

## **Problems of punishment and forecasting theory**

**Abstract:** Problem of punishment is subject to study by the system of methods of various sciences: cybernetics, mathematics, forecasting and others.

It is researched a concept of the system, principles of the system and kinds of it.

Correlation of punishment problems and social forecasting, methodology of forecasting of punishment results is considered.

**Keywords:** punishment; system; forecasting; logics; intuition; methodology.

Criminal punishment was always considered by us as a legal concept only. Therefore we had always tried to solve all problems, linked with its efficiency, through researching of some urgent for practice private issues of awarding and execution of punishment or through improving of criminal or criminal procedural legislation. We are deeply convinced in the fact that if such sciences as forecasting, cybernetics, mathematic methods etc. had been progressed during C. Lombroso, E. Ferri and others living as nowadays, then the punishment doctrine and its significance in fight to criminal would be deeper, because they would had been definitely used with the results of these sciences. Punishment is a complicated phenomenon and consequently common, simplified approach to study of it only in frame of legal sciences has no prospects. Being complicated issue, the punishment is required systematic approach to be studied. This is required from us a future of punishment.

Greek word “*sistima*” etymologically means an integer (whole), consisting from the parts. Concept, which is opposite to the system, is the concept “non-system”, i.e. a chaos or summative multiplicity. Under the system in modern science is understood a whole multiplicity of interlinked elements [23, p. 82].

“The system is an ordered combination of interlinked and interacted elements,

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naturally forming a unit, which is possessed with the features that are absent in the elements and relations forming of it” [15, p. 21].

D.A. Kerimov notes that simple summative integrities (ex. haystack, heap of rubbish or apples in basket) are not a system. Unlike of the firsts (artificially or accidentally formed), the system is a complicated integrity appeared as result of objective, logical process of joining of the constitute elements of it [12, p. 220-221].

The concept “system” is broadly used as in common scientific and special books so and in daily life. Usually it is used as a synonym of combination, a complex of definite real objects. The right and legal activity are not also exemption in this sense. Nowadays, the concept “system”, “systemic order”, “systemic approach”, “systemic analysis”, “general theory of the system” etc. are often used in our legal books [11].

We have got used to expressions “system of right’s norms”, “system of legal institutions”, “system of evidence” etc., understanding under this regulated by a certain way some plurality of the elements, which are associated between each other and formed in combination something whole.

There are three principles in any system.

**The first principle** is an integrity of the system blocks constituting - subsystems and elements. The integrity is not understood as a simple sum of the constituting components of the system. The system is qualitative, sustainable integrative formation, but not a mechanical combination of constituting parts of it.

**The second principle** is a principle of hierarchy, multilevel, multistory. Each system is a part of other wider system, and its subsystems and elements might be considered in its turn as independent systems.

The third principle is a structural order of the system. The first, the structure is a qualitative originality of the subsystems and elements that formed of the system, and, the second, a net of links between them. The structure is the law of designing and behavior of the system, stable forms of the links, interactions and relations inside of the system.

On level of complexity the systems are subdivided into simple and complex ones. **The simple system** has no ramified structure; contains small number of interacted elements and fulfills the simplest functions. **The complex system** has ramified structure and considerable number of interlinked and interacted elements, fulfilling more complex functions. Being the system, punishment belongs to the complex integrity formations. Therefore, it is characterized with integrative features, which predefined all other their main specific particularities.

Being the complex system, the punishment consists of the three interlinked and interacted parts, which form dynamic process: preparation and acceptance of criminal legal sanction, awarding and execution of punishment.

Systemic nature of the punishment makes it integrated, interdisciplinary. This means that to resolve of it one need to use the data of differ sciences: categories, ideas, methods and means of philosophy and sociology, psychology and pedagogy, cybernetics and theory of information, as no one science can solve considered researching problem with own possibilities. Other words, the essence of systemic research applicably to the punishment is concluded in concentration of the regularities and categories, methods and means of various sciences around resolution just this problem. We should bear in mind that achievements of other sciences will entered in researching of this issue only when they will be served to specific goals and tasks of criminal and criminal executive sciences, to which belong priority in resolution of this issue.

