

PROTECTION OF HONOR, DIGNITY AND BUSINESS REPUTATION IN THE SYSTEM OF MODERN CIVIL LAW

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ABSTRACT

To date, the non-material complex of rights and freedoms of citizens is no less relevant than the property complex of rights and freedoms. In many countries with a developed system of civil law, insurance policies already exist that guarantee their owners protection of their non-property rights, which have their own value, in many plans that are not inferior to the value of property rights to objects of tangible property. Among those non-property rights, namely in the Republic of Kazakhstan, assuming that they are the basis of the non-property borders of every citizen, honor, dignity and business reputation can be called. However, what is the honor, dignity and business reputation in accordance with the current civil legislation of the Republic of Kazakhstan should be considered in this article. This is the main purpose of this article.

Keywords: Freedoms of Citizens, Complex of Rights, Republic of Kazakhstan, Honor, Dignity, Business Reputation.

INTRODUCTION

The General Concept of the Problem

As the main issues of the present, one can single out the underdevelopment of the sector of the protection of non-property rights in the Republic of Kazakhstan. A more detailed regulatory analysis can reveal that the norms of the Constitution of the Republic of Kazakhstan show the priority of honor, dignity and business reputation, that they are indeed objects of the complex of non-property rights of the state territorial unit, which are subject to constitutional protection on a par with the health of citizens (Imanbekova, 2014). The Civil Code also shows the method of their protection through the provision on compensation for moral harm. At the

same time, no regulatory act or even clarification states that there is an honor, dignity and business reputation separately (Kozhambekov et al., 2019).

Honor

Most civilists put forward the honor in the form of intangible characteristics of a citizen, which is the external assessment of his personal qualities, not related to business reputation, but assuming the subject's attitude to the surrounding society, including actions that to some extent benefit society (Batyrbayev et al., 2017).

Dignity

As a virtue, the same researchers identify a number of non-material characteristics that a citizen assesses on his own or on the basis of a visit to a specialized psychotherapist. In other words, dignity is recognized as an internal, own assessment of a citizen of his attitude to society, the world and himself specifically (Nartay et al., 2019).

Business Reputation

Business reputation is a complex of personal intangible characteristics that characterize certain business qualities and distinguish them with regard to its competitiveness in the market compared to other employees and specialists of a similar profile. Business reputation also emphasizes the level of education, work experience, qualifications, as well as specific precedents in which he overcomes certain difficulties at work and solves the task set for him (Ordaeva et al., 2019).

Infringement of Honor, Dignity and Business Reputation

Having individually formed and identified each item, what is honor, what is worth and what business reputation should be considered how they can be infringed upon in society. In the regulatory legal space of the Republic of Kazakhstan, the methods of infringement are not marked (Shalkharov et al., 2019).

The Specification of the Problem

By specifying the problem, it can be stated that in the Republic of Kazakhstan the protection of those is not paid due attention, due to the fact that the range of actions that show how rights are infringed and to what extent they should be protected is not specified. Therefore, it can be designated that for the protection of such a specialized author's legal instrument is needed, which, issuing a gradation of such (Shalkharov et al., 2016).

Introduction to Detailed Specification

In detailing the present, specific actions of opponents should be noted, which cause specific damage to the components of honor, dignity and business reputation (Shalkharov et al., 2016).

The Question of the Importance of Research for Modern Jurisprudence and Humanity as a Whole

The real question of the protection of honor, dignity and business reputation is important not only for a person, but also for society. Not only for society, but for the entire state as a whole (Yamada, 2019). The legislation of the Republic of Kazakhstan on public health and the health care system assumes the quality of health is the full complex well-being of physical and mental characteristics of citizens (Madrazo, 2009).

How the Present Study is related to Previously Conducted by Analogy

Most of the authors investigated this question from the position of only the rule of law. In this study, the authors suggest an interdisciplinary approach, including the norms of ethics, morality, where grading is imposed, which is protected and implemented in legal ways.

