



Asesorías y Tutorías para la Investigación Científica en la Educación Puig-Salabarría S.C.
José María Pino Suárez 400-2 esq a Berdo de Tejada, Toluca, Estado de México. 7223898479
 RFC: ATI120618V12

Revista Dilemas Contemporáneos: Educación, Política y Valores.

<http://www.dilemascontemporaneoseduccionpoliticayvalores.com/>

Año: VII Número: 1 Artículo no.: 124 Período: 1 de septiembre al 31 de diciembre, 2019.

TÍTULO: Doctrinas jurídicas estatales de Rusia como categoría científica: dimensión esencial y libre de leyes.

AUTORES:

1. Ph.D. Evgeny A. Apolsky.
2. Ph.D. Andrey Yu. Mordovtsev.
3. Ph.D. Alexey Yu. Mamychev.
4. Ph.D. Tatyana V. Mordovtseva.

RESUMEN: El artículo discute las doctrinas legales estatales rusas como una categoría científica con un conjunto de características específicas. Los autores analizan las definiciones de doctrina jurídica ofrecida en el discurso político y jurídico ruso, y sobre esta base, presentan sus propias definiciones de doctrina jurídica y doctrina jurídica estatal. Los resultados de la investigación son de importancia decisiva para la historia de los estudios políticos y jurídicos, la teoría general del derecho y la filosofía del derecho, pero al mismo tiempo, pueden utilizarse en otras áreas de la ciencia jurídica (incluida la rama).

PALABRAS CLAVES: doctrina legal, ciencia de la ciencia, Doctrina estatal-legal, Dimensión ontológica.

TITLE: State-Legal Doctrines of Russia as a scientific category: essential dimension and Law-Free¹.

AUTHORS:

1. Ph. D. Evgeny A. Apolsky.
2. Ph. D. Andrey Yu. Mordovtsev.
3. Ph. D. Alexey Yu. Mamychev.
4. Ph. D. Tatyana V. Mordovtseva.

ABSTRACT: The article discusses the Russian state-legal doctrines as a scientific category with a set of specific features. The authors analyze the definitions of legal doctrine offered in the Russian political and legal discourse, and on the basis of this, they put forward their own definitions of both legal doctrine and state legal doctrine. The results of the research are of decisive importance for the history of political and legal studies, the general theory of law, and the philosophy of law, but at the same time, they can be used in other areas of legal (including branch) science.

KEY WORDS: legal Doctrine, science of science, State-Legal doctrine, ontological dimension.

INTRODUCTION.

Legal doctrines, as a form of expression of research thought, as a result of reflection, reflection of various state-legal institutions, have been successfully studied for a long time by representatives of various branches of the humanities, taken as the basis for building a legal picture of the world, analyzed as an objectified source of law in all legal systems of the world. Confirmation of this can be found both in the domestic legal discourse [1,8,9,15] and in the works of foreign researchers (teachings there are usually associated with the doctrine that is widely understood) [2,3,4,5,6,7].

¹ This study was carried out with the financial support of the Russian Foundation for Basic Research in the framework of the research project No. 17-33-00034.

If we take legal doctrines as a material for scientific research (primarily aimed at finding patterns in the development of Russian theoretical jurisprudence), the essential analysis is already the essential analysis of the scientific texts themselves, their place in the total amount of legal knowledge, external and internal determinants of their genesis and evolution.

This article will discuss state-law teachings of Russia in the 19th and early 20th centuries, the main goal being the disclosure of the ontological characteristics of the latter, since only in this way can they be fully, effectively and objectively used in the heuristic process.

DEVELOPMENT.

Methods.

The present study is due to the need to solve a number of heuristic tasks on the way to achieving the ambitious goal we set earlier: to conduct a general theoretical assessment of the specificity of subject areas and the substantive features of Russian state-legal teachings of the XIX - early XX centuries taken in the trinity of the external form of their expression (dissertations, monographs and scientific articles). State-legal studies presented in monographic and dissertation research of well-known domestic jurists, as well as in periodical scientific publications in the Russian press of the XIX - beginning of the XX centuries, were chosen as the object, and the development of the state-law teachings of Russia of the XIX - beginning XX century. The ratio and development in them of history, theory, philosophy and sociology of law, as well as the classification of the forms of scientific knowledge presented in these exercises depending on the contentions and forms of external expression.

