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TÍTULO: Historia del estado y derecho de Rusia como un campo de conocimiento científico y un instrumento para la formación de una cultura jurídica.

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RESUMEN: Hechos y eventos básicos de la historia del estado y la ley rusos, que constituyen la parte sustancial de la sociedad rusa, se resumen. Basado en un enfoque sistemático, la ciencia histórica y legal diferencian las etapas de desarrollo del estado y la ley rusos, incluida la etapa moderna de desarrollo, revelándose las leyes y la continuidad de su desarrollo. Las conexiones interdisciplinarias y los rasgos característicos de la historia del estado y el derecho de Rusia como herramienta para dar forma a la conciencia jurídica y la cultura jurídica de la sociedad rusa se revelan. Se concluye sobre el papel de la historia del estado y el derecho de Rusia como una herramienta universal para la formación de la conciencia jurídica y la cultura de los rusos y la necesidad de mejorar la metodología de su enseñanza en las universidades.

PALABRAS CLAVES: ciencia, estado, derecho, metodología de la conciencia jurídica, cultura jurídica.

TITLE: History of the state and law of Russia as a field of scientific knowledge and an instrument for the formation of a legal culture.

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ABSTRACT: The basic facts and events of the history of the Russian state and law, which make up the substantial part of Russian society, are summarized. Based on a systematic approach, historical and legal science differentiate the stages of development of the Russian state and law, including the modern stage of development, reveals the laws and continuity of their development. Interdisciplinary connections and characteristic features of the history of the state and law of Russia as a tool for shaping the legal consciousness and legal culture of Russian society are especially revealed. A conclusion is drawn about the role of the history of the state and law of Russia as a universal tool for the formation of legal awareness and culture of Russians and the need to improve the methodology of its teaching in universities.

KEY WORDS: ciencia, estado, derecho, metodología de la conciencia jurídica, cultura jurídica.

INTRODUCTION.

Actively developing in recent years in the public life of Russia, the processes of modernization proceed, as is known in difficult, and sometimes in extreme conditions. They require modern Russian society, its specific representatives, regardless of nationality, religion, social status of a common culture that provides basic dormitory, as well as a fairly high level of legal awareness. It is it (legal consciousness) in the form of specific legal knowledge and evaluative relations to law that can contribute, according to M.N. Marchenko, the formation and development of the rule of law, ensuring security and social stability in Russian society [1].

The actualization of this task is justified by the fact that large-scale political changes of the 90s of the last century not only had a negative impact on society, public morality, but also to a certain extent distorted the civic consciousness of a significant part of Russian citizens, violating their positive attitude to the state, law, and history, culture. This trend, unfortunately, continues to this day. This is facilitated by the general unfavorable state of the social environment in Russian society, the prohibitively high level of property differentiation of the population, the alienation of people from general cultural and traditional values, and legal norms [15].

As N. V. Nalyvaiko correctly notes, “the transitional state of Russian society to a new phase of its development leads to the fact that sociocultural meanings, stereotypes of activity are, if not completely rethought, then reinterpreted in the changing socio-economic and socio-political conditions [2]. In this regard, one of the most important tasks facing the Russian authorities and society today is the revival of legal values, the strengthening of their status in the public and individual consciousness. And this is the path to the rule of law, the model of which was reflected in the writings of thinkers of different historical eras: in the teachings of Aristotle [3], J., Locke [4], S. Montesquieu [5], E. Kant [6].

In solving this problem, they play not only the strengthening of state institutions, the improvement of the regulatory field and the elimination of contradictions in the legislative body, but also full legal education and upbringing of citizens. Together with moral education, it fulfills the most important functional load in society. It not only carries out the transfer of information about law, and then, in practice, helps to ensure the full interaction of subjects of legal activity.

DEVELOPMENT.

Research methodology.

The research methodology is based on such general scientific methods as analysis and synthesis, deduction and induction, as well as private scientific methods: historical-legal, formal-logical, comparative-legal and others.

The aim of the study is to analyze the history of the Russian state and law as a branch of scientific knowledge and the possibilities of applying its theoretical potential in the formation of legal awareness and legal culture of modern Russian society.

The object of research is the history of the Russian state and law as a science.

The subject of research are:

- 1) Facts and events of the Russian state and the rights of their interpretation and textbook value.
- 2) The methodology and tools of the state and law of Russia as a branch of scientific knowledge in the process of formation of legal awareness and legal culture of an individual.

Study results.

Let us dwell on the main resource features of the state and law of Russia as a branch of knowledge in the matter of legal education and the formation of a legal culture of an individual. At the same time, we note that it is, of course, a branch of scientific knowledge, a science that, based on concrete historical examples, not only formulates certain legal categories - the knowledge that feeds

on a person's legal consciousness, but also supplements them, expanding the emotional-sensual sphere of the person with the help of which he is able to assess the current legal reality.

It is no coincidence that the history of the state and law of Russia, as an academic discipline, has long been included in the curricula of universities in the profile of training "Law".

So, how does the history of state and law of Russia form a legal consciousness? This process proceeds, first of all, from the specifics of the subject of this branch of knowledge, which includes, first of all, legal facts, but at the same time connecting them with the laws of the historical development of Russian society of its social and political institutions.