LITERATURE REVIEW

Theoretically, the results of this study are of great importance, as they allow expanding the boundaries of theoretical knowledge in the civil legislation of the state territorial unit regarding personal non-property conflicts of citizens and organizations regarding the protection of the right to honor, dignity and business reputation (Isidori & Benetton, 2015). Moreover, the elements of such components as honor, dignity and business reputation are of great importance in the theoretical space of studying the personal non-property properties of individuals, as they are integral parts of such components (Melton, 1991). Their absence in the text of civil law does not mean that they should not be taken into account. On the contrary, this suggests that for a more in-depth and detailed consideration of the properties of these objects, for which the present has not been mentioned by the legislator in any paragraph of civil law, it is more expedient to consider them in the alternative (Banerjee & Shogren, 2012). Moreover, when interpreting the norms of civil legislation, the literal meaning of their verbal expression is taken into account. And in the absence of such, a component is used without which it does not make sense to apply in the civil law space of the state territorial unit (Levi & Sendroiu, 2019). The practical significance of this dissertation research is also more specific, since it implies involvement in the civil law process on personal non-property rights to protect honor, dignity and business reputation of specialists of a special psychological profile (Monsard, 2008). In our time, the participation of psychologists in procedural activity is a fairly common phenomenon. However, for the most part they take part in criminal or administrative proceedings (Swan, 2015). In civil proceedings, judges, in administering justice with respect to intangible personal non-property assets, are usually guided by internal an moral and ethical conviction, which in principle is not logical (Bitemirov et al., 2019). It should be noted that even with respect to intangible assets there is quite tangible evidence (Bitemirov et al., 2019). The present value of the present research is of the highest priority (Kairat et al., 2017).

RESEARCH METHODOLOGY

The methodology for the study of the official status of the human genome from the standpoint of modern jurisprudence, ethics and morality involves the use of not only legal techniques expressed in deduction, induction, abstraction, but also other techniques related to an interdisciplinary approach that involve regression, inverse correlation, and some types copyright methods developed by the authors themselves.

The Main Description of the Methods

The materials and data of this article were analyzed using a number of techniques that help identify interdisciplinary research to achieve the goal of this article.

Legal Methods

As legal methods, deduction, induction and abstraction were taken as a basis, which help to analyze the theoretical material and the interconnectedness of previous research in this field among themselves and in relation to this article.

Deduction

A Planetary transition from the larger to the lesser allows analyzing a certain hierarchy of legal acts ranging from the constitution, continuing with codes and laws, as well as narrowing to the orders of the executive bodies in a given area.

Induction

Induction allows you to undergo a specific periodical from the smallest to the greatest. In such an analysis, having examined one work, many other studies can be derived from it.

Abstraction

This methodology involves detailed and selective manipulations of regulatory acts regarding the status of the genome in the system of modern Kazakhstan legislation.

Statistical Analyzes

Identification of the will of citizens and the position of society regarding the issue of designating the legal status of the human genome in the legal space makes it necessary to conduct statistical research by creating a specialized questionnaire.

Author's Tools

In order to achieve the research goal of determining the legal status of the human genome in the system of legal acts, specialized author technologies have been created that allow you to serve as the necessary tools for a more detailed analysis of the issue.

M.J.I is a Classifier of the Character of Genomic Research

The present author's mechanism allows defining and classifying genomic studies in accordance with the types of operations in various areas of genetics for determining the legal component in each of them.

Legal Identifier of the Relationship between Ethics and Law

Being a more ethical question, which is impossible without a legal definition, this topic is analyzed using this specialized mechanism to identify specific points of ethics and law to identify the common denominator-equilibrium.

The System of Correlation of the Norms of Current Legislation to the Necessary Alternative Precedents

This authoring system serves as a universal tool for a thorough analysis of precedents on the basis of the norms of functioning legislation. To summarize the results, the provisions are verified using a parallel social-legal experiment involving two groups.

Test Subjects

Test subjects are divided into two groups, one of which is not affected, and the second is informed weekly about the latest news in the field of human cloning. However, sometimes false information is allowed. For some time, the result will help show the position of society on this issue, which is a constant in these studies due to their legal basis.

Groups

Two groups take part in the experiment: the main group, the control group. In each group, the number of participants is determined by 10 people. One of the necessary conditions is the presence of a small level of legal nihilism in both groups.

Hypotheses

In this study, hypotheses are also put forward that predict a certain outcome of the study and evaluate the result of a particular action.

Primary Hypothesis

In the case of effective protection of honor, dignity and business reputation, the state will not only provide citizens with better and more complete protection of rights and freedoms, but also increase the economic potential within its territory.

