

Dukhno, N.A., Koryakin, V.M. Theory of transport law: a monograph. Moscow, Yurlitinform publ., 2016, 288 p.



ABSTRACT OF THE BOOK

The book reflects the main topics of the transport law, its features, problems of genesis and institutionalization, educational tasks regarding university training of future employees. This work can equally draw attention of practical and theoretical experts in the legal field.

ABSTRACT OF THE REVIEW

As any development of transport systems is impossible without the development

of an appropriate package of normative legal acts, study of the theory and practice of transport law application is undoubtedly of importance. The reviewer appreciates the attempt of the authors to develop a theoretical aspect of the transport law, while the text remains well understandable even for the students in legal studies. While the reviewer does not share some authors' views, e.g. the suggestion to consider transport law as an independent branch of law, he supports the idea of the development of advanced research in transport law.

Keywords: transport law, legislation, legal acts, legal education, legal studies, legal science.

The transport complex is today a fast growing sector of the Russian economy. Given the territorial scope of the Russian Federation, significant distances between the location of sources of energy, industrial, natural and agricultural resources, as well as between habitation areas of Russia's population, the issue of increasing the efficiency of the transport complex of our country and, as a consequence, of the growth of political, environmental involvement of Russia on the world stage is in the area of attention of Russian politicians, businessmen, scientists, legislators.

The practice of both our country and other countries, clearly shows that optimization of activity of the Russian transport system is impossible without the development of an appropriate package of normative legal acts, fully taking into account the peculiarities of the transport sector, as well as without development of a modern concept of the Russian transport law, which would reflect its essence, specificity, its place in the system of Russian law and the form of its expression in the system of Russian legislation.

In this regard, the relevance and scientific value of the study of the theory and practice of transport law application, carried out by N. A. Dukhno and V. M. Koryakin, managing the Law Institute, which is part of one of the leading Russian transport universities – Moscow State University of Railway Engineering (MIIT) is obvious and undeniable.

The monograph, which is a result of years of research of theoretical and practical problems of legal support of transport activities carried out by the Law Institute of MIIT, presents the author's concept of transport law and legislation as a complex (maybe integrated) field of law and legislation. The place of transport law in the domestic legal system is shown, the prospects for its further development are substantiated.

The book reflected such important issues of transport law theory as the genesis (origin) of the domestic transport legislation and transport law; object and method, the principles and functions of transport law; institutionalization of transport law as a comprehensive legal entity in the legal system of Russia; structure, contents and sources of transport law and legislation; formation of transport law as of a sectoral legal science; transport law as an academic discipline; the ratio of transport law and transport policy; other problems that deserve attention of scientists, practitioners, law enforcers.

Taken together, the results of scientific analysis and extraordinary generalization of these legal and other transport problems make it possible to qualify the scientific work under review as a major creative, scientific achievement of its authors – scientists-lawyers with specialization in transport law.

Most scientific and educational publications on transport and legal issues consider lawmaking, applied, practical issues of transport law (e.g., fundamental work of V. A. Egiazarov). The book under review is different from earlier published works by its theoretical orientation, the analysis of the theory of law issues as they relate to the specific transport legal relations, what is the novelty of the authors' study.

It is important to note the fact that, in spite of its theorizing and the use of a variety of special legal concepts and terms denoting them, this monographic work has been done in quite a plain language, differs in its logical language and systematicity of presentation. The book is full of tables, structural and logical schemes, which allow a better understanding of the theoretical and legal structures and understanding of the logic of the author's intention even by specialists – non-lawyers.

We cannot agree with all the findings and conclusions of the authors, some of them are polemical, of controversial nature (for example, with respect to the consideration of transport law as of an independent branch (sub-branch, category) of law; the introduction of transport law as a scientific specialty in the nomenclature of scientific specialties, in which degrees are awarded, and some others). But that is just the meaning and purpose of scientific research, to express and to validate new ideas, to criticize the existing views and ideas, to cause controversy, debate, without which real science cannot do: everything is fully inherent in peer-reviewed scientific publication.

The formulated topics of advanced research on transport law are of great value for legal science, as they could give an impetus to prepare new scientific papers on transport and legal issues – theses, monographs, research papers, as well as educational and educational-methodological publications.

Conclusions.

The monograph «Theory of transport law», prepared by D.Sc. (Law) N. A. Dukhno and V. M. Koryakin is a holistic, independent scientific work, which considers a scientific problem, which has a significant importance for jurisprudence, for improvement of effectiveness of legal maintenance of functioning of the transport complex of the country.

The work fully meets the needs of time, will find its interested readers among scientists, both theorists and practitioners, involved in legal support of functioning of the country's transport complex.

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