The history of state and law, if studied systematically in an interdisciplinary context, for example, with the theory of state and law, provides knowledge of the legal life and right culture of not only the peoples who inhabited not only Russia within its modern borders, and its close and distant neighbors, whose Fates historically have been very closely intertwined throughout their history [7]; for example, we can take the East Slavic world, whose historical fate is ambiguous and contradictory.

Nonetheless, the facts speak of the common origin of state and legal institutions within the framework of Slavic tribal unions located in the North and in the middle reaches of the Dnieper. These facts are the initial ones for studying the process of state-legal development of Ancient Russia at the end of the 10th century within the given area [8]. They have deep historical roots, as well as methodological significance for understanding not only the general ethno - cultural origin, but also legal unity based on Russian Truth, the first edition of which dates back to the 11th century. It should be remembered that at the time of the emergence of Russian Truth, Russia was at a higher level of social and economic development than other peoples of medieval Europe [9].

Consequently, the norms of customary law, which were the source of Russian Truth, were distinguished by their uniqueness and originality. This fact alone allows us to talk about a certain peculiarity of Russian statehood, the legal system and, accordingly, legal awareness.

It is also worth noting the active penetration into the legal sphere of the Old Russian state of spiritual traditions that had pagan traditions, and with the adoption of Christianity, deep moral principles. Such features of the Russian, and subsequently with the formation of a centralized state in the XIV-XVI centuries. and Russian legal awareness persisted for a long time. Such features of national legal consciousness did not lose their influence in subsequent centuries.

Such features of formal law as “decree”, “law” continued to play a central role in the legal consciousness of Russians. As the events of Russian history show, such categories of public consciousness, despite their certain archaism, a similar feature was characteristic of European law, which is reflected in the works on the history of customary law by English or American scholars [10]. Since they did not come from parliamentary institutions, they largely preserved public relations, and in many ways supplemented the ideology of Russian statehood, which until 1917 was based on the principles of "autocracy, Orthodoxy, and nationality".

The exception was the educated intelligentsia, who are in a liberal opposition to the political regime, and who mainly profess Western legal values in the field of legislation, civil rights and freedoms [11]. By the way, the events of the beginning of the 20th century, the revolution, the new electoral law of 1906, suffrage and the creation of completely new bodies of state power for Russia - the Duma showed any progressive shifts in the legal awareness of the broad popular strata of tsarist Russia, but rather demonstrated its flaw. This tendency, unfortunately, led to the radicalization of public sentiment in Russian society, the collapse of the monarchy, and then the collapse of the interim government, which vainly counted on gradual reforms and a civilized solution of mature social and political problems strictly in the legal field.

Other examples of the development of legal awareness and legal culture, which are appropriate to cite as a comparison, are given by foreign authors. Their research suggests that there were alternatives of right-wing development, which were aimed at achieving compromises in society, the legal stability of which could be ensured by parliamentary institutions [12].

However, in Russia, as its history shows, a historic chance was missed, which allowed all sectors of Russian society, its political parties, Duma factions, to avoid revolutionary violence. In the Soviet period, legal consciousness was associated with ideology, but in many respects preserved the old traditions in terms of law obedience and respect for the new “people's power”.

At present, the formation of a legal culture and legal awareness of the individual, involves the interaction of “the state and citizens, the use of Western European experience as a value that can be used in practice in the Russian context without undue political bias, adjusted for the peculiarities of the “Russian national character” and other conventions.

Indeed, many legal values are universal, and are of international origin and naturally theoretically stated in many scientific works of European scientists - colleagues [13]. It should be aimed at preparing the role functions of a citizen, the conscientious fulfillment of which provides an opportunity for everyone to exist normally in the system of public life, to use their rights and freedoms as defined by the constitution within the framework of the rule of law.

CONCLUSIONS.

So, in a state of law, as we know, conditions must be created for the development of legal literacy and legal awareness of the population. To overcome the low level of legal awareness and legal culture of the population, not coercion is required, but legal education and upholding respect for the law, but also others. In 2011, Russia adopted the "Fundamentals of the state policy of the Russian Federation in the field of the development of legal literacy and legal awareness of citizens" [14].

They stated that “The development of the rule of law, the formation of civil society and the strengthening of national harmony in Russia require a high legal culture, without which such basic values and principles of society as the rule of law, the priority of a person, his inalienable rights and freedoms, ensuring reliable protection of public interests”. It should be noted that the legal culture is broader than legal consciousness, since it includes not only ideological and psychological factors, but also legally significant behavior.

The solution to this problem is played not only by strengthening the institutions of state power, improving the normative field and eliminating contradictions in the legislative body, but also by fully educating citizens, including legal, of which such a legal science as the history of state and Russian law is an integral part. She, as a whole, humanitarian education in conjunction with upbringing fulfills the most important functional load and not only carries out the transfer of information about the law, and then, in practice, helps to ensure the full interaction of subjects of legal activity.

Conflict of interest.

The authors confirm the absence of a conflict of interest.

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