Systemic approach, which is widespread in the second half of the 20<sup>th</sup> century, is very fruitful. The value of this method consists in the fact that it allows using mathematical methods, in particular, mathematical modeling. The main is that the systemic method provides scientifically substantiated purposeful managing with the systems learnt. It is absolutely substantiated idea on the systemic order as interdisciplinary way of researching, i.e. jointed studying of an object by few sciences, each of which considers of it under specific angle of view [14].

In connection with this, the ideas of B.M. Kedrov are an important. He wrote: “The further step in deepening of interaction of the sciences includes: the first, it is interacted not only sciences of common profile, ex. only natural or only humanitarian, but the sciences all profiles; the second, their interaction is strengthened and reached up to formation from them some jointed complexes and up to development of new integrated method of researching, which are the further development and improvement of the method of materialistic dialectics” [10, p. 94].

Nowadays, the idea of systemic approach has firmly come in number of the main methodic principles of implementation of specific social research. And regular improvement of organizational forms, methods, ways of implementations of complex studies are one of the important issues of scientific searching.

Finalizing consideration of this issue, we would like to emphasized one more that “it has come now such period in scientific development when together with improvement of scientific ideas about systemic order, one should move to using knowledge in specific branches, where happens direct “joining” of theoretical thought with practical needs of the social development” [12, p. 203]. Therefore only using the systemic approach, as one of the methodological directions in the modern science, gives an opportunity to study the particularities and regularities of complicated system of criminal punishment.

Many problems of today’s punishment are directly connected with predicting essence of it. Therefore, it does not make doubt the fact that future of punishment will be connected with using of predicting in doctrine on punishment and practical application of it in lawmaking, judicial activity and in process of sentence execution.

Efficiency of frightened impact of punishment and achievement the goal of prevention depends on prediction of future results of it. The problem is that we apply to forecasting, i.e. with prediction of future results of punishment

when decision is accepted - beginning from acceptance of criminal legal sanction and finalizing with execution of court decision. Therefore, we cannot practically eliminate the obstacles without scientific prediction, which disturb to increase efficiency of criminal punishment. This means that small efficiency is the result of our impossibilities to use scientific achievements in sphere of strength. The efficiency of criminal punishment and the ways of its increasing are linked with its forecasting essence. Based on this, we consider purposeful the attempts to sort out this issue and suggest some ideas.

Forecasting of the results of punishment directed from known to unknown that creates specific epistemological indetermination of scientific prediction, i.e. impossibility of direct experimental controlling of the results of criminal punishment does not make clear an issue on correctness or wrong of the conclusions. This is connected with absence of logic and practical means to solve this problem in this stage of science development. V.G. Vinogradov notes: "Absence of prevention and experimental possibility to check the results of scientific prediction makes difficult an answer on issue about true or false of the prediction. Checking of the results of prediction might be directly fulfilled at once on discover of forecasting events" [7, p. 174].

Consequently, prediction of the results of punishment is distinguished impossibility "momentary" practical checking of truthfulness, reasonableness of forecasts as it is exist the time interval in checking of theory in practice. The presence of the time interval creates some epistemological indefiniteness as to the moment of final checking of theory material objects can be sufficiently changed. This is the second particularity of the results forecasting of criminal punishment. A. Paunchier prevented: "The better to foresee without absolute awareness then not to predict at all" [21, p. 159].

No doubt that authority of durability depends, first of all, on the level of probability of the forecasts. Therefore, one of the serious problems of forecasting of punishment is the issue prior verification and evidence.

There is an underestimation of problem of the forecast truthfulness in philosophical books. So, it is stated that “verification like a method knowledge check, having in forecast, cannot answer on question - whether the forecast is true or not”, as “specifics of the knowledge having in forecast, consists in the fact that about its reliability might be objectively spoken only after execution of the forecasting” [9, p. 353].

Consequently, the authors believe that forecasting loses sense if to wait realization of the forecast to determine reliability of it and a chance to be used.

An issue about objective truth of the results forecast of punishment is closely connected with the problem of the verity criteria of it. Just preliminary clarification of the objective verity of forecasting is a basis for analysis of the truth criteria of future results of criminal punishment. They are divided in two classes: practical criterion and logical (indirect) criteria. Arrangement of punishment forecasting, i.e. “formation of sought-for is also determination and development of criterion, on the basis of which is defined adequacy of this sought-for by conditions and requirements of the task solved” [3, p. 180]. From one side, there is no punishment at the beginning of practical activity and consequently it cannot be any ready criteria and etalons for conclusion of future result concerning to correctness or wrongness of criminal punishment. But, from other side, arrangement of the results forecasting of punishment is impossible without similar criteria and etalons. Mentioned contradiction is just resolved step by step in process of creation, formation of the future result of criminal punishment.

