# THE LAW ENFORCEMENT BY THE BODIES OF PRELIMINARY INVESTIGATION AND INQUIRY

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## METHODOLOGY OF CRIMINAL LAW FORECASTING

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#### Article info

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#### Keywords

Methodology, liberal ideology, conservative ideology, forecasting, criminal legislation, criminal law, criminal policy The subject. Criminal law forecasting is a scientifically based analysis of the prospects for the development of criminal law in order to optimize criminal legislation and the practice of its application. Its subject includes: foreseeing the needs of society in the criminal law regulation of public relations, their criminalization and decriminalization; the dynamics of the development of criminal law relations in society, the development of a criminal law concept of combating socially dangerous phenomena for the foreseeable period; foreseeing the consequences of changes in criminal legislation; the presence of real prerequisites for its application; prognostic assessments of the effectiveness of criminal law norms in the process of law-making and law-realization activities; scenarios and models for the implementation of criminal law institutions and norms; technologies for combating criminality in the application of criminal law norms; prospects for the development of the science of criminal law itself, taking into account its scientific potential.

The purpose of the article is to establish the ideology and main trends in the development of criminal legislation and the practice of its application in post-Soviet Russia, to determine the methodology for the modernization of criminal policy in the new geopolitical conditions.

The methodology of research includes axiological and system approaches, determinative analysis, search and normative forecasting, extrapolation, expert assessments, modeling. The main results, scope of application. There are two diametrically opposed ideologies that are of fundamental importance for criminal law and criminal law forecasting: 1) liberal and 2) conservative. The criminal law policy of the Russian Federation has so far developed in line with liberal ideology. Its main goal is to modernize criminal legislation in terms of decriminalizing economic crimes and humanizing the treatment of white-collar criminals. Conservative criminal law policy is based on the methodology of normative forecasting, which is aimed at achieving the desired (for the state and society) results. This methodology is based on a systematic approach. From the standpoint of this approach, the object of criminal law forecasting is an organized system with an extremely complex structure consisting of three subsystems: managing, managed and criminal law norms. The content of each of these subsystems requires corrective action in order to achieve compliance with the traditional axiological scale and common sense. It is also necessary to solve the problem of coordinating criminal law and criminological legislation.

Conclusions. Criminal law forecasting allows us to formulate a number of theses that should be the basis for the concept of optimizing the criminal policy of the Russian Federation: (a) rejection of the liberal model of criminal law regulation of public relations, the transition to a conservative model, which should be dominated by state and public, not private interests; (b) recognition of organized economic and official crime as priority objects of criminal-legal influence; (c) coordination of criminal-legal and criminological legislation; (d) adoption of the Federal Law "On Combating Organized Crime".

## 1. Introduction.

Criminal law forecasting can be defined as a scientifically based analysis of the prospects for the development of criminal law in order to optimize criminal legislation and the practice of its application. Its subject includes: foreseeing the needs of society in the criminal law regulation of criminalization public relations, their and dynamics decriminalization; the the development of criminal law relations in society, the development of the criminal law concept of combating socially dangerous phenomena for a visible period; foresight of the development of criminal legislation, its system, components (institutions), norms; consequences of changes in criminal legislation (political, economic, criminological, criminal procedural, penal enforcement); the presence of real prerequisites for the application of criminal law; prognostic assessments of the effectiveness of criminal law norms in the process of law-making the practice of criminal prosecution, the appointment of criminal punishment, scenarios and models of implementation of criminal law institutions and norms; technologies of counteraction of criminality to the application of criminal law norms; prospects for the development of the science of criminal law itself, taking into account its scientific potential.

Criminal law forecasting is an important function of criminal law science and practice, which does not receive proper implementation. The improvement of the criminal law regulation of public relations requires a conscious actualization of the prognostic function. This, in turn, indicates the importance of mastering the methodologies of criminal law forecasting by its subjects.

## 2. Methodology.

Forecasting is a method of cognition of the surrounding world. This method, like any other, is only a reliable tool for analyzing reality when it is based on ideas and views, the correctness of which is confirmed by practice. The Byzantine theologian and philosopher St. Gregory Palamas (XV century) wrote the aphorism "Every word fights with the word, but who will refute life ...". Practice acts as "the decisive criterion of truth, since in the end it is material activity that proves the effectiveness of thinking" [1, p. 178]. Implementing an exci-logical

and systematic approach, determinative analysis, resorting to search and normative forecasting in the criminal law sphere, using methods of extrapolation, expert assessments, modeling, it is important to see and evaluate the results of law enforcement activities.