Naturally, in order to talk about the patterns of development of a particular phenomenon or institution, first of all it is necessary to determine the concept and main features of the latter. And if we talk specifically about the state-legal teachings of Russia of the specified period, it turns out that

mentioned in a huge number of times, they remain insufficiently developed in the conceptual and essential dimension.

So, to clarify the signs and the wording of the definition of the concept of “state-legal teachings of Russia”, the following research methods were used. First, the combination of chronological, problem-theoretical, historical-legal, legal-hermeneutic and comparative-legal methods was used in the process of assessing the historical development of state-legal doctrines, identifying common and specific features of state-legal doctrines expressed in various forms (monographs, theses, articles of the periodical press). Secondly, the formal logical method is used as a tool for the semantic analysis of legal texts. Finally, thirdly, when assessing the general significance of state legal studies for the development of modern legal science, a systematic approach was used.

The combination of these methods and their application in relation to the Russian state-legal doctrines of the XIX - early XX centuries allowed to understand the nature and characteristics of the desired phenomenon.

Results and discussion.

In the pre-revolutionary encyclopedic literature, teaching, as a generic concept, was not revealed; the dictionaries contained only indications of various types of teachings. At the same time, the category “teaching” was unequivocally identified with the concept of doctrine. So, in the Big Encyclopedia edited by S.N. Yuzhakov doctrine (lat. Doctrina) - “teaching, science” [12, p. 613], and in the explanatory dictionary V.I. Dahl already the doctrine is understood as “the doctrine, theory, system” [26, p. 1139].

The specific definition of the teachings is given by V.S. Nersesyants, reflecting on the subject of the history of political and legal studies and the place of this science in the system of legal sciences and legal education. He notes that the teachings should be understood as “essentially various forms of theoretical expression and fixation of historically emerging and developing knowledge, those

theoretical concepts, ideas, positions and constructions in which the historical process of deepening the knowledge of political and legal phenomena finds its concentrated logical and conceptual expression" [18, p. 1]. It is important that "in principle, various fragmentary, not developed to the level of independent and original theory, statements and judgments of various thinkers, public and political figures, writers, poets, etc., remain outside the subject of history of political and legal doctrines. About political and legal phenomena, although, of course, such provisions can be very deep and interesting" [18, p. 1].

Successfully expressed and A.V. Nesterov, meaning by the doctrine "a set of theoretical views (hypotheses) of at least one researcher in at least one research field" [24, p. 30]. In such a context, a teaching that contains at least one proven hypothesis (theoretical construction) is recognized by Nesterov with the property of science.

V.V. Lazarev declares that "conceptualized, more or less systematized, original views and ideas" can be considered to be worthy of the name "teachings" (and components of the subject matter of the history of political and legal teachings) [20, p.20]. At the same time, such "expanded" teachings must contain four elements: the substantive part (where a solution is given to a specific issue of law and the state), the presentation form (monograph, political pamphlet, bill, etc.), the methodological (ideological) part and software evaluation part (containing assessments and conclusions, recommendations for the future) [20, p. 18-19]. This point of view on the characteristic of the main features of a legal doctrine may be taken as the basic one in our study, but with one caveat: the form of presenting legal doctrines should be specified in a slightly different way, and along with the monograph, the dissertation and a scientific article should be also included. The political pamphlet suffers from one-sidedness and fragmentary content, and the bill, perhaps, should be attributed to the forms of realization of legal doctrine, to its praxeological result.

