHILD LEFT WITHOUT PARENTAL CARE IN THEIR FAMILY

Slavina E . O., Morozova M . S.

This scientific work is devoted to the study of the issues of providing free legal assistance to persons wishing to adopt a child left without parental care into their family. The paper discusses the legal aspects of the procedure for adoption and custody of a child, as well as some problematic issues and ways to solve them, which are reflected in practice. The study allows us to conclude that it is important and necessary to provide free legal assistance to persons wishing to adopt a child without care parents, to protect the rights and interests of children and improve their living conditions.

Keywords: free legal assistance, provision of free legal assistance to persons wishing to adopt a child left without parental care into their family



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#### ADVOCATE ETHICS

Shvetsova P.A., Podsadnaya V.S.

The article "Lawyer Ethics" includes consideration of many aspects of professional ethics related to the legal activities of lawyers. The authors analyzed

the principles and values of lawyer ethics, as well as its significance for the common good and the integrity of the legal profession. The features of lawyer ethics, including confidentiality, trustworthiness, independence and respect for the rights and interests of the client, are also considered. The study also analyzes problems related to lawyer ethics, such as conflicts of interest, illegality and corruption, poor quality of consultations and insufficient training. Possible solutions to these problems were considered, including improving the training of lawyers, systematic verification of practices and the creation of an effective system of monitoring and control over compliance with standards of lawyer ethics.

Keywords: lawyer ethics, lawyer, legal system, professional activity, legal profession, conflict of interest, impartial defense.



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DIGITAL TECHNOLOGIES FOR CONTROL  
AND SELF -SERVICE I N RUSSIAN AND NORWEGIAN PRISONS

Shiyanova D. R., Kirova Y . S.

The article deals with the system of electronic control of prisoners in penitentiary institutions. Studying the supervision systems in Russia and foreign countries, he presents the results of the study using a new generation platform. The author directs his attention to the self-service system that will transform prisons in the Netherlands. In a comparative analysis of Russia and the Netherlands, it comes to the conclusion that electronic devices provide the necessary assistance in ensuring control over prisoners.

Keywords: electronic bracelet, digital content, electronic and technical means, prisoner self-service system, new generation platform.

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ON THE HISTORY OF PHILOSOPHICAL ANTHROPOLOGY.  
ACCORDING TO THE IDEAS OF JEROME CARROLL

Akhmadieva R.I

The article is devoted to philosophical anthropology – the doctrine of man, his essence and nature. The paper presents a detailed analysis of J. Carroll's philosophical ideas regarding anthropology, its relationship with philosophy. The thinker focuses on anthropological holism and its influence on philosophy and history. The article concludes about the value of J. Carroll's contribution to the world philosophical thought.

Keywords : anthropological holism, philosophical anthropology, the problem of historicism , nature, the eighteenth century, German tradition, dualism, epistemology.

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