## 3. The ideological basis of forecasting.

There are two diametrically opposite ideologies that have fundamental significance for criminal law and, accordingly, criminal law forecasting: 1) liberal and 2) conservative. These names are largely conditional, so you should see their essence. The first ideology insists on the inadmissibility of state interference in the economy, its fundamental weakness. "Formal equality before the law is incompatible with any government actions aimed at ensuring the material equality of various people, and any political course based on the idea of fair distribution clearly leads to the destruction of legality" [2, p.916]. Such an ideology is based on minimally limited "human rights", because "traditional moral norms do not meet the criteria of rationality", "human nature is such that people come to an agreement much more easily on the basis of a negative program", "restrictions in the material sphere are directly related to the loss of spiritual freedom" [3, p.16].

Conservative ideology, on the contrary, asserts the leading role of the state in the social sphere, especially in the economic sphere. It is based on traditional moral and moral values (spirituality, truth, national preservation, total responsibility of the state to society and citizens and citizens to the state) and in Russia - on its historical purpose [4]. In criminal law policy, this, first of all, means the unconditional adherence of the State and its institutions to the principles of justice and equality before the law.

Liberal and conservative ideologies are incompatible, so attempts to somehow connect them [5] at the theoretical level are a cognitive dissonance [6; 7], but in practice they turn into total corruption of the state apparatus. This is what happened in Russia when liberalism became, in fact, a state ideology [8, p.4-5]. It is characteristic that corruption is recognized as a threat to national security,1 and economic crime has become a business. At the same time, the ideological refrain

should be the prohibition of law enforcement entities.

## 4. Trends in the development of criminal policy.

The criminal law policy of the Russian Federation has so far developed in line with liberal ideology. Its main goal was the modernization of criminal legislation in terms of decriminalization of economic crimes and humanization of the treatment of criminals in the "white collar", which back in 1907 The American sociologist Edward Ross called "criminaloids" (criminaloids) and argued: "Nowadays it is necessary, first of all, to curb the villains who seem respectable, exemplary and trustworthy citizens and who actually lurk in the center of a silence built on informal relationships. Such a character is capable of emptying thousands of pockets from his office chair, poisoning thousands of patients, outraging thousands of souls and endangering thousands of lives. These are large-scale, extremely dangerous criminals who need to be handcuffed" [9, p.9-10].

The theoretical construction of a liberal criminal law policy is subsequently presented in the Concept of Modernization of Criminal Legislation in the Economic Sphere 2010.2, as well as in the Roadmap of Criminal Policy 2017 developed in the depths of the Higher School of Economics (HSE). As for the practice of its implementation, it has received the most visible embodiment in the reforms of criminal law in 2003, 2011, 2018. The rapper points of these reforms are the abolition of such a type of punishment as confiscation of property (2003), the addition of the Criminal Code of the Russian Federation by the new institute of exemption from criminal liability in cases of crimes in the sphere of economic activity (2011), further humanization of the responsibility of economic criminals (2018). Let us turn, for example, to Article 76.1 of the Criminal Code of the Russian Federation (hereinafter the Criminal Code of the Russian Federation) "Exemption from criminal liability in connection with compensation for damage", which, in essence, allows persons who have committed an economic crime for the first time to pay off criminal liability. It is enough to compensate for the damage and make monetary compensation in the amount of twice the amount of the damage caused to the federal damage. At the same time, such a

possibility is excluded for persons convicted for the agencies to interfere in the activities of economic first time under article 158 "Theft", although this is the most common crime according to statistics and, as a rule, the motivation for survival, not enrichment, is at the heart of its commission. It is characteristic that in the previous edition (2011), article 76.1 was called "Exemption from criminal liability in cases of crimes in the sphere of economic activity" and the criminal had to transfer to the federal budget monetary compensation in the amount of five times the amount of damage caused. The class character of this criminal law norm is quite obvious, as well as in the context of criminal law policy, which has been repeatedly drawn attention from those representatives of domestic legal science who give objective assessments [10; 11; 12].