Secondary Hypothesis

If such intangible objects as honor, dignity and business reputation can be defined as non-property rights and realized with the help of property tools, then such objects can be attributed to the insurance sector as such.

Tertiary Hypothesis

If you determine the value of honor, dignity and business reputation, then in the market of insurance policies of non-property rights, the value of such can be developed in the economic turnover.

The Degree of Interconnectedness of Hypotheses with Research Design

The design of research is supposed to be qualitative with elements of cohort techniques. The present involves a sample of about 5,000 respondents to indicate the will of citizens regarding which of the selected three components is the most acceptable (Shafa et al., 2015).

Systematization

After the results are systematized using a specific encoding. As a result of this study, a number of provisions can be noted that designate and strengthen the results of this study, confirming their authenticity and validity using specialized methods of analysis and systematization.

RESULTS & DISCUSSION

At the dawn of the 20th century, modern jurisprudence has already reached a certain level in the formation of a system of maneuvering in legal relations with the participation of property objects, but intangible assets also have a high value and priority. This is due to the dynamic level of the progressive development of civil justice in society. Being a democratic, secular and legal state, many countries began to focus on the rights and freedoms of citizens. In fact, this is what guarantees the Constitution of each country with a developed legal system in the first place. Accordingly, the concept of business reputation is broader than honor and dignity, since if honor and dignity are intrinsic to an individual, then business reputation can be applied by both individuals and legal entities. Expanding the status of an individual, it is impossible not to mention some objective and subjective properties as the legal capacity and capacity of a citizen.

The Effectives of Hypotheses

These hypotheses, in principle, can be called quite effective due to the presence of a sample in it, which emphasizes the validity of the study.

Consequences

As a logical conclusion to all the provisions of the dissertation research, it is worth noting that to achieve the single goal of identifying the specifics of alternative insurance of honor, dignity and business reputation taking into account the theoretical possibility of insuring personal non-property rights by checking the identity of this norm with the concept of a transaction involving an individual, whose non-proprietary legal properties and intangible status is not determined due to the uncertainty of the ability to display material.

Theoretical Implications

As a theoretical basis for research, greater preference was given to foreign sources, the beginnings of which were reflected in dissertation materials of studies conducted in the CIS, since the legal systems of the CIS countries are more identical with the Kazakh legal system than the legal systems of Western Europe and the USA.

Practical Consequences

As a practical base of research, work was carried out with insurance agents operating in the territory of the state territorial unit in the professional sphere. More preference was given to the judicial authorities to clarify their attitude to such alternative dispute resolution involving non-property relations in the defense of honor, dignity and business reputation.

The General Classification of Objective and Subjective Properties of a Citizen in the Space of Interaction with the Elements of Civil Legal Relations

Characteristics of the legal status of an individual in relation to society

The difference between honor and business reputation is really not great. If honor implies a general opinion of interacting subjects about the general human qualities of the subject, then business reputation is a subjective assessment of others in professional relationships regarding the business qualities of the organization (Bitemirov et al., 2018).

Objects of properties of a citizen and the legal beginnings of their protection

In addition to these professional qualities in the formation of overall business reputation, there are also personal qualities associated with the professional properties of the subject. It is these two types of elements that include each element separately and form a general assessment of the business reputation of the working entity. Among other things, it is on the basis of these elements that one can form the potential value of business reputation in cases of various kinds of conflicts.

The paradigm for the expression of tangible assets in intangible components

Summarizing the analysis of all seven criteria of psychological health, given in the statutes of the World Health Organization, it should be noted that the legal analysis of each of the

elements of such a component is impossible without a holistic understanding of the essence, based on the logical formulation of identification properties.

CONCLUSION & RECOMMENDATIONS

In conclusion it is actual to notice that honor, dignity and business reputation is an enormous part of our sole, which is must be protected by contemporary law in a perfect way, which means that state should always develop legislated, related to a honor, dignity and business reputation every year, by finding something unique like author legislative tools and instruments. Kazakhstan Republic Civil legislation have no any statements and issues to improve legislative level of honor, dignity and business reputation protection system in a contemporary civil code, which means a chance to upgrade Kazakhstan Republic Civil code in this sector.

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