Analysis of pre-revolutionary, Soviet and post-Soviet scientific and reference books shows that in the absence of basic research on the essence of the doctrine, legal scholars in most cases understand certain doctrines, the specific characteristics of which differ depending on the goals and views of various researchers; for example, the doctrine in the Great Soviet Encyclopedia is understood as “a doctrine, scientific or philosophical theory, a political system, a guiding theoretical or political principle ... or a normative formula” [11, p. 403].

The philosophical encyclopedic dictionary treats the term “doctrine” (lat. Doctrina - doctrine) as “systematic political, ideological or philosophical doctrine, concept, set of principles” [27, p. 143]. The Big Legal Encyclopedia understands the doctrine as “the fundamental principles that determine actions in the performance of the tasks” [10, p. 219].

Similarly, and O.E. Leist identifies doctrine and doctrine, saying that “the subject of the history of political and legal doctrines is mainly the theoretical layer of political and legal consciousness, that is, that part of it, which is expressed as theoretically formulated into a doctrine (teaching) views on the state, law, politics” [19, p. 3]. He argues that the political and legal doctrine is "expressed in the system of concepts and categories of state and legal reality of the era" [19, p. eight]. The content of the political and legal doctrine is “its conceptual and categorical apparatus, the theoretical solution of the general problems of state and law, an extensive and complete frame of reference, based on categories that have a pivotal, key character in this doctrine” [19, p. 14].

Similarly, the structure of the doctrine (according to Leist) can be considered as the structure of the doctrine: “the political-legal doctrine includes three components: 1) a logical-theoretical, philosophical or other (for example, religious) basis; 2) expressed in the form of a conceptual-categorical apparatus meaningful attempt to resolve questions about the origin of the state and the laws of their development, the form, social purpose and principles of the state, the basic principles

of law, its relationship with the state, the individual, society, etc.; 3) program provisions - assessments of the existing state and law, political goals and objectives” [17, p. 2].

The structure of the state-legal doctrines also applies to N.B. Komova, arguing about the state-legal doctrine of domestic conservatives. According to her, this doctrine “focuses on the development of Russian statehood on the basis of preserving its own identity and includes theoretical, methodological, conceptual, legal, and software and applied elements formed during the evolution of national legal and political life, as well as intercivilizational dialogue, defining whose species are Russian-Byzantine and Russian-European” [21, p. 16-17].

Sometimes in the works the concept of “teaching” is replaced not only by the term “doctrine”, but also by other close, although not identical, verbal designations. So, E.I. Marchenko, analyzing the idea of sovereignty in the state-law exercises of the Russian conservatives of the second half of the XIX - XX centuries, identifies three components (religious and philosophical basis, symbolic and substantive-categorical component, as well as program provisions aimed at implementing the theoretical content of political and legal doctrines sovereignty) of conservative concepts of sovereign power, in effect replacing the generic concept of political and legal doctrine (doctrine) by this [23, p. 8].

Let us turn further to the consideration of the category “doctrine” in the scientific and legal discourse. L.V. Goloskokov in the qualification work “Political and legal doctrine as a sociocultural phenomenon” refers political and legal teachings to “the number of historically established forms of knowledge about the political and legal reality” [14, p. 10] and defines them as “the diversity of various forms of theoretical, methodological expression of those conceptual approaches and ways of understanding the political and legal reality that historically formed within the framework of the study of politics and law from the standpoint of philosophy, jurisprudence, sociology, political science, etc., inscribed in a sociocultural context ” [14, p. 10].

“Political and legal doctrines”, the author continues, “are understood to be all sorts of forms of historically emerging and developing knowledge of politics, law, the state, theoretical concepts, ideas, propositions and constructs in which the historical process of knowledge of political and legal phenomena is fixed” [14, p. 33].

Noting the insufficient development of questions about “political and legal doctrine as a phenomenon of legal culture, the relationship of political and legal doctrines with other elements of political culture, political and legal reflection as the most important component of the cultural process” [14, p. 5], Goloskokov, depending on the conceptual ratio of components, classifies political and legal studies into “philosophy of politics and law and theory of politics and law” [14, p. 33].