> Characteristic, for example, is the fate of Article 188 of the Criminal Code of the Russian Federation "Smuggling", which was successfully applied until it was decriminalized in 2011. According to this article, 1,187 people were convicted in 2010. Who has benefited from this decriminalization? It is clearly not a State, but a community of respectable criminals who cancel the public safety of certain acts in the interests of their own benefit, but to the detriment of national security. The state was forced to return contraband to the Criminal Code of the Russian Federation in parts (Articles 200.1, 200.2, 226.1). 122 people were convicted under these articles in 2021. It is enough to compare these figures to understand the trends in the development of a liberal criminal law policy in the customs sphere. Convincing facts about this are given by T.A. Dikanova, the most authoritative expert in the country on combating smuggling [13].

> The community of respectable criminals (criminoids) fully possesses the characteristics of a criminal community (organization). However, the first note to Article 210 of the Criminal Code of the Russian Federation, lobbied by the Institute of the Commissioner for the Protection of the Rights of Entrepreneurs under the President of the Russian Federation, imposes a ban on the recognition of such a partnership as criminal, because it is registered as a legal entity. At the same time, the fact of the degeneration of legal organizational structures into criminal ones is completely ignored [14].

## 5. Search forecasting.

Thus, if we use the methodology of search forecasting [15], then we should extrapolate the line of the class approach in criminal policy in the foreseeable future. The liberal criminal law policy will continue, because its inertia is too great, and decision-makers do not take into account the realities of the changed socio-political and criminological situation.

## 6. Normative criminal law forecasting.

Conservative criminal law policy is based on the methodology of normative forecasting, which is aimed at achieving the desired (for the state and society) results [16]. It is based primarily on a systematic approach. This approach has proved its effectiveness both in the process of theoretical analysis (for example, the conditions of functioning of various socio-economic systems) of specific and in the course scientific developments (in particular, when targeted programs, including the fight against crime). The increasing role of the systemic approach in recent years has been caused by the complication of all social processes, the need to find adequate forms for expressing complex structures, dependencies and relationships of human reality, the desire to create an instrument of integral vision of reality. This is especially important for obtaining prognostic information, since "the importance of the system synthesis of prognostic knowledge is increasing both socially, politically, and methodologically, because this synthesis itself is becoming more complex, and the choice of development priorities is an increasingly acute problem" [17, p.279].

The systematic description of the object of criminal law forecasting primarily involves its structural analysis. Describing in the most general form this object as the activity of people and the conditions of such activity for the creation and application of legal norms, it should be stated that it is an organized system with an extremely complex structure consisting of three subsystems: managing, managed and criminal law norms [18].

The control subsystem includes interacting bodies (subjects of legal regulation) that develop and apply criminal law norms. Its elements include:

- a) legislative bodies;
- b) the judicial system;
- b) law enforcement agencies;
- g) intellectual centers (research educational institutions involved in the preparation of information for decision-making in the field of criminal law policy);

d) other state bodies, public organizations, associations engaged in the implementation of rint) criminal and political tasks.

A significant predictive interest is the place that certain subjects occupy in the legislative process. There is a dynamic of the activation of legislative initiatives in the field of criminal law regulation by the Supreme Court of the Russian Federation and the Investigative Committee of the Russian Federation. Such initiatives are not evaluated in terms of possible negative consequences and difficulties of law enforcement. In other words, criminal law forecasting is not applied in these initiatives. As an example, we can cite the initiative of the Supreme Court of the Russian Federation to consolidate the concept of criminal misconduct in the law. At the same time, many problems are completely ignored, which are only partially covered in critical publications [19; 20] and which can be conveniently avoided if this initiative is ignored. Before you can implement a specific criminal law design, you need to answer an elementary question: is it possible to do without it? The problem of criminal misconduct, in our opinion, is of a contrived nature, since there is a Code of Administrative Offenses. In this regard, extremely positive assessments of the implementation of the legislative initiative of the Supreme Court of the Russian Federation are hardly objective [21].

