



# Military Legal Knowledge for Future Transport Employees (Review of the Three-Volume Monograph «Military Law»)



Sergey B. GLUSHACHENKO



Roman V. ZELEPUKIN

**Sergey B. Glushachenko**<sup>1</sup>,  
**Roman V. Zelepukin**<sup>2</sup>

<sup>1</sup> Herzen State Pedagogical University of Russia,  
St. Petersburg, Russia.

<sup>2</sup> Derzhavin Tambov State University, Tambov, Russia.

✉ <sup>1</sup>sglushachenko@mail.ru.

✉ <sup>2</sup>lexcomlex@yandex.ru.

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## ABSTRACT

The article considers and reviews the three-volume monograph «Military Law» under the general editorship of A. N. Savenkov and A. V. Kudashkin from the point of view of using its results in the process of training and professional activity of future employees in the transport sector. Positively evaluating the structure and content of the monograph, special attention is paid to the fact that it contains valuable information for the transport sector of the country. The authors of the review note that the monograph is able to meet the needs of modern transport

education, taking into account the need for future specialists to develop legal knowledge about military transport duties and the military segment of transport relations. The review accentuates the achievements in this area and substantiates the prospects for further research.

The authors of the review also believe that it would be possible to dwell in more detail on the issues of military transport duty, which could be an excellent addition to the reviewed three-volume monograph.

**Keywords:** military law, military security, military legislation, state bodies and organisations, defence, military transport obligation.

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*Полный текст статьи на русском языке публикуется в первой части данного выпуска.*

In 2022, the third volume of the monograph «Military Law» was published under the general editorship of Corresponding Member of the Russian Academy of Sciences A. N. Savenkov and Professor A. V. Kudashkin, summing up the final line under more than two years of work by the team of authors on this fundamental work<sup>12,3</sup>.

The three-volume edition has become an event in the world of military law, which is a complex branch of legal science that regulates social relations that are developing to ensure protection of the Russian Federation from military dangers and military threats. In the monograph, the authors substantiate approaches to military law from the standpoint of post-nonclassical scientific rationality and form a scientific platform for integrating the concept of military legal knowledge into the structure of the modern scientific picture of the world.

The undoubted advantage of the work is its holistic, monographic, fundamental nature, its consideration of theoretical problems of military law, the current state of its main institutions and development prospects for the near future. A new subject of military law has been formulated, which includes the following main issues: the concept of war (armed conflict), the procedure and reasons for its declaration; legal bases of conducting war (armed conflicts); formation and implementation of state policy in order to ensure the military security of the state; mobilisation readiness of the military organisation of the state, economy, citizens to conduct armed struggle; the legal status (status) and responsibility of participants in military activities, the legitimacy of their use of weapons and other means of armed struggle, as well as a number of others.

It seems that the conducted research forms fundamentally new heuristic possibilities for systematic knowledge of law and its role in social activity, and is also essential for development of legal and military sciences and expansion of

diversity of modern social and humanitarian knowledge. The place of military law in the domestic legal system is substantiated and the characteristics of its real functioning in social life are revealed, the connection of military law with other sciences and the essence of this connection are revealed, which initiated a number of new conceptual studies [1–3].

The vastness of the research material attracts attention: the monograph examines the main scientific works from the beginning of development of Soviet military law science (late 40s of the last century), Ph.D. and D.Sc. theses of the Soviet and post-Soviet period on military law, as well as a significant number of foreign sources and experience of legal regulation of military activities of the leading countries of the world, including the USA and China.

The scientific community reacted vividly to the appearance of the monograph. This is eloquently evidenced by the already published reviews in authoritative periodicals, prepared by prominent scientists and public figures [4–9]. They invariably emphasise the fundamental nature of the research, the high level of the material presented, its theoretical and practical significance. In several reviews, which have the form of an academic discussion, there is also constructive criticism, reflecting the fact that some problematic issues that require additional study have remained outside the attention of the authors [10; 11].

One of these issues, it seems, is the problem of military transport duty, which could be an excellent addition to both the first and subsequent volumes. As it is known, the military transport obligation is established by Article 13 of the Federal Law of February 26, 1997, No. 31-FZ «On mobilisation training and mobilisation in the Russian Federation» and the Regulations on the military transport duty, approved by the Decree of the President of the Russian Federation of October 2, 1998 No. 1175.

It applies to federal executive authorities, executive authorities of the constituent entities of the Russian Federation, local governments, organisations, including ports, marinas, airports, oil depots, fuel transshipment bases, gas stations, repair organisations and other organisations that ensure operation of vehicles, as well as on citizens-owners of certain vehicles. This issue could logically fit into the sections devoted to ensuring military security, preparing for the armed defence of the Russian Federation,

<sup>1</sup> Military Law. Under the gen. ed. of A. N. Savenkov, A. V. Kudashkin. Volume I. History and theory of military law (with a preface). Moscow, LLC «Center for legal communications», 2021, 560 p.

<sup>2</sup> Military Law. Under the gen. ed. of A. V. Kudashkin, V. K. Aulov, V. V. Baranenkova [et al.]. Volume II. The current state of military law (institutions of military law). Moscow, LLC «Center for legal communications», 2021, 888 p.

<sup>3</sup> Military Law. Under the gen. ed. of E. A. Glukhov, V. M. Koryakin, A. V. Kudashkin [et al.]. Volume III. Main problems and promising directions of military legal research. Moscow, LLC «Center for legal communications», 2022, 712 p.





mobilisation, registration and conscription work, the legal regime of the property of military organisations, and the regulation of various types of special administrative and legal regimes.

The most acute are the problems of accounting, preparation for transfer, the actual transfer of equipment to both legal entities and individuals, its further use and return, as well as payment of compensation in case of damage or destruction.

It should be noted that the transport theme closely intersects with the problems of military law. This also applies to issues of legal regulation of various types of support, including medical, mobilisation readiness, military transportation, and a number of others. Some authors of the monograph have already considered various issues of ensuring transport and fuel safety [12–14], its medical aspects

[15; 16], including the role of transport in the spread of mass diseases and their impact on functioning of the transport system on a global scale [17–19].

As has been repeatedly emphasised, the need for legal knowledge for employees of the transport sector can hardly be overestimated [20; 21]. In this regard, the possibility of preparing training programs based on the published monograph for the purpose of teaching military legal foundations, both in institutions of secondary vocational education and in higher educational institutions, including those training future transport employees.

In conclusion, it seems possible to emphasise that the monograph «Military Law» is a fundamental theoretical work that will undoubtedly enjoy a well-deserved interest among the a wide range of readers.

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### Information about the authors:

**Glushachenko, Sergey B.**, D.Sc. (Law), Professor at Herzen State Pedagogical University of Russia, St. Petersburg, Russia, [sglushachenko@mail.ru](mailto:sglushachenko@mail.ru).

**Zelepukin, Roman V.**, Ph.D. (Law), Associate Professor at Derzhavin Tambov State University, Tambov, Russia, [lexcomlex@yandex.ru](mailto:lexcomlex@yandex.ru).

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