Practice is the main and original criterion of forecasting truth, i.e. the fact of beginning or not beginning desired result of specific criminal punishment in future.

According to V.I. Lenin, a man proves an objective correctness of his ideas, notions, and knowledge by his practice [16, p. 173]. The practice is a basis of forecasting. Just in practice we discover the features predicting future.

Y.A. Vasiliyev notes: "Practice provides materialization, turning into the objective reality of a goal predicted, socially ideal" [6, p.199]. Being the criterion of objective reality, the practice requires dialectical approach because it not only confirms or denies the forecasts about future result of criminal punishment, but it is also needed in them.

From one side, during arrangement of forecasting, the practice acts as the real basis, initial material precondition all predicting studies, as an inexhaustible source of enrichment and development of scientific ideas about future. Therefore, practice is a single means of realization and confirmation of the forecasting theoretical ideas. It is not only the reliability criterion of the future results of criminal punishment in its completed kind, but and an important means of correction of forecasting knowledge in process of their realization. Specifics of the practice, like a criterion of a forecast reliability, consists on that a checking of today's knowledge about tomorrow's result of the punishment is carried out on the basis of the past and present practice punishment application.

From other side, the practice cannot be treated without specific forecasts. Practice is needed in prediction activity of a lawmaker, court, punishment executive bodies, which are become an incentive. The forecast of these bodies that checked by the practice confirms the truth of knowledge, on which it is built.

Result of practical realization of forecasting of the punishment results may not full coincide with its theoretical model, but corresponds of it in essential, important one. So, for example, a court cannot determine in the details a prisoner behavior in a jail in 2 years after sentencing. But a court can determine through forecasting a future common behavior of the prisoner.

Therefore the attempts to foresee the future results of criminal punishment in the details are presented to be a free guessing, but not a scientific prediction. We should keep in mind that correlation of forecasting (of goal) and result of practice is unequally formed in various social

conditions. Studying correlation between social prediction (goal) and result of practice will allow establishing certain scientific principles, which should be observed under comparison theoretical model of the future with sufficient material result of human activity [6, p. 213]. Thus, forecasting always acts as relative truth, the future result of punishment is not characterized by it in full extent. Therefore, the practice gives less than it has been foreseen by a lawmaker or court. At the same time, it will carry out much new that is not provided by the forecasting. Result of criminal punishment shows not only insufficient “execution” of the forecast, but also it “over fulfillment”. In final, practical result will be richer then the most advanced forecasting.

So, the result of forecasting in course of acceptance, application and execution of the punishment that received verification in the practice, confirms the truth of the knowledge, on basis of which it has been built.

But, when it is constructed criminal legal sanctions, passed a sentence, executed punishment one should necessary be sure in certain reliability in its knowledge earlier then happen any results of activity of the forecasting subjects.

Otherwise, before awarding punishment a court should be aware that convicted person is corrected during, ex. 5 years. Consequently, addressing of forecasting knowledge ahead, make us search in future the ways controlling of the truth cognition of the future results of punishment while forecasting ideas will be confirmed or denied by the practice.

Besides the absolute verification, i.e. an empirical confirmation or denial correctness of the forecast, it is existed relative (preliminary) verification, which will allow developing scientific research and practically using the results of it before commence of verification. The ways of relative verification are well-known: this is a checking the results received but not yet passing absolute verification by repeated or parallel studying [20, p. 28].

Particularity of the punishment forecasting is the growth a role of the logical methods under establishing verity of punishment. Under this, a role of



the practice like a decisive criterion of the knowledge verity is kept in full extent.

We should note that forecasting does a role of some indirect method of knowledge control as checking of hypotheses of the verity is one of the functions of it.

Application of the method of logical analysis by a lawmaker, court and law enforcement bodies for checking of verity forecasting knowledge acts as a process deducing one knowledge on future from other one (on the past and present), which confirmed with practice. Verity of initial data, fullness and depth of knowledge about efficiency and insufficiency of specific punishment in the past and present has a decisive significance. Emphasizing this, F. Engels wrote: "If our prepositions are true and if we rightly use the law thoughts to them than the result should correspond to reality" [17, p. 629].