As for the activities of the Investigative Committee of the Russian Federation, then, according to the rector of the Academy of this department: "An important place in this activity is occupied by the need to eliminate gaps in criminal law regulation in the field of the economy, the state and growth of which depend largely on the regulatory influence exerted by the state. At the initiative of the Investigative Committee, the Criminal Code of the Russian Federation has been supplemented with new articles that make it possible to bring raiders to criminal responsibility already at the initial stages of seizing someone else's property" [22, p. 4]. Meanwhile, the Investigative Committee does not have the right of legislative initiative. Its activities should be focused on the problems of law enforcement and the laws of criminal law decision-making [23]. Despite the existence of certain legal rules for the adoption of criminal law decisions, which are based on a legislative basis, the law enforcement officer has quite broad powers in choosing one or another alternative. For example, he may initiate a criminal case or refuse to initiate it, classify the act as grave, less grave or not posing a greater public danger. This is quite natural when it comes to significantly different situations, but it causes serious concern when diametrically opposite decisions are made in similar cases or even on the same occasion. The identification of systematic errors and manifestations of a tendentious approach should be the focus of attention of the organizers of law enforcement activities.

Intellectual centers (research institutes and departments of criminal law and criminology of universities) can provide a professional approach to criminal law forecasting. However, this is hindered by the departmental nature of the Research Institute (University of the Prosecutor General's Office, Ministry of Internal Affairs, FSIN). It would seem that the leading place in the organization of criminological and legal prognostic research should be occupied by the Institute of Legislation and Comparative Law under the Government of the Russian Federation, which has a long history associated with criminological and criminal law research (established in 1925 as the State Institute for the Study of Crime and the Criminal, in 1933 renamed the Institute of Criminal and Correctional-labor policy). Currently, it has in its structure a Center for Criminal, Criminal Procedural Legislation and Judicial Practice7, which pays little attention to forecasting issues. University science as a whole is not sufficiently authoritative. Thus, there is a gap in terms of scientific and prognostic provision of criminal law regulation of public relations.

The managed subsystem consists of people who are subject to the requirements of the criminal law. Obtaining predictive information about their behavior should be grouped figuratively in relation to the following conditionally allocated categories:

- a) law enforcement officers (performers);
- b) criminality;
- c) persons who have fallen into the zone of criminal legal influence;
- d) the population living in this territory ("law-abiding" citizens).

The tasks of criminal law forecasting in relation to representatives of these social groups are numerous. This is an analysis of the dynamics of legal consciousness; the study of the

transformation of attitudes to the criminal law and the practice of its application in the process of "transition" of specific persons from one group to another in a descending line; the change in the social and legal status of these persons and the intensity of criminal legal impact on them in the process of such a "transition". Of particular interest are the first two of these social groups.

Ordinary law enforcement officers are often forced to act in conditions of imaginary certainty. On the one hand, managers can give such oral instructions that they will never give in writing. On the other hand, there is a possibility of violating the law for reasons of "official expediency". As a police officer stated during the interview: "Illegal orders and violations in police activities are quite common. It is often simply necessary for police officers to perform such tasks, because otherwise they risk falling out of favor with higher management, which in the future may lead to dismissal and even bringing (by "setting up") to criminal responsibility. There are also cases when the police consciously and with pleasure carry out illegal orders. For the most part, this happens when there is a possibility of joint (with the head who gave the order) illegal earnings." Summarizing what has been said, it can be stated that an ordinary law enforcement officer, taking a criminal decision, constantly risks.

It should be emphasized that a criminal law decision is always a choice of a risky alternative (since there is a risk of making a mistake). Risk and its subjective assessment, which, strictly speaking, is the predictive basis of the decision-making process. The nature of the decision being made largely depends on the ability to foresee its unfavorable consequences on the part of the subject of law enforcement activity. Even when the subject makes a decision after long thought, evaluating the arguments "for" and "against", comparing possible losses and expected benefits, he often does not take into account the subjective surprise of undesirable results (this, as is known, is the psychological feature of any trouble). All the more unexpected are the negative reactions that, as a consequence of the implemented decision, were not taken into account at all. For example, when making a deliberately wrong decision out of selfish motives, the law enforcement officer often does not realize that he is creating a situation that, as a rule, turns against him (from the subject of management, he turns into his object). In this regard, an interesting psychological

aspect of the problem of corruption is seen: the nature and dynamics of the dependence of law enforcement officers on corruption. A special study of this issue will undoubtedly be useful from the point of view of obtaining prognostic information for preventive purposes, since it can be implemented in the process of educating professional legal awareness.

As for criminality (persons who are professionally engaged in criminal activity), modern criminology identifies three typical groups that form it: persons belonging to the thieves' community [24], representatives of economic [25] and service organized crime [26]. Information about them is contained on the websites primecrime.ru compromat.ru compromising.group, but they cannot be evidence and only indicate that effective forecasting of the activities of criminals is possible only on the basis of Big Data. From our point of view, the Federal Security Service of the Russian Federation is the closest to solving this problem.

