



Dear readers,

I would like to present for your attention the second regular issue of the journal “Kazan University Law Review” in 2024.

The issue you are now holding in your hands contains articles on topical issues in the theory and practice of Russian and foreign law.

The issue starts with an article by Magomed Gezgiev, Candidate of Legal Sciences, Vice-Rector for Security of the Ingush State University, “The genesis of legal regulation of the enterprise as an object of heritage legal succession”. In this study, the author considers the origin and development of legal regulation in relation to enterprises in the context of heritage legal succession. The historical and modern approaches to the legal status of enterprises when transferring them into inheritance are analyzed, and the relevant normative legal acts and judicial practice are considered. The article investigates the reasons for the emergence of the enterprise as a specific legal institution in the period of society’s development. It is proposed to divide it into the main stages of development in the conditions of historical formation of the domestic legal system. The author of the article also draws attention to the problems and trends in the modern legal regulation of heritage legal succession of enterprises. The influence of economic and social factors on the formation and development of legal norms is investigated, as well as possible ways to improve the existing legislation and practice in this sphere are considered. In the conclusion of the article, the author made conclusions based on the study of the history of the development of property complexes as an object of rights in the inheritance law of Russia.

The issue continues with a study by Sergey Degtyarev, Doctor of Legal Sciences, Professor of the Department of Civil Law Disciplines of the Ural Law Institute of the Ministry of Internal Affairs of Russia, “The impact of monetary recovery aims when using a moral damage compensation mechanism (“consumer extremism” as a source of income in the modern period)”. The article analyzes the concept of “consumer extremism” in Russian law, discusses its literary (“jargon”) character and the lack of a clear legal definition. Unlike criminal law, where the term “extremism” has its clear normatively fixed content, in everyday life and legal literature this term has received its wide use only in conjunction with the term “consumer”, because it is applied due to the action of the federal law “On protection of consumer rights”

and is entirely based on its application and the possibility of abuse of their rights by consumers. In the literature there are different views in the opinion on the appropriateness of the term “consumer extremism”, but almost no one disputes the very fact of its existence in reality and judicial practice as one of the methods of impact on the opposite party with the aims, sometimes diverging from the aims of consumer protection, and pursuing only material enrichment of the injured party. Such concepts as “abuse of their rights” and “bad faith”, in the opinion of the author, can and should be included in the content of the term “consumer extremism”, if it is applied in the practical sphere of life of consumers of public goods. The author provides examples of consumer actions that can be considered as consumer extremism and discusses their impact on jurisprudence and business. The article also presents different points of view on this phenomenon, emphasizes the need for further research and development of legal measures.

The next research is presented by Altani Batueva, Police officer, cadet, and Sergey Melnik, Candidate of Legal Sciences, Associate Professor, Professor of the Department of Civil law disciplines of the V. V. Lukyanov Orel Law Institute of the Ministry of Internal Affairs of Russia, “The adversarial principle in the discourse of simplified proceedings”. The article is devoted to the current issue of implementation of the adversarial principle of the parties in the consideration of disputes in the framework of simplified procedure. Administration of justice is the cornerstone of any legal system, and the procedure of court proceedings plays a key role in ensuring fairness and equality. In this context, the adversarial principle acts as a fundamental principle that seeks to balance the scales of justice by allowing opposing parties to present their cases before an objective judge. This principle becomes particularly intriguing when viewed in the context of summary proceedings, a procedural framework designed to streamline and expedite legal processes. The authors of the study identify the distinctive features of simplified proceedings and outline the points that allow to determine the sufficiency in the implementation of the mentioned principle.

I am sincerely glad to present to you the study by a collective of authors: Elza Azizova, fifth year student, Sadagat Bashirova, Candidate of Legal Sciences, Associate Professor, and Guzel Valeeva, Candidate of Historical Sciences, Associate Professor of the Department of Theory and Methods of Teaching Law of the Kazan Federal University, “To the issue of transformation of sex education in the context of family and educational law (“Human-centeredness of law: issues of sex education in the context of legal constructions of family and educational law”)”. The article considers modern trends in the transformation of sex education in the context of family and educational law in Russia. Special attention is paid to the concept of human-centeredness of law as a basis for the development of family relations and the educational sphere. In the context of the implementation of strategic documents and

legislative changes aimed at preserving traditional values and ensuring the safety of children, the prospects for introducing new approaches to sex education into school programs, including through the subject of “Family Studies”, are being considered. The specifics of the child’s socialization process make it possible to consider work on sex education valid already at preschool age, and it requires continuation at other stages of a child’s development. The authors emphasize the importance of respect for individual rights and protection from violations as fundamental principles that influence the formation of relevant legislation and the practice of its application.

The issue is finalized by an article on “The invalidity of legal transactions in insolvency (bankruptcy) cases”, prepared by a Yakov Soldatov, Candidate of Historical Sciences, Associate Professor of the Department of Civil Law, and Viktoriya Galkina, Second-year Master’s student of the Department of Civil and Business Law of the “TISBI” University of Management. In the article, the authors analyze the key aspects of civil law impact on social relations in the field of insolvency (bankruptcy), in particular, the invalidity of legal transactions and the peculiarities of their contestation. The article contains the analysis of legal transactions that entail preferential fulfillment of the claims of certain creditors of an insolvent debtor, the peculiarities, grounds, and conditions of invalidity of such legal transactions are studied. It also examines the norms of the Federal Law “On insolvency (bankruptcy)”, taking into account the opinions of practicing lawyers and the analysis of law enforcement practice. Difficulties in providing evidentiary basis for challenging legal transactions in bankruptcy, as well as the lack of law enforcement practice of invalidity of suspicious and preference legal transactions, are considered. With reliance on the theoretical basis, the peculiarities of the consequences of recognizing a legal transaction invalid are disclosed. The content of the mentioned peculiarity is investigated.

With best regards,
Editor-in-Chief
Damir Valeev