Now it is absolutely obvious an importance and practical necessity of detailed and integrated studying of the practice of application a certain punishment. Science occupies a leading place in the variety of the forms checking of the forecast verity before embodiment in life of it. An art of any forecasting consists on determination of future features, direction and character of development of the phenomena and ability to direct of it in compliance with scientific developments.

Consequently, it is important to know that an experimental control and scientific substantiation, logical evidence is the methods of verity checking by legislation, court and individual forecasting. Verity of predicting knowledge of a lawmaker, court, law enforcement bodied about future results of criminal punishment should be checked in all stages (preparation, awarding and execution) by all available methods, each of which are close linked with the practice, received further specification and development concerning to specifics of separate kinds of forecasting. Thus, the practical necessity and opportunity to do a forecast in criminal punishment are not in doubts. But, what methods and ways of such forecasting are?

One of the most important and extremely difficult directions of development of theory and methodology of the punishment forecasting is development of the

methods of cognition of future results of a decision accepted. This situation is explained with fact that classification issue of forecasting is not yet solved. Now the development of the methods and methodology of forecasting has reached such level that it is appeared necessity creation of separate branch - *forecasting*. Improvement and development of the forecasting technology, principles of organization of forecasting developments are the tasks of this branch. Naturally, that application of the forecasting methods presupposes maximal consideration of the forecasting objects [26, p. 10]. The attempts classification of the methods, which are met in special books, are related to separate branches of forecasting - the most advanced - scientific-technical and economic ones [26, p. 86].

Numerous methods of social forecasting are enumerated by the representatives of various social sciences. So, for example, V. Shlapentokh listed up to two hundred different methods for forecasting [27, p. 12]. B.F. Zaytsev and B.A. Lapin note that there are about 130 methods of forecasting that are used in practice [8, p. 79].

Sociological methods, expert assessments and mathematical models are used mainly by social forecasting “today” for studying “tomorrow”. Being universal method of cognition, philosophy is also the methodic basis of development and application of the methods, ways of forecasting of punishment. In compliance with this, in purposes of cognitive of future punishment results it might be applied general scientific or specific scientific methods. Being the method of future cognition, dialectics has a functional significance for forecasting any social phenomena and processes, including a punishment. The dialectics is philosophical method of scientific and technical cognition; the laws and categories of which are the basis of knowledge synthesis, direct thought for searching of the most fruitful decisions of new issues.

Dialectic and materialistic approach to the social problems directs in a creative analyses all new issues, allows to foresee necessary actions directed in realization of the program of development of a phenomenon, process. Thus, studying a process presumable change of some phenomena in future, the dialectics acts “like a method of the foresight and purposeful action” [2, p. 44]. L.D. Nikitin wrote that from the

point of view of the dialectics, the foresight is knowledge that is based on the laws of objective world about the fact how in future this phenomenon will be changed [18, p. 152].

Since a content of studied subject is expressed in the method then each science has own particularities in application of the dialectic method. They are caused by particularities of the subject of science, which make also necessity application special methods in help to the main method – dialectic one.

Description of future results of criminal punishment may carry out in various forms of cognition. Each of them presents mental, sensitive logical or theoretical reflection of future. Based on above stated and social definitions from special books, the method of punishment forecasting might be determined as complicated device (or combination of the simple devices) of theoretical research of the development prospects or a final result of specific criminal punishment like a form of consequent theoretical and practical approaches to the development of forecast acceptance, awarding and execution of a criminal punishment and feasibility of cognition of them. Prediction of future in legislative, judicial and penitentiary activity may be different level of hypothetic – from extremely low-probable up to quite reliable, true.

We should note that punishment forecasting must be carried out through application of combination of the methods, which may provide a process of cognition of tendencies and regularities of development; ex. correctional influence as individuals committed crime so and unbalanced men of our society. Despite substantiation of purposefulness and study of a case in process of judicial proceedings, a lawmaker never can answer to a question, whether punitive correctional influence is sufficient to achieve a goal of criminal punishment, as his decision is only based on prepositions, guesses, inner sense, life and professional experience. In this case, they substantiate their decision relying only on own intuition. What an intuition is and whether one may rely on it?