A relatively independent place in the structure of the object of criminal law forecasting is occupied by the subsystem of criminal law norms. Its independence is seen when this subsystem is superimposed on the matrix of the most conflicted social relations. At the same time, problems in legislation and excessive regulation of certain aspects of social life become obvious. At the same time, the criminal-legal subsystem is closely connected with other components of the system under consideration. "So, a single legal norm,- writes D.A. Karimov, - or an article of a normative legal act, separated from an integral system, is unable to influence corresponding public attitude. Effective legal regulation of this relationship is achieved only in unity with other legal means that are part of this legal system. It is difficult to imagine legal regulation of public relations, including law-making and law-realization, without the guiding role of legal knowledge. And the higher the level of legal awareness of law-making and law-implementing bodies, the more effective the regulation of public relations" [27, p.211]. This statement can be supplemented with the following conclusion: the lower the level of legal awareness of persons who are objects of criminal legal influence, the more difficult it is to solve the problems of such regulation. But in any case, their solution is

seriously difficult without the use of predictive information. On the one hand, it is possible to state the  $^{\prime\text{rint})}$ 

redundancy of the criminal law regulation of some public relations in modern Russia. This applies, in particular, to the sphere of sports: Article 184 "Unlawful influence on the result of an official sports competition or а spectacular commercial competition", Article 230.1 "The athlete's inclination to use substances and (or) methods prohibited for use in sports", Article 230.2 of the Criminal Code of the Russian Federation "The use of substances and (or) methods prohibited for use in sports in relation to an athlete" has not been applied and, it can be predicted with full confidence, will not be applied. Consequently, the criminal law regulation of public relations in the field of sports is obviously ineffective. On the other hand, the new geopolitical situation dictated the addition of new articles to the Criminal Code of the Russian Federation 207.1 "Public dissemination of knowingly false information about circumstances that pose a threat to the life and security of citizens" 207.2 "Public dissemination of knowingly false socially significant information that entailed grave consequences", 207.3 "Public dissemination of knowingly false information on the use of the Armed Forces of the Russian Federation", 280.3 "Public actions, aimed at discrediting the use of the Armed Forces of the Russian Federation in order to protect the interests of the Russian Federation and its citizens, maintain international peace and security." It should be assumed that this trend will continue and in the foreseeable future an article on criminal liability for sabotage will appear in the Criminal Code of the Russian Federation.

An important task that is solved on the basis of the methodology of normative criminal law forecasting is the coordination of criminal criminological legislation, for example, the dispositions of norms on criminal liability for terrorism and the provisions of Federal Law No. 35-FZ of March 6, 2006 "On Countering Terrorism". In this regard, it should be borne in mind not only the feedback between criminal and criminological legislation, but also a direct one. Thus, the activation of the use of art. 210.1 of the Criminal Code of the Russian Federation "Occupying the highest position in the criminal hierarchy" signals the need for the adoption of the Federal Law "On Countering Organized Crime".

In the methodology of normative criminal law forecasting, it is important to rely on the principle of expediency [28, p. 9]. As for the target determination of development, it is a specific, inherent only to man and society, the highest type of natural determination [29, p.23].

This idea in the context of the problem under consideration requires clarification. Firstly, it means that criminal law forecasting depends on the goals of society's development, which in turn are ordered in relation to global purposefulness. This circumstance is especially relevant now, when the strategy of the movement of our society is gaining new guidelines. Consequently, in order to foresee the structure of the goals of criminal policy, it is necessary to present (and quite clearly) the foreseeable prospects for the development of society in certain directions.

Secondly, criminal law forecasting faces the difficulty of modeling the goals of subsystems of the object of scientific analysis. To be convinced of the complexity of such a task, it is enough to imagine the degree of difference between the official and real goals of only such a control subsystem as "law enforcement agencies". In this organizational structure, united by common goals, there are many contradictions, inconsistencies of actions, departmental aspirations. "The existing management structures, if they are not adapted to reality and perspective, will increasingly be focused solving other departmental problems, remaining completely insensitive to general, complex ones. Moreover, their bureaucratic apparatus will stubbornly resist any attempts to respond to new tasks, while remaining overwhelmed with a mass of urgent cases and tasks, justifying their feasibility and necessity" [30, p.37].