“The theory of politics and law acts as inductive knowledge, derived from the achievements of specific political and legal sciences, while the philosophy of politics and law is formed as deductive knowledge of politics and law, derived from more general world outlook. Inductive-empirical political and legal constructions as types of theorizing are formed on the basis of varying degrees of generality and initial principles, reflections on political and legal realities are based on considerations of common sense, within which the provisions of everyday rationality, having the basis of worldly wisdom, rise to the level of theoretical generalizations” [14, p. 34].

As a method of “expressing agreed positions of scientists on topical issues of legal regulation” he understands the legal doctrine of R.V. Puzikov, adding that “legal doctrine is a special legal phenomenon, which is characterized by the language of presentation of legal ideas and constructions peculiar only to it, specific ways of formulating its provisions (axioms, principles, presumptions, definitions, etc.), as well as the non-documentary form their expressions... Legal doctrine is the result of professional scientific activity, which indicates its fundamental nature and ensures the corresponding functional purpose” [25, p. 8].

The distinction of R.V. Puzikov's types of legal doctrines on content (“general legal doctrine (doctrine of positive law), legal doctrine of a separate branch of law, legal doctrine of a separate legal institution”), as well as on the source of formation (“legal doctrine itself and legal doctrine of the state”) [25, p. 8], speaks of a broad understanding of legal doctrine, the content of which covers the totality of the teachings of various authors within one legal institution, industry, law in general) and cannot be taken as an approach to understanding the teachings in this study.

A similar "broad" approach to also uses the idea of “legal doctrine” as an objectified source of law in all legal systems of the world. Vasiliev, saying that “legal doctrine is a system of ideas about law, expressing certain social interests and determining the content and functioning of the legal system and directly affecting the will and consciousness of legal entities, officially recognized by the state by reference to the works of authoritative law experts in legal acts or legal practice because of their authority and generally accepted” [13, p. 8]. The properties of legal doctrine as a source of law are distinguished: “authenticity, validity, common acceptance, flexibility, accessibility to legal entities and law enforcers, credibility, voluntariness of action, individuality, prognostic and regulatory qualities. Legal doctrine, the author adds, has a number of flaws - the abstractness and generalization of the language, the danger of reflecting the legal doctrine of narrow social interests and corporate claims, rationalism and possible errors in understanding the law” [13, p. 9].

E.O. Madaev assesses the doctrine in the regulatory and legal dimension: “Legal doctrine is a relatively independent, complex (multidimensional) element of the legal system of the state, which is a scientifically based, authoritative views and theories about the other elements of the legal system and law and directly regulatory capabilities. The doctrine actually influences law-making and law-implementing practice, including as a source of law” [22, p. 11-12].

Understanding the doctrine as a source of law is justified in the qualification work of A.A. Zozulya, who studied “the role and place of legal doctrine in all its aspects in modern law from the point of view of its regulatory role and normative potential and taking into account the specifics of this legal phenomenon in the main legal families” [16, p. 38]. Drawing attention to the fact that in Russian jurisprudence “there are practically no fundamental theoretical works directly addressed to the study of the very category “legal doctrine” as a backbone element of the legal system” [16, p. 3-4], A.A. Zozulya offers his definition of the sought-after concept: “Legal doctrine is a general legal category integrating a set of legal and scientific interpretations and judgments about positive law, within the framework of which legal cognitive forms of knowledge of law and legal phenomena, principles, concepts, terms, constructions are developed and substantiated , ways, means, methods of understanding and interpreting positive law: its sources, systems, structures, actions and applications, violations and restoration” [16, p. 9-10].

The author speaks about recognized legal doctrines, which, in his opinion, is due to the embodiment of the “theoretical structures that form it into the legal component of state policy, current legislation, normative and casual legal interpretation of legal norms” (recognition by the state), as well as orderliness of “contradictory, often chaotic empirical material about law in the interests of giving it a holistic and internally consistent character and forming a retrospective, acting silt prognostic legal and logical model of positive law “(recognition by the legal community)” [16, p. 10].