In forecasting meaning, the intuition designates the kinds of *perception* (quick identification, clear understanding and ability interpretation), *imagination* (ability of idea, art of comparison and creative imagination), *mental conclusions* (fast mental

conclusion), *synthesizing* (generalizing point of view), *understanding* (common sense) and assessment [1, p. 158]. This combination of thought is the base of preparation and acceptance of a sanction, and also under awarding by a court a kind and size of specific criminal punishment.

This is connected with the fact that there is a time interval between acceptance of a decision and approach of its results. This means that in prediction under extended time period of prevention an intuitive element in legislative and judicial practice is unavoidable. So, for example, before awarding punishment, a court is trying mentally to imagine future consequences of his decision, to build an integrated view about future result of a sentence. But this approach has some danger of groundless fantasy formation. Therefore, the question is appeared: whether an intuition is a serious and one of the main methods of forecasting? Of course not, as application of the term “method” in respect to intuitive anticipations, predictions of the results of criminal punishment is wrongfully. Here, it would be better to use the terms – “way”, “aid”, as the method is a specific way of cognition of future, in which is contained some prescriptions, instructions to fulfill certain operations in one order or the other. Intuitive anticipation of the consequences of punishment is not based on such prescriptions. Method and intuition exclude each other: if it found the method of task decision that is earlier resolved an intuitive, therefore, in this case a necessity in intuition no longer exists.

According to M. Bunge, prediction made on intuition base in considerable extent depends on the phronesis (practical wisdom), that wisdom, an acquirement of which is awarded us for our failures [5, p. 139]. But, we are interested in other problem: whether it is possible an intuitive cognition of the future results of criminal punishment? A.R. Ratinov writes: “In daily life we are met with such phenomena, when on significant signs, small initial materials are appeared right ideas, reliability of which are established by the subsequent checking” [22, p. 133-134]. Despite significance of intuition in prediction, we should emphasize that direct fulfillment of the forecast, first of all, presents a logical conclusion from well-known laws, theories, and hypotheses.

Intuition, like an aid of foresight (prediction), is, first of all, characterized with the fact that it does not form grounds in obvious manner. Moreover, it is presented that there are no any grounds there. This means that with acceptance and awarding any specific criminal punishment we are in doubt about accuracy and purposefulness of our decision. Other essential particularity is the fact that estimation of the future results of criminal punishment is carried out without proper logics. This is naturally, as logically associated can be only such provisions, which are obviously expressed, and as we stated earlier, we cannot say this about grounds of intuitive prediction. Third particularity consists in the fact that it depends on many occasional, various circumstances from such subjective characters of a lawmaker and judge, as intellectual flexibility, imagination, professional and life experience, intuitive “feeling” etc. Therefore, it is difficult to use expression “measure of hypothetical character” applicably to intuitive prediction as it is impossible to establish and estimate exactly the level of hypothetical character. M. Bunge writes that “scientists value an intuition, especially, creative imagination, quick inference and phronesis, but are not relied on it. They know that psychological self-evidence does not guarantee the true, and intuition in high extent is individually and often plays evil jokes. Intuitiveness is not criterion for construction and estimation the scientific theories” [5, p. 143]. Despite sufficient lacks of intuition, one should not underestimate its role in action on acceptance and awarding of just and effective punishment. The English physics A. Clark justly writes that “for prediction of future one should possess with logics, but in addition, he needs to have believe and imagination, which are able sometimes to neglect even by logics” [13, p. 34].

Intuitive forecasting is close to the prediction, which is based on speculative thinking that is synthetic prediction of future results of criminal punishment, but not analytical one. Lawmaker and judge is brought with speculative thinking to preposition or foresight of much features, phenomena, which cannot be other way disclosure in process of forecasting. For example, the judges believe that convicted person is ready in the nearest future to come to correctional way.

An important particularity of speculative thinking applicably to the forecasting of punishment consists in the fact that through this thinking might be predicted the results of criminal punishment, which obtain only in future a logical and experimental substantiation, to foresee possible trends and regularities of behavior changes of convicted person in forthcoming period.

In spite of significance of intuition, we should emphasize that direct fulfillment of scientific prevision of the results of criminal punishment is presented, first of all, to be *a logical* conclusion from well-known laws, theories. Emphasizing of the logical aspect in scientific prevision separates it as from scientific discoveries so and from foresight carrying out in process of daily life activity [7, p. 9]. Forecasting (scientific prevision based on logical thinking – on logics) does not give us a chance to hope at one hundred percentage accuracy.