Thirdly, the management links consist of people with their concerns, value orientations and life goals. It is extremely difficult to take them into account and predict them, but it is also impossible not to take them into account: sometimes their influence on the adoption of criminal law decisions is too significant.

Fourth, purposefulness characterizes the controlled subsystem of the object of criminal law forecasting. Criminological studies of the motivation of criminal behavior, and in general, the study of the attitude of the individual to the law [31] show how wide the range of those behavioral

goals that are of criminal legal interest is. These goals often contradict officially recognized values; therefore, the specific object of criminal law forecasting often appears in the form of a purposeful system, the parties of which are in confrontation [32, pp.191-199].

fifthly, Finally, the expediency of development means its reasonableness, practical usefulness [33, p.713]. The criterion reasonableness gives a philosophical and humanistic orientation to development, because a normal (healthy) organism (person, organization, society) lives meaningfully, trying not to harm itself, people around it, the native and social environment, etc. This is the key to his life affirmation, selfimprovement, creation and progress.

Of course, by creating an "ecological niche" for yourself, both a person and society sometimes need to violate this most important life principle ("do no harm"), but this happens (more precisely, it should happen) in extreme survival situations. Referring to the legal terminology, such situations can be characterized as "extreme necessity" and "necessary defense". In any case, attempts at "suicidal behavior" (at the individual and social level) contradict the principle of reasonablenessreasonableness. Currently, militant technocratism is taking an increasingly active position, the humanistic direction in human activity is losing its significance, being pushed to the periphery. Assessing the development of events from the standpoint of reasonableness revives the "dead" scheme of system-structural analysis, it introduces into this scheme a human factor with its inherent scale of values, common sense.

The idea of reasonableness, common sense is irreplaceable, and in the methodology of normative legal forecasting. It is the connecting thread that connects the inherited facts, the "key" that helps to find the right explanation for the development of events, the algorithm that makes it possible to develop the right solution and a new structure of the goals of the fight against crime.

It is necessary to express a deep conviction that only a reasonable approach to this problem (as well as to any other) is capable of providing constructive changes, making progress in improving public relations.

Reasonableness is a kind of intellectual moment of reasonableness. Along with it,

emotional-volitional and moral aspects can be distinguished.

The emotional-volitional side is revealed in the content of faith in the future. Modern research shows that, without as for the phenomenon of faith, it is impossible to give a scientific explanation of goal-setting as a creative process, to clarify the question of the emotional appeal of a particular "project of the future". "Goal-making, the formation of ideal projects for the transformation of oneself and the world," writes B.S. Bratus, "implies, along with the will, another important condition. This condition is a person's belief in the possibility, correctness, feasibility of these ideally presented goals and projects" [34, p.35].

## 7. The moral side of criminal law forecasting.

Of course, the implementation of criminal law forecasts is unthinkable without faith in justice, legality, the triumph of justice, humanism. By "idealizing" these concepts, faith contributes to the elevation of the aspirations of the society for the future, the spiritualization of its life orientations. It seems that in relation to society, the words spoken to a person are true: "A person without faith, who does not believe in anything, is a person without a future, without moral prospects and supports in life, unable to overcome and transform himself and reality, a person of causal, but by no means purposeful action" [34, p.36].

As for the moral side of expediency, it is most visibly reflected in the problem of choosing between good and evil, which has to be solved in the process of scientific foresight. This is most directly related to criminal law forecasting, since crime itself is an ethical category.: it characterizes a very high degree of immorality [35, p.131]. Moral choice is made during the recognition of a misdemeanor as a crime, when determining the severity of punishment for a particular act, during law enforcement – when the criminal-legal struggle against certain encroachments is intensified or weakened. Since all this is being planned, planned in advance, in advance, then there is the moral side of legal forecasting. It is clear how much more important in life is the combination of ideas about good and evil that the subjects of such a vision adhere to: both the legislator and the law enforcement officer.

## 8. Conclusions.

Criminal law forecasting allows us to formulate a number of theses that should be the basis for the concept of optimizing the criminal policy of the Russian Federation:

- 1. Rejection of the liberal model of criminal law regulation of public relations, the transition to a conservative model, at the forefront of which should be state and public, not private interests.
- 2. Recognition of organized economic and official crime as priority objects of criminal legal influence.
- 3. Coordination of criminal law criminological legislation.
- 1. 4. Adoption of the Federal Law "On Countering Organized Crime".

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