

Oleksandr L. Khrystov. Problems of defining the concept of "public" in present jurisprudence. The article deals with problems of defining the concept of "public" in present jurisprudence. The the article's objective was to clarify the problems of defining the concept of "public" in present jurisprudence and to provide an understanding of this term.

The author notes that today there is inconsistency of legal regulation, as well as arbitrariness, inequality and substitution of concepts in the application of this term both in different and within one branch of jurisprudence. The preparation of most legal acts on the participation of "public" in legal relations takes place without proper legal understanding of this term, the concept of which is not defined at all in the current national legislation. The conceptual and categorical apparatus of legal sciences due to the lack of definition of "public" in the legislation is based on arbitrary representation and does not reflect the unity of the aggregate features of this category. Its understanding by scholars through the prism of related (generic) legal concepts do not give an accurate meaningful reflection. Selective, and sometimes chaotic and unsystematic reference of legal scholars to philosophical, sociological, political, psychological and other sources of scientific knowledge about the essential characteristics of "public" in research on its place and role in legal relations indicate the lack of established conceptual approaches in today's jurisprudence. Scientific inferences of legal scholars about this social institution are often reduced to the definition of the concept by identifying selective characteristics (features) without a comprehensive understanding of this phenomenon.

The author has concluded that the "public" in jurisprudence should be understood as both individual citizens and their associations, which have a high level of legal consciousness and legal culture, as well as the basis of beliefs and ideology which are the building of the legal state and civil society.

The author suggests to abandon in the theory of operational-search activities from the use of the concept of "public" as a category of operational-search activities forces, because: first, "public" is an abstract concept in contrast to other categories of operational-search activities forces, including law enforcement agencies operational units, secret full-time and part-time agents who have legal status; secondly, the public takes part in various branches of society, which are not characterized by the focus on assisting operational units in combating crime.

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