Similar (and completely fair) conclusions with regard to legal doctrine, as it seems, cannot be taken as the basis for understanding the essence and features of state legal doctrines, since in the 19th - early 20th centuries. There was only the formation of a complex of such doctrines, some of which were recognized by the scientific community and (rarely) by the state, some of them experienced a consolidation stage in science as a proven doctrine.

We also highlight the successfully found A.A. Zozulya semantic “hypostasis” of the concept of “doctrine”: a philosophical system of views on a particular area of social being, a way of understanding and interpreting certain social phenomena; theoretical or political guiding principle; the main idea, design, synonym for the concept of “concept” [16, p. 17-18], as well as the characteristics of the “doctrine”: “scientific; fundamental nature; consistency and logical completeness” [16, p. 23]. The author also proposed to understand the “legal doctrine” as a three-tier system of categories: “Firstly, in the general legal aspect, legal doctrine as a whole should be understood as legal science or dominant legal concepts and theories that do not have a direct regulatory and regulatory impact on legal relations. Secondly, in a specially-legal sense, the doctrine is the doctrinal texts of recognized legal specialists, containing specific rules of conduct, which are the source of legal norms. Thirdly, in the state-legal aspect, the doctrine is in one form or another officially recognized state document of a conceptual nature” [16, p. 34].

Given the proposed A.A. Zozulya category system, it is important to emphasize that the doctrine in the light of its perception as a legal doctrine, cannot be “legal science in general or the dominant legal concept and theory that does not have a direct normative regulatory effect on legal relations”, or “the doctrinal text of recognized specialists in the field of law, containing specific rules of conduct, which are the source of legal norms”. Under the doctrine as an identical legal doctrine, a concept must be understood, first of all, something in between, namely: *scientific texts of recognized experts in the field of law, containing concrete conclusions and solutions to legal problems that can serve as a source in the law-making process*. This definition, respectively, fully applies to the category of “legal doctrine”.

CONCLUSIONS.

Understanding legal doctrine as a legal doctrine in the narrow sense of the word (scientific text of a recognized specialist in the field of law, containing specific conclusions and solutions to legal

problems that can serve as a source in the law-making process) allows methodologically sound use of the works of Russian state scholars expressed in the form of dissertations, monographs and scientific articles. With regard to the latter, of course, the following criteria should be met: *scientific nature; fundamental nature; consistency and logical completion.*

After the delimitation and definition of the generic concept “legal doctrine”, the content of the concept “state-legal doctrine” should be clarified. It is clear that the inclusion in the scope of this concept of all texts that meet the above criteria (features), one way or another affecting or relating to law and the state, or some of their aspects, should be accompanied by a decrease in the content of the concept (which seems methodologically incorrect from the point of view of efficiency and objectivity their analysis).

It seems that the most correct way in this plan is to refer to the state-legal texts (legal doctrines), which either: a) are formally “tied” to the relevant scientific specialty (in pre-revolutionary Russia it was a specialty, or “category of sciences” known as “State law”), used in the system of awarding academic degrees (and then these texts will be master's and doctoral dissertations on state law, defended at universities of the Russian Empire in the XIX - early XX centuries.), or: b) directly related (have a common object and the corresponding subject of study) with the structure of the pre-revolutionary science of public law.

In this case, the state-legal doctrines should be understood scientific texts of recognized experts in the field of pre-revolutionary state (constitutional) law, containing specific conclusions and solutions of state-legal problems that can serve as a source in public law-making process, having an external expression in the form of dissertations, monographs and scientific articles, and meeting the criteria of scientific, fundamental, systematic, logical completion.

The next problem that arises when working with state-legal doctrines (regardless of the period of development of science, geographical and regional geographic belonging) is the complexity of the substantive selection of the latter from the whole mass of scientific and legal information characterizing and filling the corresponding discourse. So, it is not clear at first glance which of the published legal texts of state-legal content (which meet, of course, the previously mentioned criteria) should be included in the circle of the object of scientific research. Historians of the right of the Russian Empire, for example, have developed a huge empirical base concerning various historical and legal aspects of the genesis and development of specific state-legal phenomena: authorities, power relations, elements of the legal system (factual material, historical reviews and excursions into evolutionary processes and much more). Obviously, such (documentary, factual, fundamentally) knowledge cannot (and there is no such necessity) serve as material for scientific research, the construction of general theoretical laws, concepts, etc. Such information was used by state scholars to create their own legal doctrines.