V.P. Tugarinov and T.M. Rumayntsev note: “Of course, the logical necessity does not yet guarantee us an actual “natural” necessity. Reality is “crafter” of any logics. But the laws of logics is a core, reflected laws of reality” [24, p. 111-112]. Therefore, logically rightly preposition gives the right to judges with great extent probability to believe (and nothing more) and at implementation of this preposition in the present and future reality.

As it known, logical conclusions subdivided into the two big categories: deductive and inductive ones. In compliance with this all previsions might be also divided in the deductive and inductive ones [19, p. 115]. Consequently, deductive and inductive conclusions of the subjects of forecasting possess with logical significance for assertions about future results of punishment.

Under this, we should keep in mind that “inductive judgements cannot cover an experience in full, exhaust of it” [24, p. 112]. In this sense, according to classics of Marxism, they are always incomplete (as an experience always is not finalized), and consequently “unreliably”. They cannot consider such sides or features of the phenomena, which exist or become apparent in future.

Deductive conclusions, on their nature, presuppose full covering of experience in a certain scope. Therefore, they can pretend in quite reliable and single-valued character.

*Hypothesis* may be used as the base for forecasting in practice on preparation and acceptance of a sanction, and also on awarding punishment.

Hypothesis is a specific kind of scientific idea about unknown phenomena, forms their links or reasons that is caused them. Hypothesis is put forward for providing the available facts.

Supposition on the hypothesis may have a character of prevision, but may pretend on a role of scientific discover. Lawmaker, judge and administration of the penitentiary institutions are a subject of the hypothesis in forecasting of the results of criminal punishment. The main that is characterized the hypothesis of these subjects is an active desire to go beyond the limits of available facts, analyze and form a future criminal punishment. Herewith they know that objective verity of the future results of punishment, which they are trying to foresee through hypothesis, is not yet proved due to probability of the character of future. Hypotheses of forecasting kind, mandatory element of which is some prediction, prevision should be “used” in process of forecasting of punishment results.

These hypotheses have complicated nature as before to make a forecast of future result any decision one should discover a mechanism of psychological impact of criminal punishment on a person who committed crime, and also on other members of a society.

As we see, a core of the hypothesis is supposition, which plays a role of mental conclusion prerequisite.

Thus, a hypothesis plays an extremely important role in forecasting. Therefore, we should be able to use with this way of forecasting. M. Bunge writes: “One can do nothing without ability to think out the hypothesis and plans; it is possible to do only “mechanical” operations, i.e. manipulation with apparatuses and application of computational algorithms” [5, p. 109].

Prediction on analogy may be one of the ways of cognition of future results of criminal punishment. The essence of the prediction on analogy consists in the following. It is known that the two objects have similar essential features. In addition, one of the objects possesses with such features, which are not found directly to other one. Then, one do supposition (i.e. actually is predicted) that and second one possesses with these features [19, p. 115]. Thus, under analogy is understood a similarity of the subjects (phenomena, events) in some features or relations [25]. Analogy in science plays an essential role as it directs of the researchers to important ideas.

The more situations from the past experience the more accuracy will be a result of prediction on analogy.

Determining on the base of similarity of some features of the objects on other signs, one may come from identity of separate signs to identity of common order. Some forecasting conclusions are just done with this way. The analogy with the past examined cases helps a court to predict more accuracy how the correctional process will be going in future.

One should consider that forecasting conclusions on analogy are correct when the qualitative characteristics adherent to each compared situations is considered. The analogy that constructed on the bases of identity of some external insufficient sides, phenomena is not scientific and leads to the errors [4, p. 68]. But, despite the fact that prediction on analogy sometimes comes to the important discoveries, it may not be recognized reliable and correct kind of the prediction. The fact is that the signs of phenomena, identifying of which constitute the basis of prediction, may be turned out artificial, ancillary ones in further research [19, p. 81].

Nevertheless, on comparison with the prediction on the basis of simple repeatability of the phenomena, the prediction on analogy is a higher level of development, predicting the ability of a man. Therefore, it may be used in activity on forecasting of the results of punishment.



So, we have determined the principles and methodology of forecasting of the punishment results. Now, we will try on their basis to apply these categories in lawmaking and judicial activity, and also in process of punishment execution.

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