Consequently, to achieve the goal we set at the beginning of the article, it should be used precisely those works that were the result of understanding (less often - reflection) of various problems, issues and aspects within the framework of the science of state (constitutional) law of the Russian Empire. It is this criterion, in our opinion, that should be used when conducting scientific research when analyzing the structure, methodological principles, laws and explanatory mechanisms of the objective (objective) theory (in our case, the complex of legal teachings).

The reverse principle, which implies the integration into the circle of a research object of all available knowledge (including published essays, essays, brief notes in the periodical legal press, textbooks, textbooks, political pamphlets), will lead to a zero result due to the fallacy (uncertainty) of the research object.

In this regard, it is important to determine the level of scientific reflection: where the researcher performs theorizing, it is possible to talk about the prerequisites for the birth of legal doctrine. In the case when this is not observed, the results of search scientific activity cannot be the object of analysis. Such philosophical-cognitive categories such as abstractness and the generalizing nature of the teaching should serve as appropriate criteria (theoretical statements should distance themselves in a certain way from a set of specific phenomena, events, facts, abstract from detailing, which in itself can be interesting to the researcher). Well-taken abstractness and generalization should not at all eliminate the very possibility of combining theoretical works with empirical research, express “legal theorizing” in various forms, and fill it with diverse content.

Thus, it is the increase in the content of the concept of “state-legal exercises” that allows one to form the necessary volume, with which it is possible to work effectively in the future by conducting a scientific analysis of this most interesting phenomenon.

BIBLIOGRAPHIC REFERENCES.

1. Apolsky, E., Baranov, P., Mamychev, A., Mordovtsev, A., & Ovchinnikov, A. (2017). Doctrinal and legal developments of the state law institutions in the context of the Russian legal mentality (XIX- early XX centuries). *Man in India*, 97(23), 105-113.
2. Card, R. (2002). The legal scholar, *The Reporter: Newsletter of the Society of Legal Scholars*, 25, 5–12.
3. Chynoweth, P. (2006). The built environment interdiscipline: A theoretical model for decision makers in research and teaching, *Proceedings of the International Conference on Building Education and Research (CIB W89 BEAR 2006)*, 10–13 April 2006, Hong Kong Polytechnic University, Hong Kong, People’s Republic of China.

4. Civitarese Matteucci, Stefano, (2014). Some Remarks on Methodology in Legal Studies in the Light of the Challenges that Globalization Poses to Legal Doctrine. *Revista catalana de dret public*, 48,119-133.
5. Hutchinson, T. (2015). The Doctrinal Method: Incorporating Interdisciplinary Methods in Reforming the Law. *Erasmus Law Review*, 3.
6. Smits, J.M. (2015). What is Legal Doctrine? On the Aims and Methods of Legal Dogmatic Research. Maastricht European private law institute working paper, 2015/06.
7. Minow, M. (2013). Archetypal Legal Scholarship – A Field Guide. *Journal of Legal Education*, 63(1), 65-69.
8. Apolsky, E.A., Mordovtsev, A.Yu., & Israpilov, A.A. (2018). The civil process and Roman law in Russia in the XIX - early XX century: the experience of discursive understanding [Text]: a monograph. - M.: RIOR, - 193 p.
9. Apolsky, E.A., & Mordovtsev, A.Yu. (2017). Civil law studies in dissertation research of universities of the Russian Empire [Text]: monograph. - M.: Yurlitinform, - 181 p.
10. Barihin, A.B. (2010). Great legal encyclopedia. (Series "Professional reference books and encyclopedias". - M.: Book World.
11. Great Soviet Encyclopedia. (1972). (In 30 volumes). Ch. ed. A.M. Prokhorov. Ed. 3rd - M., "Soviet Encyclopedia", - T. 8. Debtor-Eucalyptus.
12. Great Encyclopedia. (1896). Dictionary of publicly available information on all branches of knowledge edited by S.N. Yuzhakov. V. 8. Ed. 4th - SPb., Typ. Lit. "Enlightenment".
13. Vasilyeva, A.A. (2007). Legal doctrine as a source of law: historical and theoretical issues: dissertation of the candidate of legal sciences. - Barnaul.
14. Goloskokov, L.V. (2001). Political and legal doctrine as a sociocultural phenomenon: Philosophical analysis: dissertation of the candidate of philosophy sciences. - Stavropol.

15. Grafsky, V.G. (2010). Comparative history of political and legal ideas and views as a scientific problem. *Proceedings of the Institute of State and Law of the Russian Academy of Sciences*, 3, 100-119.
16. Zozulya, A.A. (2006). *Doctrine in modern law: dissertation of the candidate of legal sciences*. - SPb.
17. *History of political and legal studies*. (2006). Textbook for universities / Ed. Dr. legal sciences, prof. O.E. Leist. - M.: Publishing house "Zercalo".
18. *History of political and legal doctrines*. (1995). Textbook for universities. Under the general editorship of Corresponding Member of the RAS V.S. Nersesyants. - M.
19. *The history of political and legal doctrines: Domarxist period: Textbook* / Ed. O.E. Leist. - M.: Legal Lite., 1991.
20. *History of political and legal doctrines: textbook* / resp. ed. V.V. Lazarev. - 3rd ed., Corr. and add. - M.: Norma: INFRA-M, 2016.
21. Komova, N.B. (2012). *Monarchical power in the conservative state-legal teachings of Russia XVIII-XX centuries: dissertation of the Dr. of legal sciences*. - Rostov-on-Don.
22. Madaev, E.O. (2012). *Doctrine in the legal system of the Russian Federation: dissertation of the candidate of legal sciences*. - Irkutsk.
23. Marchenko, E.I. (2009). *The idea of sovereignty in the state-law teachings of the Russian conservatives of the second half of the XIX - XX centuries: dissertation of the candidate of legal sciences*. - Rostov-on-Don.
24. Nesterov, A.V. (2012). *On scientific and qualification criteria // Scientific and technical information. Series 1. Organization and methods of information work*, 8.
25. Puzikov, R.V. (2003). *Legal doctrine in the field of legal regulation: Problems of theory and practice: dissertation of the candidate of legal sciences*. - Tambov.

26. Explanatory Dictionary of the Living Great Russian Language Vladimir Dahl. The fourth revised and greatly augmented edition, ed. prof. I.A. Baudouin de Courtenay. V. 1. - SPb.-M., 1912.
27. Philosophical encyclopedic dictionary. - M.: INFRA-M. - 2009.

DATA OF THE AUTHORS.

- 1. Evgeny A. Apolsky.** PhD in Law Sciences, Associate Professor, Rostov Institute (branch) of the All-Russian State University of Justice. Email: apolski@mail.ru
- 2. Andrey Yu. Mordovtsev.** Dr. habil. in Law Science, Professor, Professor, Department of Theory and History of Russian and Foreign Law, Vladivostok State University of Economics and Service. Professor, Department of Theory and History of State and Law, Rostov Institute (branch), All-Russian State University of Justice. Email: aum.07@mail.ru
- 3. Alexey Yu. Mamychev.** Dr. in political science, PhD in legal science, Prof. Vladivostok State University of Economics and Service, Far Eastern Federal University, mamychev@yandex.ru
- 4. Tatyana V. Mordovtseva.** Dr. habil. in Culturology, PhD Philosophy science, Professor, Professor of the Department of Humanities, Taganrog Institute of Management and Economics. Email: aum.07@mail.ru

RECIBIDO: 5 de agosto del 2019.

APROBADO: 20 de agosto del 2019